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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

December 10, 2004

Will Boyle
B & L Partners, LLC
70 Bishop Street
Portland, ME 04103

RE: Rainmaker Business Park
ID #2004-0229, CBL #312 B004
Amendment to an Approved Plan Application

Dear Mr. Boyle:

On December 10, 2004 the Portland Planning Authority approved the above referenced project as presented in plans prepared by Sevee & Maher Engineers, Inc. dated March 3, 2004, last revised December 6, 2004. This approval is based on the findings and subject to the provisions, requirements and conditions contained in this letter.

Findings

1. The project is in conformance with the use, performance and dimensional standards of the I-M zone.
2. The project, as presented in final plans is in conformance with the Site Plan Ordinance.

Conditions

1. The applicant shall install at a minimum an 8" underdrain pipe with an inline neoplast drain that will connect into the stormdrain on the easterly side of Riverside Street. The final location of the drain shall be such that it is at a low point adjacent to the Newton property line approximately 100 feet from the Riverside Street curblin. The final location and installation shall be approved by the City DRC in the field prior to construction and/or grading at the structure.

2. The applicant shall revise the light fixture type proposed for the North sides of the existing building and building #1 to specify a cut-off fixture type. Catalog of the cut-off fixtures cuts shall be presented to the planning authority for final review and approval.

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 Autocad files (*.dwg), release 14 or greater, 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.)

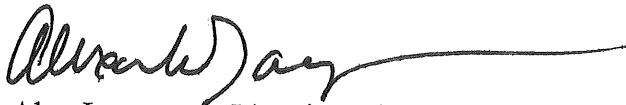
The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Department at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete 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.

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 Ethan Boxer-Macomber, Planner at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Alex Jaegerman, Planning Division Director

Cc: Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Eric Labelle, City Engineer
Correspondence File

