

CITY OF PORTLAND, MAINE

PLANNING BOARD

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October 15, 2004

Mr. James Wolf
Oak Ridge Development
P.O. Box 10127
Portland, ME 04104

RE: Oak Ridge Subdivision, Plymouth Street
Job ID #2004-0041, CBL #341-H-004

Dear Mr. Wolf:

On September 21, 2004 the Portland Planning Board voted unanimously (6-0, Patterson absent) to approve the Oak Ridge Subdivision in the vicinity of Plymouth Street, with the following conditions:

- i. If the Willow Knoll project is developed prior to Oak Ridge Subdivision street acceptance, Oak Ridge Development will coordinate street connection with the Willow Knoll developer and, if necessary, revised street plans shall be submitted for review and approval by Public Works.
- ii. Public Works shall review and approve the location of the street monumentation.
- iii. Oak Ridge Development shall contribute \$5,000 to the Allen Avenue/Plymouth Street/Northfield Street intersection traffic signal installation fund, prior to issuance of a building permit. If a traffic signal is not installed within three (3) years of the submittal of the \$5,000 contribution, the funds shall be returned to the developer.
- iv. Oak Ridge Development shall conduct a post-development study at the Allen Avenue/Plymouth Street/Northfield Green intersection. This study shall include the review of traffic control needs, accident history, operations, and pedestrian accommodations. Oak Ridge Development shall conduct the post-development study upon full occupancy of the project or at time of the project's street acceptance by the City, whichever shall occur first.
- v. a sewer capacity letter shall be submitted from the Portland Sewer Division prior to issuance of a building permit, and such letter shall also show evidence that the system has capacity to accept the stormwater without backup.

- vi. The plans shall be reviewed and approved by the Development Review Coordinator in accordance with the DRC's memo dated September 20, 2004. The infrastructure work shall be phased such that phase 1 will assess the DRC's questions regarding the wetpond and drainage culvert only, and resolution of the design and function shall be agreed to prior to any other work being done. If any material change to the plans or to the standards of approval are affected, then the Planning Authority shall refer the development to the Planning Board for review. Any permits required by DEP shall be submitted to staff prior to construction.
- vii. Oak Ridge Development shall submit to Corporation Counsel, prior to issuance of the first building permit, a stormwater maintenance agreement, Homeowners' Association documents and typical deed language for review and approval. The Association documents shall provide that the Association shall become responsible for the ownership and maintenance of the street (including all services, such as trash, lighting, snow removal, maintenance and other similar matters including those referenced in Paragraph 9 herein), provided that this shall not relieve the Developer of any of its responsibilities herein. The Association shall continue its ownership and responsibility for the drainage maintenance area including the pond culvert and connecting pipes and drains and such responsibility shall remain in perpetuity.
- viii. Oak Ridge Development shall contribute \$5,000 towards the City's CSO effort to remove the storm drain culvert connection into the sanitary sewer in Forest Avenue near Avalon Road prior to issuance of a building permit. If the separation of the downstream culvert does not take place within five (5) years of the date of approval of the subdivision plan, then the money shall be returned to the Developer.
- ix. Prior to the release of the subdivision plat, Oak Ridge Development shall provide a performance guarantee for a time period of up to two years, to the City, which shall include the cost of private curbside trash collection, street lighting and street maintenance services including snowplowing, salting and sanding and all other customary performance public improvements. In addition, the City will not release the performance guarantee until Ruby Lane is accepted by the City Council.
- x. A planting plan shall be provided to indicate the landscaping proposed on Lots 9 through 14 and to provide additional landscaping on the easterly edge of Lot 1 and around the detention basin, prior to issuance of the first building permit. The planting plan shall be reviewed and approved by the City Arborist. The no cut zones and tree save areas shall also be revised on the subdivision plat and shall be reviewed and approved by Planning staff and the City Arborist.
- xi. The subdivision plat shall be revised to include a note regarding delineation of wetlands, amount of wetlands and amount of impact on the wetlands. The subdivision plat shall also be revised to amend the buildings envelopes on Lots 12 and 13 to address the lot width and rear setback on Lot 12 and the rear setback on Lot 13.
- xii. Prior to issuance of a building permit, the Developer shall provide evidence of rights to use and maintain the railroad culvert and downstream rights of drainage associated with Broadway Development Carriage Lane drainage system in a form satisfactory to Corporation Counsel.

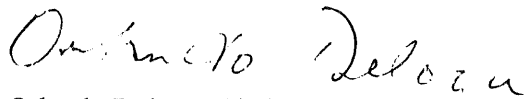
The approval is based on the submitted plan and the findings related to site plan review standards as contained in Planning Board #39-04, which is attached.

Please note the following provisions and requirements for all subdivision approvals:

1. Mylar copies of the construction drawing for the subdivision must be submitted to the Public Works Department prior to the release of the plat. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with 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 must be submitted to and approved by the Planning Division and Public works prior to the recording of the subdivision plat. The subdivision approval is valid for three (3) years.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. 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.
5. 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.)
6. 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.

If there are any questions regarding the Board's actions, please contact Kandice Talbot at 874-8901.

Sincerely,



Orlando Delogu, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Kandice Talbot, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Assessor's Office
Approval Letter File

