

CITY OF PORTLAND, MAINE

PLANNING BOARD

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June 29, 2016

Chris Thompson
Thompson's Point Development Company
501 Danforth Street
Portland, ME 04102

Bo Kennedy
Stantec
778 Main Street, Suite 8
S. Portland, ME 04106

Project Name:	Suburban Propane	Project ID:	2016-047
Address:	636 Riverside Street	CBL:	322-A-3
Applicant:	Thompson's Point Development Co.	Planner:	Nell Donaldson

Dear Mr. Thompson:

On June 28, 2016, the Planning Board considered your proposed development for Suburban Propane at 636 Riverside Street. The Planning Board reviewed the proposal for conformance with the standards of the site plan and subdivision ordinances of the Land Use Code. The Planning Board voted to approve the application with the waivers and conditions as presented below.

WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on June 28, 2016 for application 2016-047 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

The planning board voted 7-0 to find, based on the consulting civil engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard (*Section 5.III.E*) which requires that projects must detain, retain, or result in the infiltration of stormwater from 24-hour storms of the 2-year, 10-year, and 25-year frequencies such that the peak flows of stormwater from the site do not exceed the pre-development condition, that substantial justice and the public interest are secured with the proposed variation in this standard, and that the variation is consistent with the intent of the ordinance, as the stormwater drains directly into the Presumpscot River. The Planning Board waived the *Technical Manual* standard (*Section 5.III.E*) to allow stormwater management and drainage as proposed in the final plan.

SUBDIVISION

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on June 28, 2016 for application 2016-047 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the planning board voted 7-0 to find that the plan is in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:

1. The applicant shall finalize the subdivision plat for review and approval by the Department of Public Works, Corporation Counsel, and the Planning Authority;
2. The applicant shall provide evidence of all necessary easements for review and approval by Corporation Counsel and the Planning Authority, including but not limited to the following:
 - An easement from Lot 4-1 to Lot 4 to extend access rights from the driveway to the remainder of Lot 4;
 - An easement from Lot 4 to Lot 4-1 to allow the site's drainage to cross Lot 4 and ensure access for purposes of future inspection and maintenance; and
 - A utility easement from Lot 3 for purposes of an overhead electrical line from Riverside Street.

DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on June 28, 2016 for application 2016-047 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board voted 7-0 to find that the plan is in conformance with the site plan standards of the land use code and **approve** the application, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide evidence of a Notice of Intent to Comply with the Maine Construction General Permit for review and approval by the Planning Authority;
2. The applicant shall provide a final construction management plan, including any necessary temporary construction easements, for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority;
3. The applicant shall provide a revised plan set which:
 - depicts the final location of driveway access points to Lots 2 and 3; and
 - depicts only such parking as is intended for construction under the current application. The Planning Authority may review and approve administratively an increased parking area, as needed, within three years from the Planning Board's decision.
4. The applicant shall provide a landscaping plan meeting the standards of the city's site plan ordinance for review and approval by the City Arborist and Planning Authority.

The approval is based on the submitted plans and the findings related to site plan review standards as contained in the Planning Board report for application 2016-047 which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Storm Water Management** The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines.

The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage

system, as attached, or in substantially the same form with any changes to be approved by Corporation Counsel, shall be submitted and signed prior to the issuance of a building permit with a copy to the Department of Public Services.

1. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in 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, Land Use, of the Portland City Code.
4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** 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 Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and 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 site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held 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 Development Review Coordinator will confirm that the contractor is working from the approved site plan. 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.
10. **Department of Public Services Permits** 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.)
11. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. 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.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,



Elizabeth Boepple, Chair
Portland Planning Board

Attachments:

1. Planning Board Report
2. Portland City Code: Chapter 32
3. Sample Stormwater Maintenance Agreement
4. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Stuart G. O'Brien, City Planning Director
Barbara Barhydt, Development Review Services Manager
Nell Donaldson, Planner
Philip DiPierro, Development Review Coordinator, Planning
Ann Machado, Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Brad Saucier, Administration, Inspections Division
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Keith Gautreau, Fire Department
Jennifer Thompson, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

PLANNING BOARD REPORT PORTLAND, MAINE



Suburban Propane, 636 Riverside Street
Level III Subdivision and Site Plan Review
2016-047
Suburban Propane

Submitted to: Portland Planning Board Date: June 23, 2016 Public Hearing Date: June 28, 2016	Prepared by: Nell Donaldson, Planner CBLs: 322-A-3 Project #: 2016-047
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I. INTRODUCTION

Forefront Partners, working on behalf of Suburban Propane, has requested a final Level III site plan and subdivision review for the development of a new lot in the city's Riverside Street Subdivision. The plans include the creation of a 4.12 acre lot through an amended subdivision plat and the development of that lot with office, garage, and fuel storage facilities. The proposal also includes the construction of a shared access driveway prescribed in the original Riverside Street Subdivision plat, parking, stormwater infrastructure, and utility connections. In the time since the Board's preliminary workshop on this project, the applicant has added a sidewalk from Riverside Street to the major points of building access, modified the drive to include turnoffs to the adjacent lots and two approach lanes at Riverside Street, relocated an access gate to eliminate the need for an easement from the adjacent city-owned lot, and relocated the office/garage building to avoid an existing drainage easement on the site.

This development is being referred to the Planning Board for compliance with the site plan and subdivision standards of the land use code. A total of 76 notices were sent to property owners within 1,000 feet of the site and a legal ad ran in the *Portland Press Herald* on June 20 and 21, 2016.

Applicant: Forefront Partners, LP

Consultant: Bo Kennedy, Stantec

II. REQUIRED REVIEWS

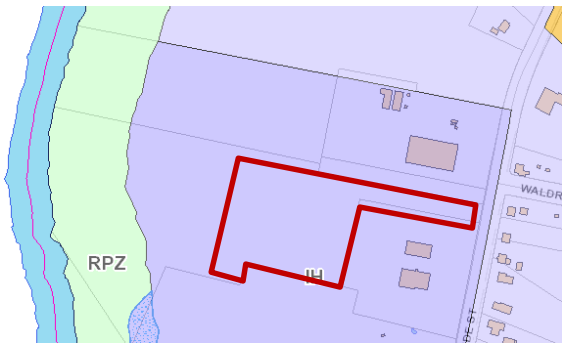
<i>Waiver Requests</i>	<i>Applicable Standards</i>
Flooding Standard, limiting peak flows of discharge from the site <i>Supported by consulting civil engineer</i>	<i>Technical Manual Section 5/Maine DEP Chapter 500</i>

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	<i>Section 14-526</i>
Subdivision	<i>Section 14-497</i>

III. PROJECT DATA

Existing Zoning	I-H
Existing Use	Vacant
Proposed Use	Mixed use (commercial and residential)
Proposed Development Program	Office building, garage, cylinder storage dock, and fuel storage
Parcel Size	4.12 acres

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	0 SF	13,446 SF	13,446 SF
Building Floor Area	0 SF	13,446 SF	13,446 SF
Impervious Surface Area	75,358 SF	104,544 SF	29,186 SF
Parking Spaces (on site)	0	50	50
Bicycle Parking Spaces	0	4	0
Estimated Cost of Project	\$2,000,000		



Figures 1, 2, and 3:
Existing conditions
from above (top);
existing zoning (bottom
left); existing site from
Riverside Street
(bottom right)

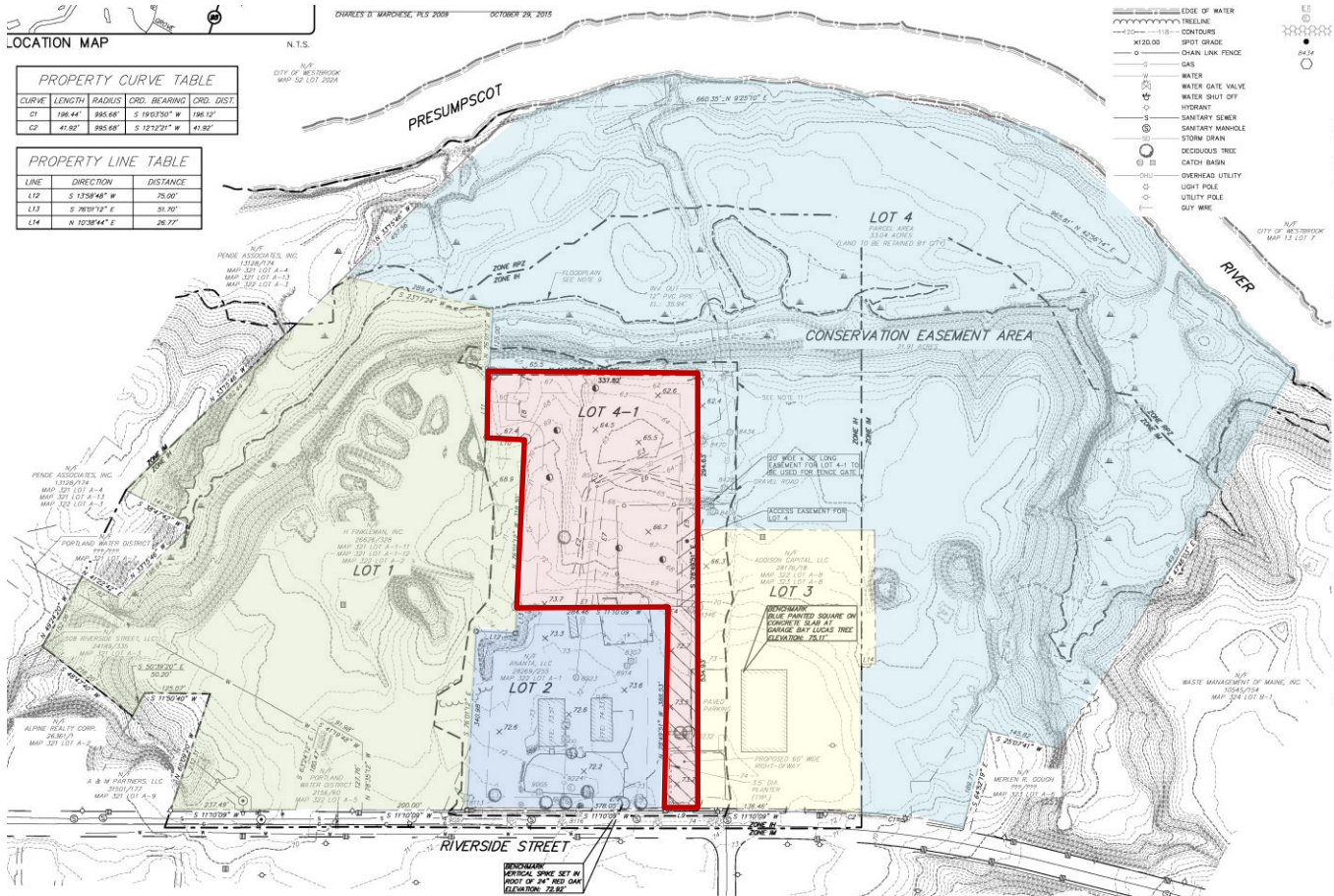


Figure4: Draft subdivision plat, showing Suburban Propane site (Lot 4-1)

IV. BACKGROUND & EXISTING CONDITIONS

636 Riverside Street is located on the city’s western border near the intersection of Riverside Street and Forest Avenue. The site is a portion of one of four lots created by the city in 2010 when it established the Riverside Subdivision. Three of these four original lots are currently occupied: Lot 1 by Schnitzer, Lot 2 by Solaris, a solar installer, and Lot 3 by Lucas Tree. The Suburban Propane development is proposed for a portion of Lot 4. The site lies in the High Impact Industrial (I-H) zone.

The site, which is just over 4 acres in size, is a fill site, and has recently been used as a laydown, hauling, and parking area by Lucas Tree. An environmental site assessment was conducted on the property at the time of the original subdivision in 2010. Per the applicant, there are no significant environmental issues on the property. The site drains to the Presumpscot River. Currently, there are no buildings on the site. Access is from Riverside Street.

V. PROPOSED DEVELOPMENT

Under the current application, the Suburban Propane site would be split from the fourth of the four original Riverside Subdivision lots, making a new lot, labeled 4-1 on the plat, with access from Riverside Street. The applicant has proposed to construct:

1. A 7,300 SF pre-fabricated metal building to be used as Suburban Propane’s district office, with up to 48 employees and a small customer service area;
2. A 2,146 SF building with a two-bay garage and associated office space;
3. A fuel storage and distribution area with a 4,000 SF elevated dock;
4. Three 30,000 gallon propane fuel storage containers with piping to bobtail connections;
5. A 24 foot wide access drive from Riverside Street which would provide vehicular and pedestrian connections to a parking area with 50 spaces for both employee and visitor use.

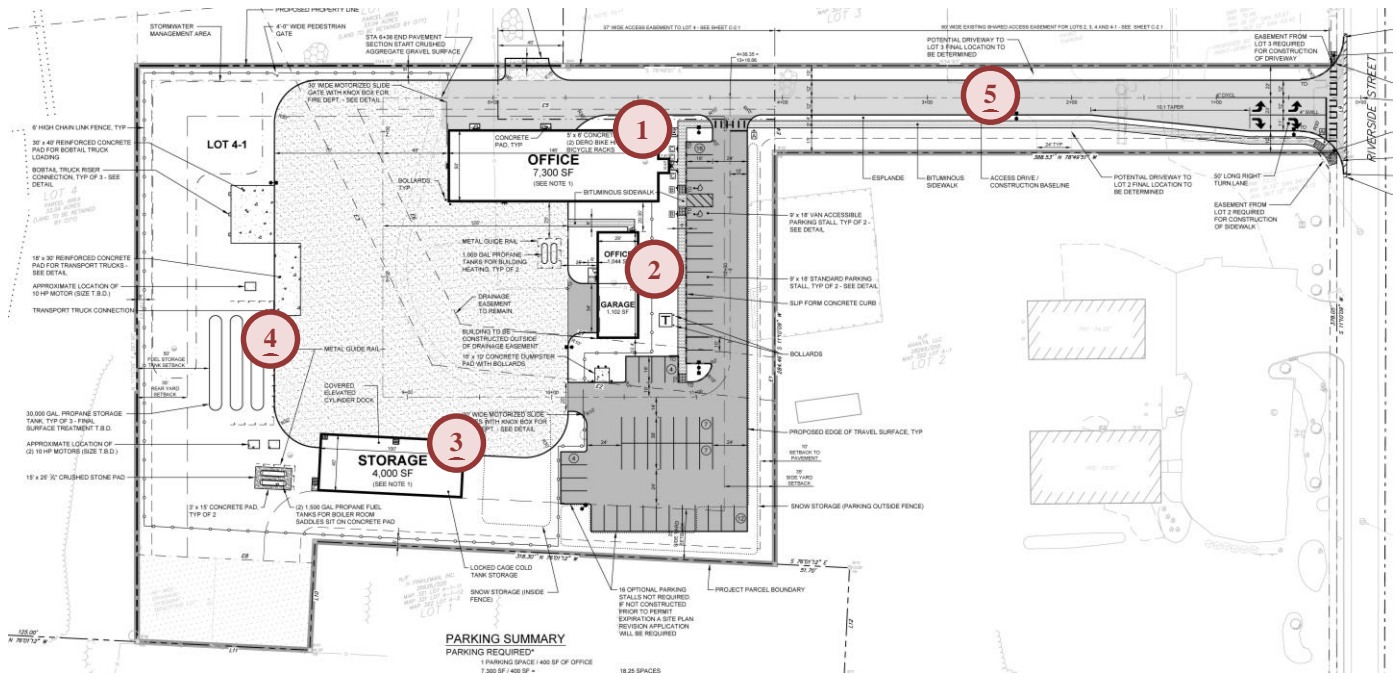


Figure 5: Preliminary site plan

The garage and fuel storage elements of the plan would be serviced by a gravel yard area and secured within a 6 foot fence with two motorized gates. All areas of the site beyond the parking and gravel yard would be loamed and seeded.

VI. PUBLIC COMMENT

Staff fielded two telephone calls. One came from a neighbor who raised concerns about the presence of rock dust on site and potential pollution to the Presumpscot River. No written comments have been submitted.

Suzanne Elisha, property owner for Solaris, expressed concerns regarding the requirement to close the curb cut. The consolidation of the curb cuts was a recommendation from the Traffic Engineer at the time of the 2010 review and an access easement was created on the plat which conveys rights of access for the shared driveway. A note on the approved access plan (refer to figure 6 below or Attachment 2 Sidewalk and Driveway Plan) states “Existing driveway to be closed upon commencement of a development requiring administrative or Planning Board site plan approval or upon construction of Lot #4 shared access driveway. Install curing and remove pavement from esplanade. Provide 4” loam and seed.” This condition was included within the purchase and sales agreement for the Solaris Site. No written comments have been submitted.

The applicant has submitted minutes from a neighborhood meeting held on Monday, May 9 (Attachment O). Meeting minutes showed that the two attendees who signed in raised concerns about public safety, traffic impacts, and construction.

VII. RIGHT, TITLE, & INTEREST

The applicant’s submittal includes a purchase and sale agreement between the City of Portland and Thompson’s Point Development Company as evidence of right, title, and interest (Attachment D). Under the existing arrangement, Thompson’s Point Development Company will develop the site on behalf of Suburban Propane and deed the property to Suburban Propane following development.

A number of easements exist on the site:

- A drainage easement to Lot 2 (Ananta LLC) and Lot 3 (Addison Capital LLC) to allow storm drainage to cross the site;

- A shared access driveway easement to Lot 2 (Ananta LLC) and Lot 3 (Addison Capital LLC) to allow access to and from a shared drive on the site;
- A public access easement to the City of Portland for portions of sidewalk which lie in the city’s right-of-way in Riverside Street.

VIII. FINANCIAL & TECHNICAL CAPACITY

The estimated cost of the development is approximately \$2 million. The applicant has submitted a letter from Androscoggin Bank indicating vouching for Thompson’s Point Development Company’s financial capacity (*Attachment E*).

IX. ZONING ANALYSIS

The applicant has provided a zoning analysis documenting that the plans meet the dimensional requirements of the I-H zone (*Attachment C*).

X. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

The applicant has provided an amended subdivision plat depicting the new lot (*Plan 7*). This plat has been reviewed by Bill Clark, the city’s surveyor, and he has indicated his approval. However, there are several outstanding items with respect to the plat, including the completion of additional easements will be necessitated by the development but have yet to be drafted:

- An easement to extend access rights from the driveway to the remainder of Lot 4;
- An easement from Lot 4 to Lot 4-1 to allow the site’s drainage to cross Lot 4 and ensure access to Lot 4 for purposes of future inspection and maintenance; and
- A utility easement from Lot 3 for purposes of an overhead electrical line from Riverside Street.

The submission of these easements and their inclusion on the plat has been drafted as a condition of approval.

The applicant has also noted in their submittal that a Notice of Intent to Comply with the Maine Construction General Permit will be required. This has also been included as a condition of approval.

Lastly, the applicant has submitted a construction management plan (*Attachment H*). Of this plan, Tom Errico, the city’s consulting civil engineer, writes,

A construction management plan will be required for utility work in Riverside Street....It should be noted that the expectation of the work zone is that two travel lanes are provided during construction.

The applicant has suggested in their final submittal that temporary easements may be necessary from Lots 2 and 3 for the construction of the proposed sidewalk ramps and driveway. A final construction management plan and these easements have been included as a condition of approval.

XI. SUBDIVISION REVIEW (14-497(a). Review Criteria)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland’s subdivision ordinance. Staff comments are below.

1. Water, Air Pollution

The site currently serves as a laydown area for Lucas Tree, with about half of the site, or 1.73 acres, covered in gravel. The project will disturb approximately 92% of the parcel. Under the proposed site plan, impervious would increase to 2.4 acres.

The applicant has proposed a grassed underdrained soil filter to treat an area equivalent to the net new impervious area and obtain an additional water quality management credit against the city’s stormwater service charge

(Attachment C). The underdrained soil filter would outlet to existing drainage infrastructure on the remainder of Lot 4, and from there to the Presumpscot River. The rest of the lot would drain directly to the existing drainage infrastructure on the site and, subsequently, the river, with the exception of a small area at the head of the entrance drive which would sheet flow to Riverside Street.

Lauren Swett, consulting civil engineer, has reviewed the stormwater systems proposed for the site and found that they meet the city's site plan and technical manual standards with a waiver of the flooding standard as requested (Attachment 2). No detrimental water or air quality impacts are anticipated.

2 & 3. Adequacy of Water Supply

The plans show water service from an existing 12" cast iron water main in Riverside Street. The plans show 6" fire service and 2" domestic service running from a single 6" connection in the main. Fire service would extend to a hydrant proposed to the northeast of the office building and further to the propane storage dock, which will contain a sprinkler system. Domestic service would be provided to each of the three buildings proposed. Evidence of water capacity has been provided (Attachment M).

4. Soil Erosion

No unreasonable soil erosion or reduction in the capacity of the land to hold water is anticipated.

5. Impacts on Existing or Proposed Highways and Public Roads

The applicant has provided a trip generation estimate (Attachment C). This analysis assumes 48 employees at maximum capacity and an AM peak hour trip generation of 23 trips. Per the application, "a negligible impact to Riverside Street" is anticipated (Attachment C). Mr. Errico has reviewed the trip generation and found it to be acceptable (Attachment I).

6. Sanitary Sewer/Stormwater Disposal

The applicant has proposed 6" and 8" sanitary sewer lines from the garage and office buildings respectively which would combine in a single 8" line to the adjacent 12" sewer main in Riverside Street. Evidence of wastewater capacity has been provided (Attachment M).

As noted above, the proposed development would direct the vast majority of stormwater runoff to existing drainage infrastructure within the subdivision, which outlets to the Presumpscot River. Ms. Swett has reviewed the plans and found that they generally meet the city's standards, with one waiver as requested.

7. Solid Waste

The applicant has identified solid waste volumes anticipated to be generated both during and post-construction. A dumpster pad is proposed on the site. They also note that small amounts of auto repair waste will be "properly managed, stored, and disposed of inside the garage" (Attachment I). There are no anticipated detrimental impacts as a result of solid waste generation on this site.

8. Scenic Beauty

This proposal is not deemed to have an adverse impact on the scenic beauty of the area.

9. Comprehensive Plan

The project is deemed to be generally consistent with the comprehensive plan, in that it develops a city-owned subdivision intended for industrial use.

10. Financial and Technical Capacity

As noted above, the applicant has provided evidence of financial and technical capacity (Attachment E).

11. Wetland/Water Body Impacts

There are no anticipated impacts to wetlands.

12. Groundwater Impacts

There are no anticipated impacts to groundwater supplies.

13. Flood-Prone Area

The site does abut a flood zone. Per the subdivision plat, no development will occur within the flood zone (*Plan 7*).

XII. SITE PLAN REVIEW

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's site plan ordinance. Staff comments are below.

1. Transportation Standards

a. Impact on Surrounding Street Systems

As noted above, the applicant has provided a trip generation analysis based on the proposed site use, which estimates a peak trip generation of 23 trips during the AM peak hour, mostly as a function of employees on the site, who will include "a mix of sales representatives, accountants, and district managerial staff" (*Attachment L*). The applicant writes, "[t]rips generated by customers or fueling trucks are anticipated to visit the site during off-peak hours and will be relatively minimal" (*Attachment C*). In the final submittal, the applicant has provided additional information on the size of the fueling fleet and the proposed level of industrial/fueling traffic to and from the site, noting that a maximum of six fleet vehicles could be expected with up to three trips per day. Mr. Errico has reviewed the trip generation analysis and anticipates no major impacts to the adjacent street infrastructure (*Attachment 1*).

a. Access and Circulation

The plans include a new 24' access drive from Riverside Street. The final plans show two "potential" points of access from this drive to the adjacent lots (Lot 2 and Lot 3). These access points are a product of the original Riverside Subdivision plat. Pursuant to the development of this subdivision plat, the City of Portland granted a shared access driveway easement to Lot 2 (Ananta LLC) and Lot 3 (Addison Capital LLC "for the purpose of and conveying the right to perpetually enter at any and all times" over the access to Lot 4 from Riverside Street (*Attachment D*). Subsequently, the parties developed a Shared Access Driveway Maintenance Agreement, which stipulates that, when Lot 4 is developed, the owner of Lot 4 is to be responsible for constructing the shared access driveway, that the owner Lot 3 is entitled to access their lot via the driveway by providing written notice to the owners of Lots 2 and 4, and lastly, that the owners of Lot 4 will share maintenance of the shared driveway "with Lot 2 and/or Lot 3 in a reasonable proportionate share reflecting the length of the shared access driveway used by each lot and the approximate number of trips made by vehicles to and from each lot" (*Attachment D*). The applicant has acknowledged that the final location of these access points will be resolved pending future discussions with the adjacent property owners. Mr. Errico writes,

The plan notes approximate driveway locations for Lots 2 and 3. I find the currently depicted locations to be acceptable. Any changes to the locations shall be reviewed and approved by the City.

A condition of approval has been drafted to address this likelihood.

With respect to pedestrian access to the site, the final application includes the construction of new ADA ramps at the entrance drive on Riverside Street, as well as a sidewalk connection on the south side of the entrance drive to the office building and parking area as required.

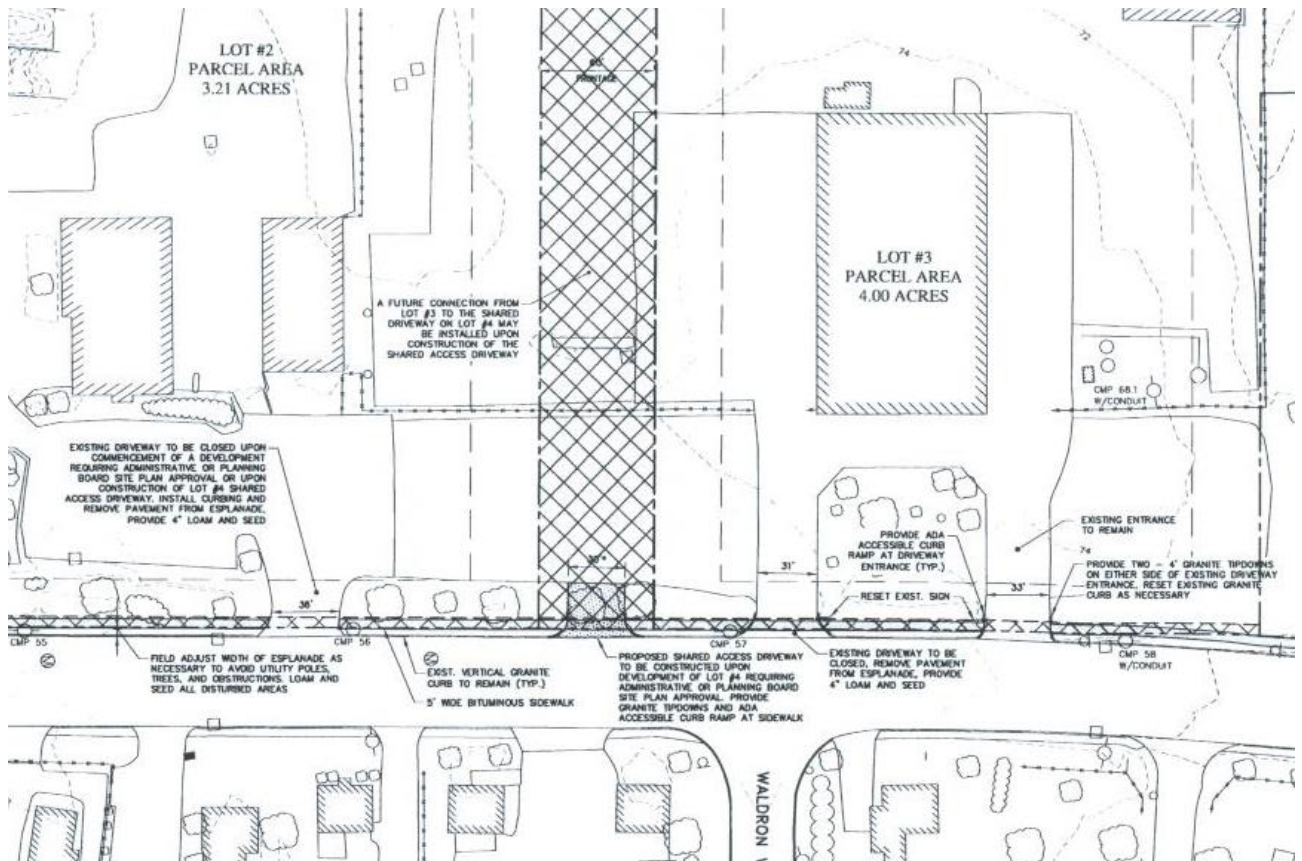


Figure 6: Sidewalk and Driveway Plan, Riverside Subdivision Plat

b. *Public Transit Access*

The project is not located on an existing transit route. No public transit access is required.

c. *Parking*

Division 20 of the land use ordinance establishes a parking requirement of 1/400 SF for office spaces and 1/1,000 SF for industrial buildings not catering to retail trade and with floor area over 3,000 SF. Based on these ratios, 24 parking spaces are required. The applicant’s final plans show 50 spaces in a paved parking lot to serve the 30-34 existing full time employees and 14 additional employees that might be housed at the site in the future. The applicant has noted in their final submittal that they may elect not to build these spaces. Mr. Errico has requested additional clarity on this point, writing,

The plans should either illustrate parking spaces intended for construction or they shall be removed them from the plans.

A condition of approval has been drafted to address the parking as shown in the site plan.

Technically, per the ordinance, four bicycle spaces are required. The applicant has included these spaces in two bicycle racks near the front door of the office building.

d. *Transportation Demand Management*

A transportation demand management plan is not required.

2. *Environmental Quality Standards*

a. *Preservation of Significant Natural Features*

There are no known significant natural features on the site.

b. *Landscaping and Landscape Preservation*

The applicant’s final submittal notes that a landscaping plan addressing the site plan standards will be provided. Jeff Tarling, the city’s arborist, has reviewed this plan and writes,

The proposed 636 Riverside Street project would benefit from a landscape / tree planting plan. The landscape plan should address any new parking areas, commercial property to city right of way interface, this would be the view to the site and landscape treatment to improve circulation. The landscape improvements could be incremental to the proposed site work vs the entire site.

Staff has requested that the applicant add notes to the plan clarifying that areas beyond the gravel yard be shown as loamed and seeded. A proposed condition of approval is included that requires a landscaping plan be submitted for review and approval by the City Arborist and Planning Authority.

c. *Water Quality/Storm Water Management/Erosion Control*

As noted above, the applicant plans to increase impervious area by approximately 29,200 SF, and proposes to treat an area of runoff greater than this area through the use of an underdrained soil filter which would outlet to the Presumpscot River. Ms. Swett has reviewed the design of the stormwater system and found that it meets the city’s basic and general standards. The applicant has requested a waiver from the flooding standard, which regulates the quantity of stormwater leaving the site. Ms. Swett writes,

The applicant is seeking a waiver from the MaineDEP Chapter 500 Flooding Standard, as the project parcel is tributary to a major river segment (Presumpscot River). Given that the proposed underdrained soil filter will manage the discharge rate of the Water Quality Volume generated from the new impervious area, and given that the site discharges almost directly to the Presumpscot River, we support the Applicant’s request for a waiver from the Flooding Standard.

3. Public Infrastructure and Community Safety Standards

a. *Consistency with Related Master Plans*

As noted above, the project is generally deemed consistent with related master plans.

b. *Public Safety and Fire Prevention*

The preliminary plans show all proposed propane storage within a locked, fenced area. A private hydrant is proposed on site, and the propane cylinder storage building will be sprinkled (*Attachment G*). Keith Gautreau, Assistant Fire Chief, has reviewed the final submittal and indicated his approval (*Attachment 5*).

c. *Availability and Capacity of Public Utilities*

As noted above, the plans show domestic water and fire service from an existing 12” cast iron water main in Riverside Street. Evidence of water and sewer capacity has been provided (*Attachment M*).

Electrical service is proposed from the overhead lines in Riverside Street. Overhead service would be extended along the shared access drive and along the front of the site to a riser pole directly in front of the office/garage building. From there, electrical service would drop underground to a pad mounted transformer and subsequently to the three buildings on site. As noted above, this electrical service would require an easement from Lot 3.

4. Site Design Standards

a. *Massing, Ventilation, and Wind Impact*

The bulk, location, or height of the buildings are not likely to result in health or safety problems from a reduction in ventilation to abutting structures.

b. *Shadows*

The project is proposed in the I-H zone; as such, this standard does not apply.

- c. *Snow and Ice Loading*
No adverse snow and ice loading impacts are anticipated.
- d. *View Corridors*
Riverside Street is not a designated view corridor.
- e. *Historic Resources*
The project will not affect historic resources.
- f. *Exterior Lighting*
The applicant has submitted a revised photometric plan in the final submittal which conforms with the city's *Technical Manual* standards (*Plan 27*).
- g. *Noise and Vibration*
The applicant has stated that noise and vibration levels will meet the standards of the zone.
- h. *Signage and Wayfinding*
No signage or wayfinding is proposed at this time. All commercial signs will be required to meet Division 22 of the land use ordinance.
- i. *Zoning-Related Design Standards*
There are no design standards for the I-H zone.

XIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed Suburban Propane project at 636 Riverside Street.

XIV. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on June 28, 2016 for application 2016-047 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The planning board **finds/does not find**, based on the consulting civil engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard (*Section 5.III.E*) which requires that projects must detain, retain, or result in the infiltration of stormwater from 24-hour storms of the 2-year, 10-year, and 25-year frequencies such that the peak flows of stormwater from the site do not exceed the pre-development condition, that substantial justice and the public interest are secured with the proposed variation in this standard, and that the variation is consistent with the intent of the ordinance, as the stormwater drains directly into the Presumpscot River. The Planning Board **waives/does not waive** the *Technical Manual* standard (*Section 5.III.E*) to allow stormwater management and drainage as proposed in the final plan.

B. SUBDIVISION

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on June 28, 2016 for application 2016-047 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the planning board finds that the plan **is/is not in** conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:

1. The applicant shall finalize the subdivision plat for review and approval by the Department of Public Works, Corporation Counsel, and the Planning Authority;
2. The applicant shall provide evidence of all necessary easements for review and approval by Corporation Counsel and the Planning Authority, including but not limited to the following:
 - An easement from Lot 4-1 to Lot 4 to extend access rights from the driveway to the remainder of Lot 4;
 - An easement from Lot 4 to Lot 4-1 to allow the site’s drainage to cross Lot 4 and ensure access for purposes of future inspection and maintenance; and
 - A utility easement from Lot 3 for purposes of an overhead electrical line from Riverside Street.

C. DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on June 28, 2016 for application 2016-047 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan **is/is not** in conformance with the site plan standards of the land use code and **approves/does not approve** the application, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide evidence of a Notice of Intent to Comply with the Maine Construction General Permit for review and approval by the Planning Authority;
2. The applicant shall provide a final construction management plan, including any necessary temporary construction easements, for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority;
3. The applicant shall provide a revised plan set which:
 - a. depicts the final location of driveway access points to Lots 2 and 3; and
 - b. depicts only such parking as is intended for construction under the current application.
4. The applicant shall provide a landscaping plan meeting the standards of the city’s site plan ordinance for review and approval by the City Arborist and Planning Authority.

XIV. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Traffic Engineer review (memo from Thomas Errico, 6/15/16)
2. Civil Engineer review (memo from Lauren Swett, 6/14/16)
3. Department of Public Works review (memo from David Margolis-Pineo, 6/13/16)
4. City Arborist review (memo from Jeff Tarling, 4/11/16)
5. Fire Prevention Bureau review (memo from Keith Gautreau, 6/13/16)

APPLICANT’S SUBMITTALS

- A. Cover Letter (from Bo Kennedy, 2/29/16)
- B. Level III Site Plan application
- C. Development Description
- D. Right, Title, and Interest
- E. Technical and Financial Capacity
- F. Utilities
- G. Fire Safety
- H. Construction Management Plan
- I. Solid Waste

- J. Conformity with Applicable Design Standards
- K. Elevations and Floor Plan
- L. Response to Comments (from Bo Kennedy, 6/10/16)
- M. Utility Capacity Letters
- N. Storm Drain Outlet Photographs
- O. Neighborhood Meeting Minutes

PLANS

- Plan 1. Original Riverside Subdivision Recording Plat
- Plan 2. Sidewalk and Driveway Plan, Riverside Recording Plat
- Plan 3. 1st Amended Riverside Subdivision Plat
- Plan 4. Cover Sheet
- Plan 5. General Notes and Legend
- Plan 6. Existing Conditions Plan of Land
- Plan 7. 2nd Amended Riverside Subdivision
- Plan 8. Site Layout Plan
- Plan 9. Grading and Drainage Plan
- Plan 10. Utility Plan
- Plan 11. Erosion Control Plan
- Plan 12. Erosion Control Notes
- Plan 13. Erosion Control Details
- Plan 14. Stormwater Management Filter Details
- Plan 15. Stormwater Management Filter Notes
- Plan 16. Stormwater Management Details
- Plan 17. Utility Details
- Plan 18. Utility Details
- Plan 19. Site Details
- Plan 20. Site Details
- Plan 21. Electrical and Lighting Details
- Plan 22. Sanitary Sewer Profiles
- Plan 23. Storm Drain Profiles
- Plan 24. Storm Drain Profiles
- Plan 25. Water Profile
- Plan 26. Access Drive Profile
- Plan 27. Photometric Plan



Helen Donaldson <hcd@portlandmaine.gov>

636 Riverside Street/Suburban Propane - Final Traffic Comments

2 messages

Tom Errico <thomas.errico@tylin.com>

Wed, Jun 15, 2016 at 2:40 PM

To: Helen Donaldson <HCD@portlandmaine.gov>

Cc: David Margolis-Pineo <dmp@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <jst@portlandmaine.gov>

Hi Nell – I have reviewed the revised application materials and offer the following final traffic comments as a status update of my April 11, 2016 preliminary comments.

- I have reviewed the trip generation estimate for the site and find it to be acceptable. In my professional opinion the project will not create traffic congestion or safety problems.

Status: No response needed.

- A sidewalk shall be constructed on the proposed drive between Riverside Street and the project site. This shall include a pedestrian facility on-site to the building entrance.

Status: The plans have been revised and now include a sidewalk. I have no further comment.

- The proposed driveway to Riverside Street is noted to be 25-foot wide. While acceptable, a 24-foot wide driveway would be permitted.

Status: The plans have been revised to include a 24-foot road and I find the plans to be acceptable. I have no further comment.

- The construction of the proposed drive triggers the closing of the driveway to the south on Riverside Street and construction of a new access/egress drive on the proposed drive. Details of these two actions (closing the driveway and providing a connection) shall be provided.

Status: The plan notes approximate driveway locations for Lot's 2 and 3. I find the currently depicted locations to be acceptable. Any changes to the locations shall be reviewed and approved by the City.

- The plans illustrate future parking spaces. It is recommended that the spaces either be part of this application or their designation be removed from the site plan.

Status: The plans should either illustrate parking spaces intended for construction or they shall be removed them from the plans.

- Given traffic levels on Riverside Street, two approach lanes (separate left and right lanes) on the driveway should be provided.

Status: The plans have been revised to address this comment and I have no further comment.

Additional Comment:

- **A construction management plan will be required for utility work in Riverside Street. The applicant will be required to provide a construction management plan for review and approval by the City. It should be noted that the expectation of the work zone is that two travel lanes are provided during construction.**

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TYLIN INTERNATIONAL T.Y. Lin International

12 Northbrook Drive

Falmouth, ME 04105

[207.781.4721](tel:207.781.4721) (main)

[207.347.4354](tel:207.347.4354) (direct)

[207.400.0719](tel:207.400.0719) (mobile)

[207.781.4753](tel:207.781.4753) (fax)

thomas.errico@tylin.com

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"One Vision, One Company"

Please consider the environment before printing.

Helen Donaldson <hcd@portlandmaine.gov>
To: Tom Errico <thomas.errico@tylin.com>

Thu, Jun 16, 2016 at 9:39 AM

Thanks, Tom.

[Quoted text hidden]

—

Nell Donaldson
Planner, City of Portland
874-8723
hcd@portlandmaine.gov

MEMORANDUM



TO: Nell Donaldson, Planner
FROM: Lauren Swett, PE
DATE: June 14, 2016
RE: 636 Riverside Street – Final Level III Site Plan and Amended Subdivision Application

Woodard & Curran has reviewed the Response to Comments provided for the Final Level III Site Plan and Amended Subdivision Application for the proposed Suburban Propane site located at 636 Riverside Street in Portland, Maine. The project involves the construction of a new office, storage, and distribution facility for Suburban Propane. Three structures are proposed, including a 7,300-sf office building, 2,146-sf two bay garage with associated office space, and a 4,000-sf cylinder storage dock. Additionally, site improvements will include fuel distribution storage cylinders, driveways, parking areas, and stormwater management areas. The project will develop 3.80 acres of the 4.12 acre site. The net developed area as part of the project is estimated at 2.07 acres. The net impervious area created as part of this project is estimated to be 0.68 acres.

Documents Reviewed by Woodard & Curran

- Suburban Propane Development Final Level III Site Plan and Amended Subdivision Application Response to Comments and attachments, dated June 10, 2016, prepared by Stantec on behalf of Thompson's Point Development Co., Inc.
- Engineering Plans, C-2.1, C-3.0, C-4.0, C-5.0, C-6.0, C-8.0, and C-9.4, dated June 10, 2016, prepared by Stantec on behalf of Thompson's Point Development Co., Inc.

Comments

- 1) The Applicant has noted that the Notice of Intent to Comply with the Maine Construction General Permit will be filed prior to construction, and will be provided to the City. We concur with the Applicant's recommendation that this be a condition of approval.
- 2) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a) Basic Standards: The Applicant has submitted plans, details and a report that addresses erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500 and Chapter 32 of the City of Portland Code of Ordinances.
 - b) General Standards: The applicant proposes an underdrained soil filter system to provide water quality treatment in accordance with the General Standards for an impervious area equivalent to the proposed net increase in impervious area, and has submitted design calculations and details for the system. Based on our review, we find that the project is compliant with the MaineDEP General Standards for the new impervious area.
 - c) Flooding Standard: The applicant is seeking a waiver from the MaineDEP Chapter 500 Flooding Standard, as the project parcel is tributary to a major river segment (Presumpscot River). Given that the proposed underdrained soil filter will manage the discharge rate of the Water Quality Volume generated from the new impervious area, and given that the site discharges almost directly to the Presumpscot River, we support the Applicant's request for a waiver from the Flooding Standard.
- 3) All comments have been addressed.



Helen Donaldson <hcd@portlandmaine.gov>

Suburban Propane revised submittal - comments by Wednesday if possible

David Margolis-Pineo <dmp@portlandmaine.gov>
To: Helen Donaldson <hcd@portlandmaine.gov>

Tue, Jun 14, 2016 at 8:47 AM

Let's leave it. At this point it just muddies the waters. Not really that important anyway.

On Tue, Jun 14, 2016 at 8:36 AM, Helen Donaldson <hcd@portlandmaine.gov> wrote:
David,

These did get to me, and I'm pretty sure I forwarded them, even though they came in after Mike's. I also noticed that Bo didn't respond to them.

If you'd like to push on them, I'm happy to. They wouldn't be that hard for them to address!

Nell

On Tue, Jun 14, 2016 at 7:52 AM, David Margolis-Pineo <dmp@portlandmaine.gov> wrote:

Nell,

The Wastewater Capacity Application approval has been sent to the applicant and is in Urban Insight. I guess the following comments did not get to you. Forget about them at this point. Not that important.

May 23, 2016

Memo To: Nell Donaldson

Barbara Barhydt

From: David Margolis-Pineo

Re: 636 Riverside Street – Suburban Propane

The Department of Public Services has the following review comments on the above project.

1. Please move the proposed 2” water tap off the proposed 6” water main out of the Riverside Street right of way.

2. Please add general note stating that, "All proposed work within the City road right of way shall meet City of Portland Technical Manual standards."
3. Prior to construction, drainage easements should be in place between all applicable lots owners to cover the underground drainage system.
4. The applicant may wish to review other options to installing a 22' deep manhole with external drop connection in the middle of Riverside St.

We have no further comments at this time.

On Mon, Jun 13, 2016 at 9:18 AM, Helen Donaldson <hcd@portlandmaine.gov> wrote:

All,

Revised plans for Suburban Propane are now in ePlan. I am attaching Bo Kennedy's response to comments here.

I am on vacation next week, so I am trying to get final comments from you *by this Wednesday*. If that seems completely un-doable to you, can you please let me know as soon as possible?

Thanks in advance for scrambling on this one.

Nell

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Nell Donaldson
Planner, City of Portland
874-8723
hcd@portlandmaine.gov

--

David Margolis-Pineo
Deputy City Engineer
Department of Public Services
55 Portland St.
Portland, ME 04101
Office 207-874-8850
Cell 207-400-6695
dmp@portlandmaine.gov

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Nell Donaldson
Planner, City of Portland
874-8723
hcd@portlandmaine.gov

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David Margolis-Pineo
Deputy City Engineer
Department of Public Services
55 Portland St.
Portland, ME 04101
Office 207-874-8850
Cell 207-400-6695
dmp@portlandmaine.gov



Helen Donaldson <hcd@portlandmaine.gov>

636 Riverside Street Project

Jeff Tarling <jst@portlandmaine.gov>
To: Helen Donaldson <hcd@portlandmaine.gov>

Mon, Apr 11, 2016 at 12:56 PM

Hi Nell -

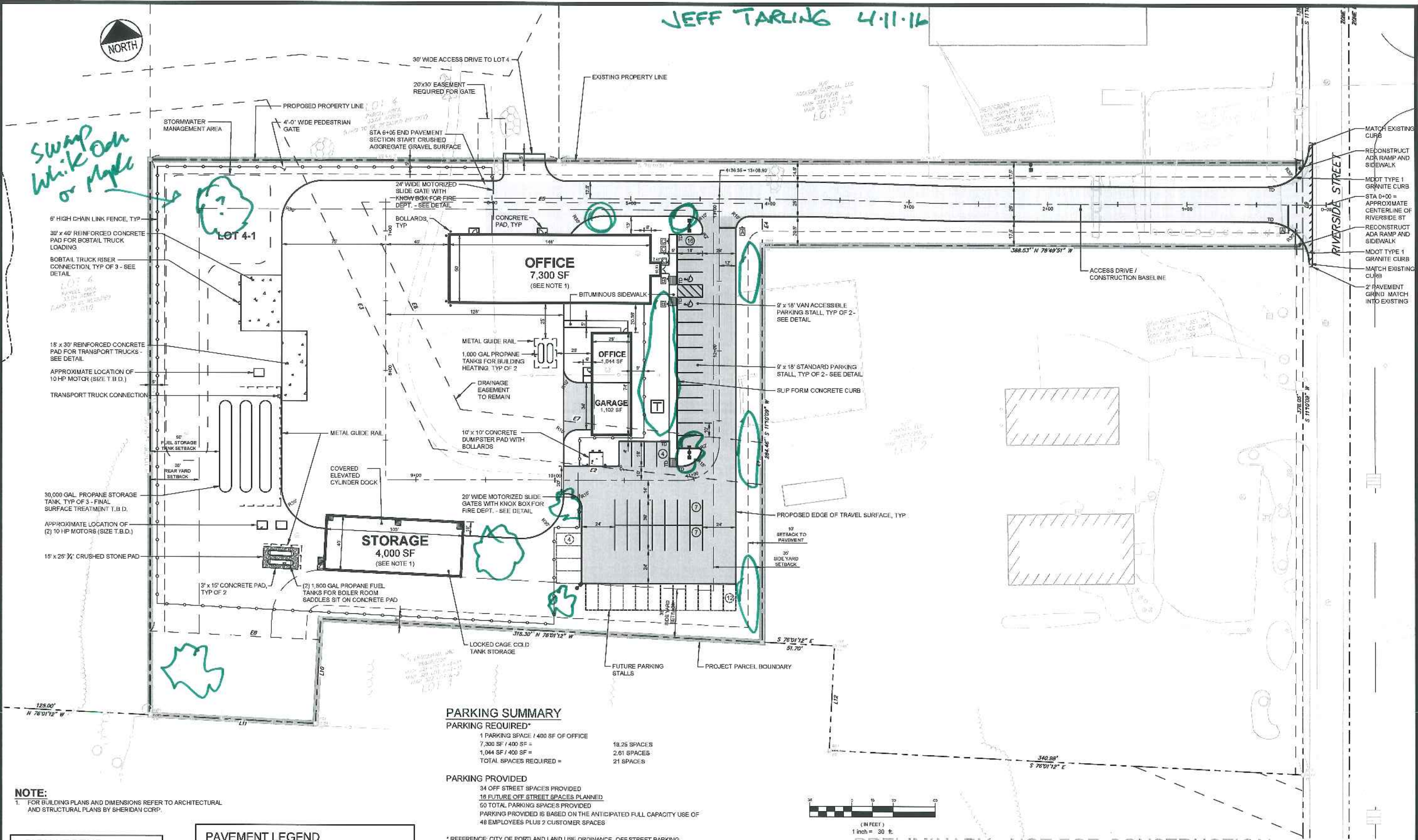
The proposed 636 Riverside Street project would benefit from a landscape / tree planting plan. The landscape plan should address any new parking areas, commercial property to city right of way interface, this would be the view to the site and landscape treatment to improve circulation. The landscape improvements could be incremental to the proposed site work vs the entire site.

Thanks

Jeff

Jeff Tarling
Portland Parks & Recreation - City Arborist
55 Portland Street
Portland, ME. 04101
[\(207\) 874.8820](tel:(207)874.8820)
jst@portlandmaine.gov

JEFF TARLING 4.11.16



PARKING SUMMARY

PARKING REQUIRED*

1 PARKING SPACE / 400 SF OF OFFICE	
7,300 SF / 400 SF =	18.25 SPACES
1,044 SF / 400 SF =	2.61 SPACES
TOTAL SPACES REQUIRED =	21 SPACES

PARKING PROVIDED

34 OFF STREET SPACES PROVIDED
 18 FUTURE OFF STREET SPACES PLANNED
 50 TOTAL PARKING SPACES PROVIDED
 PARKING PROVIDED IS BASED ON THE ANTICIPATED FULL CAPACITY USE OF 48 EMPLOYEES PLUS 2 CUSTOMER SPACES

* REFERENCE: CITY OF PORTLAND LAND USE ORDINANCE, OFF STREET PARKING REQUIREMENTS SECTION 14.492 DIVISION 20

SPACE AND BULK SUMMARY IH - INDUSTRIAL ZONE

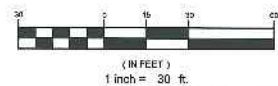
	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	4.12 AC
MINIMUM STREET FRONTAGE	60'	60'
MINIMUM FRONT YARD	25'	N/A
SIDE YARD	35'	35' (COLD STORAGE DOCK)
REAR YARD	35'	>120' (COLD STORAGE DOCK)
MAXIMUM BUILDING HEIGHT	75'	<20'
MAXIMUM IMPERVIOUS RATIO	65%	55%
MINIMUM PAVEMENT SETBACK	10'	14.5'

NOTE:
 1. FOR BUILDING PLANS AND DIMENSIONS REFER TO ARCHITECTURAL AND STRUCTURAL PLANS BY SHERIDAN CORP.

SIGN LEGEND

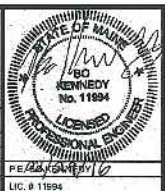
PAVEMENT LEGEND

[Pattern]	HEAVY DUTY PAVEMENT
[Pattern]	STANDARD DUTY PAVEMENT
[Pattern]	BITUMINOUS PAVEMENT SIDEWALK
[Pattern]	CRUSHED AGGREGATE GRAVEL
[Pattern]	CONCRETE
[Pattern]	3/4" CRUSHED STONE



PRELIMINARY - NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	REVISIONS
3	02.19.16	FINAL SITE PLANS AND SUBDIVISION PLANS SUBMITTED TO CITY	
2	01.22.16	SUBMITTED TO OWNER FOR REVIEW	
1	02.11.15	SUBMITTED TO CONTRACTOR FOR PRICING	



PROJECT: **SUBURBAN PROPANE RELOCATION**

SHEET TITLE: **SITE LAYOUT PLAN**

CLIENT: **THOMPSON'S POINT DEVELOPMENT CO. INC.**

STANTEC CONSULTING SERVICES INC.
 778 MAIN ST, SUITE 8
 SOUTH PORTLAND, ME 04106
 WWW.STANTEC.COM

Stantec

DRAWN: DED DATE: JAN 2016
 DESIGNED: BEK SCALE: 1" = 30'
 CHECKED: BEK JOB NO. 195350142
 FILE NAME: SP-M157 SITE
 SHEET: **C-3.0**



Helen Donaldson <hcd@portlandmaine.gov>

Suburban Propane revised submittal - comments by Wednesday if possible

Keith Gautreau <kng@portlandmaine.gov>
To: Helen Donaldson <hcd@portlandmaine.gov>

Mon, Jun 13, 2016 at 11:13 AM

Hi Nell,

I'm all set with the responses from Bo. Let me know if you need something else.

Keith

On Mon, Jun 13, 2016 at 9:18 AM, Helen Donaldson <hcd@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Keith Gautreau, Assistant Fire Chief
Fire Prevention Bureau
Community Outreach Branch
Portland Fire Department
380 Congress Street
Portland, ME 04101
(207)874-8409
kng@portlandmaine.gov