



PORTLAND MAINE

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Planning & Urban Development Department

Jeff Levine, AICP, Director

Planning Division

Alexander Jaegerman, FAICP, Director

August 30, 2013

Mike Lyne and Neil Geary
JHR Development of Maine, LLC
169 Park Row, Suite 5
Brunswick, ME 04011

Robert J. Woodman
FST, Inc.
778 Main Street, Suite 8
South Portland, ME 04106

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|---------------|-------------------------------|-------------|--------------|
| Project Name: | Truck Loading Area Addition | Project ID: | 2013-181 |
| Address: | 56 Milliken Street | CBL: | 334 A014 001 |
| Applicant: | JHR Development of Maine, LLC | | |
| Planner: | Shukria Wiar | | |

Dear Mr. Lyne and Mr. Geary:

On August 27, 2013, the Planning Authority approved with conditions a Level II site plan for a truck loading area addition at 56 Milliken Street. The project will consist of constructing two recessed loading docks and one at grade dock along with an associated paved truck maneuvering area and a stormwater management facility. The project will result in a net increase of 23,100 square feet of impervious area. The project is approved with conditions as an amendment to the existing Site Location of Development Permit. The decision is based upon the application, documents and plans as submitted and prepared by Robert Woodman of FST, Inc. with a revision date of 08.09.2013. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance.

WAIVERS

1. The Planning Authority waives the requirement of Technical Standard Section 14-526 (a) (2) (c) of the Site Plan Ordinance that states all development shall provide sidewalk and curbing along all frontages, to allow no sidewalk and curbing along the street frontages along the Milliken Street. The waiver is based on the findings that there are no sidewalks within 1000 feet of the project site and given the industrial nature of the area, and pedestrian use is not expected. In addition it is a short dead end street, which is wide enough to function as alternative pathway (the street can function safely as a shared facility).
2. The Planning Authority waives the requirement of Technical Standard Section 14-526 (a) (2) (c) of the Site Plan Ordinance that that all development shall provide sidewalk and curbing along all frontages, to allow no sidewalk and curbing along the frontage side of the Riverside Industrial Parkway. This waiver is based on the findings that there are no sidewalks within 1000 feet of the project site and given the industrial nature of the area, sidewalks are not expected. In addition, the City will be upgrading the roadway in the near future and has made a design decision that sidewalks are not included.

SITE PLAN REVIEW

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval:

1. Storm Water Management Condition of Approval

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.

2. 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.

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 OF APPROVAL

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

1. **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 Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **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.
3. **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.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, 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 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.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **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.
7. **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.)

8. **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.

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 Shukria Wiar at (207) 756-8083 or via shukriaw@portlandmaine.gov

Sincerely,



Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

1. Sample Stormwater Maintenance Agreement
2. Performance Guarantee Packet

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
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
Captain Chris Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File