

345-B-9

09-98900001

Plymouth St. -119

5-lot Subdivision

Diversified Prop.

add to Spreadsheet

# DEVELOPMENT REVIEW COORDINATOR POST APPROVAL PROJECT CHECKLIST

Date: 7/16/09

Project Name: Plymouth Str. S-Lot Subdivision

Project Address: 119 Plymouth Str.

Site Plan ID Number: 09-98900001

Planning Board/Authority Approval Date: 6/23/09

Site Plan Approval Date: 6/23/07

Performance Guarantee Accepted: 7/7/09

Inspection Fee Paid: 7/15/09

Infrastructure Contributions Paid: N/A

Amount of Disturbed Area in SF or Acres: 35,000 +/- SF

MCGP/Chapter 500 Stormwater PBR: N/A

Plans/CADD Drawings Submitted: ?

Pre-Construction Meeting: 10/21/09

Conditions of Approval Met: 8/9/11

As-Builts Submitted: 8/10/11

Public Services Sign Off: 8/9/11

Certificate of Occupancy Memo Processed:  
(Temporary or Permanent) N/A

Performance Guarantee to Defect Guarantee: 6/28/10 Reduced to DG - DG amount included  
10% \$435 + 6 street trees @ \$250 each = \$1,500  
Remainder

Defect Guarantee Released: 8/10/11



# PORTLAND, MAINE

Strengthening a Remarkable City, Building a Community for Life  
[www.portlandmaine.gov](http://www.portlandmaine.gov)

Planning and Urban Development  
Penny St. Louis, Director

Planning Division  
Alexander Jaegerman, Director

**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** August 10, 2011  
**SUBJECT:** Request for Release of Defect Guarantee  
Wolf 5 Lot Subdivision, Plymouth Street  
(ID# 09-98900001                      Lead CBL # 345 B 009001)

Please release the Internal Performance Guarantee, City Account # 710-0000-233.91.23 for the Wolf 5 Lot Subdivision, at Plymouth Street.

Remaining Balance      \$1,935.00

Approved:

  
\_\_\_\_\_  
Alexander Jaegerman  
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator



# PORTLAND

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Planning & Urban Development Department  
Penny St. Louis Littell, Director

**JULY 14, 2009**

Planning Division  
Alexander Jaegerman, Director

**APPLICANT:**

Diversified Properties  
W.A. One, Inc.  
P.O. Box 10127  
Portland Me 04104

**CONSULTANT:**

Gorill-Palmer Consulting Engineers, Inc.  
P.O. Box 1237  
15 Shaker Road  
Gray, ME 04039

**Project Name:** 5-Lot Subdivision Plymouth St.  
**Project ID:** 09-98900001  
**CBL:** 345 - B-009-001  
**Project Address:** 119 PLYMOUTH ST  
**Planner:** Eric Giles, AICP

Dear Mr. Wolf:

On June 23, 2009, the Portland Planning Board considered 5-Lot Subdivision Plymouth St. for 5-Lot Subdivision Plymouth St. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance. The Planning Board voted 5-0 (Odokara and Silk absent) to approve the application with the following motions, waiver and conditions as presented below.

**WAIVERS**

The Planning Board voted 5-0 (Odokara and Silk absent) to waive Section 14-499(h) of the Required Improvements section of the Subdivision standards to allow for above ground utility lines.

**SUBDIVISION REVIEW**

The Planning Board voted 5-0 (Odokara and Silk absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition(s) of approval:

- done*
1. The subdivider shall install two (2) trees per lot in the front yard in accordance with the provisions of Section 14-499 Required Improvements of the Subdivision

O:\PLAN\Dev Rev\Plymouth St- 119 (Plymouth Subdivision)\Correspondence\PB Approval Letter 6.26.09

*done*

Ordinance and provide adequate buffering of the trail side of Lots 4 and 5 to be reviewed and approved by the Planning Authority.

*done*

2. The applicant shall submit a revised sheet C101 relocating the building and driveway on Lot 5 from the easterly side to the westerly side with grading revisions and a buffering plan along the trail for review and approval by the Planning Authority.

The approval is based on the submitted plans and the findings related to subdivision review standards as contained in Planning Report for 09-98900001 which is attached.

**STANDARD CONDITIONS OF APPROVAL**

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

1. 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.
2. 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. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. 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 Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds and prior to the release of a building permit or street opening permit. If you need to make any modifications to the approved plans, you must submit a revised subdivision application for staff review and approval.
5. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.
6. 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.
7. The subdivision approval is valid for three (3) years.
8. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

9. Prior to construction, a pre-construction meeting shall be held at the project site 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 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. 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.)

Philip DiPierro, 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 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 you have any questions, please contact **Eric Giles, AICP** at 874-8723 or [egiles@portlandmaine.gov](mailto:egiles@portlandmaine.gov)

Sincerely,



David Silk, Chairman  
Portland Planning Board

Attachments:

1. Planning Board Report #29-09
2. Performance Guarantee Packet

**Electronic Distribution:**

Penny St. Louis-Littell, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director  
Barbara Barbydt, Development Review Services Manager  
Eric Giles, AICP, Planner Senior Planner  
Philip DiPierro, Development Review Coordinator  
Marlye Schumckel, Zoning Administrator  
Liamy Munson, Inspections Division Director  
Cecile Guerin, Inspections Division  
Lisa Gaultforth, Inspections Division  
Laurie Dickson, Inspections Division  
Michael Robinson, Public Services Director  
Kathi Earley, Public Services  
Duff Clark, Public Services

Verbal Change Orders Report (A) Formed  
Edd Middle, Public Services  
1000 Union, Public Services  
1000 Union, Public Services  
One Ward, Public Services  
1000 Union, Fire  
Left Liding, Car, Airborn  
1000 Union, Albin Smith, Councilman  
1000 Union, Woodland, Councilman  
1000 Union, Office  
1000 Union, Office  
Hand Copy - Project File

LINDA LINCOLN

← email

From: "LINDA LINCOLN" <linda013049@maine.rr.com>  
To: "Eric Giles" <egiles@portlandmaine.gov>  
Sent: Friday, June 19, 2009 1:48 PM  
Subject: re 06/19/09 from Linda Lincoln  
Eric

I was sitting here looking out my back window and seeing the flood that is in my back yard. I think this would be a good day to check out how wet it gets in this area. My pump has been running all morning.

The water that builds up when it rains, especially hard, causes flooding on my property and I will guess on the property that Diversified Properties wants to develop. Once all the trees are gone the water problem will become worse due to the trees not soaking up the water.

There is a gully in the back of Diversified Properties and mine that continues to flow with water during rain storms and in the winter when the snow melts.

I believe that once development happens I will have a bigger problem in my basement with flooding, not to mention the houses to be built.

Please use this in your minutes of the meeting planned on 06/23/09.

I still want that issue of ledge that is on diversified and my property. I would like to know how that will be handled.

Please do try to send somebody to check out this water problem, today if possible. (6/19/09)

Thanks you

Linda Lincoln  
151 Plymouth Street  
Portland, Maine 04103

6/29/09

ERIC:

I DID NOT SEE THIS EMAIL  
IN THE MINUTES OF MEETING OF  
6/23/09.  
PLEASE INCLUDE AND RESPOND TO  
ME VIA EMAIL  
Thank you



Sign up sheet for  
Neighborhood Meeting Notice  
5 lot subdivision at 119-145 Plymouth St.

May 18, 2009

1. Lynn Dail
2. Alfred Ramm
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
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11. \_\_\_\_\_
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13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_

Att. 6a

04/19/09

Linda Lincoln  
151 Plymouth Street  
Portland, Maine 04103  
207-797-5828

City of Portland  
Eric Giles, Planner  
Planning division 4<sup>th</sup> Floor  
389 Congress Street  
Portland, Maine 04101

Hello Eric:

I will not be attending the Planning Board informal session for personal reasons, however I do want to express my concerns on paper.

I have always thought my property line to be closer to the wooded area just before my house. There use to be some kind of marker near the edge of the woods and last year a friend of mine had marked it and shown it to me but it seems to have disappeared and or I am just not looking in the right spot. Either way it was near the edge of the woods and I can't find it or the ribbon he had put on a tree above it.

The surveyors placed a stake on the front part of what I believe to be part of my property. I guess if you figure the lot to be a perfect square it does meet up with the stake they put in the back part of my lot.

When I measured the end of Profenno's shed at 161 Plymouth Street to the stake at the back part of my lot it measured approx. 200ft. (120ft my lot and 80ft city lot). I will agree that is probably correct unless Profenno's shed could not be at the edge of the city lot.

I measured over from the stake at the front part of my lot and went 120 feet. I then measured the 80 feet the city owns which is after my lot and just before 161 Plymouth Street (Profenno's) When I measured the 80 Feet it took me onto the lawn just before the Profenno's driveway which means the Profenno's lawn is on City Property.

I am not sure if this is making any sense and it really does not matter because I do not have the funds to hire anybody right now.

My major concern right now is that I have this huge piece of Ledge on my lawn and the stake suggests that half is on my land the other half on their land. There was a rock garden below that ledge when I bought the house but I since filled all that in except for the ledge naturally. I do not want to see that piece of ledge split in two and I will not agree to have anybody remove the part of ledge that is certainly on my lot so I was wondering how that would play out.

Loa.1

My other concern is that huge tree just before my driveway, which I know to be on city land, however when the city put the sidewalks in they agreed that the tree would stay so I want to make sure that nothing happens to that tree. (It is in front of my lot anyway).

I always want to say that I am opposed to all these houses going in. I have all kinds of birds that come to my feeders and taking out the woods would mean a loss of wildlife.

I always have water that continues to pour into my cellar when it rains and my pump runs most of the time. I am concern that my water issues could become worse if all the trees are not there to soak up a good portion of the water. The blasting and the disruption of the ground as it is now could also make my water issue in my cellar worse then it is. I also believe that water in basements of these new houses should be addressed because it is a very wet area of here. My back yard floods quite often when we get a lot of rain and or snow melt.

Please pass on my concerns etc. to people involved.

Thank You



Linda Lincoln

Email address is: [linda013049@maine.rr.com](mailto:linda013049@maine.rr.com)



## PLANNING BOARD REPORT#29-09 PORTLAND, MAINE

LAND OF W.A. ONE, INC  
119 PLYMOUTH ST.  
SUBDIVISION  
98900001  
DIVERSIFIED PROPERTIES, LLC, APPLICANT

Submitted to: Portland Planning Board Public Hearing Date: 6/23/09	Prepared by: Eric Giles, AICP Date: 6/18/09
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### I. INTRODUCTION

The applicant is proposing to subdivide .81 acres on Plymouth St. into five (5) residential lots within the R-3 Residential Zone. The Planning Board is being requested to review the application under Portland's Subdivision Ordinance.

**Applicant:** Diversified Properties, LLC  
**Technical Assistance:** Alton Palmer, P.E., Gorill-Palmer Consulting Engineers Inc.

119 notices were sent to area residents. A notice also appeared in the June 15 and June 16 editions of the *Portland Press Herald*.

### II. PROJECT DATA

Existing Zoning: R-3 (Residential)
Proposed Use: Single-Family Residential
Parcel Size: .81 Acres (35,096 sq. ft.)
Proposed Lot Size: Lots #1-3 = 6,193 sq. ft. (0.16 acres)
Lots #4-5 = 7,178 sq. ft. (0.16 acres)

**Impervious Surface Area:**

Existing: 0 sq. ft. – Vacant Wooded

Proposed: 768 sq. ft. (24x32) Single Family Homes/Lot

+ 960 sq. ft. (80x12) Driveways/Lot

1,728 sq. ft./Lot

Net Change: (8,640 sq. ft./Total Lots) / .81 acres = 24% new impervious

Total Disturbed Area: .81 acres

Proposed Building Area: .16 acre lots

Proposed Building Footprint: 768 sq. ft. (24x32) Single Family Homes

Proposed Residential Units: 5

Number of Proposed Lots: 5

Parking Spaces:

Proposed: 2 per lot

Proposed Total Paved Area:

Driveways: 960 sq. ft. (80x12)/Lot

Uses in the Vicinity:

North: R-3, Public – Open Space, Portland Art and Technology High School

South: R-3, Residential – Single Family Homes, Railroad Line

East: R-3, Public – Portland Art and Technology High School

West: R-3, Residential – Single Family Homes, Railroad

**III. EXISTING CONDITIONS**

The site is currently a vacant wooded lot with an access trail for students of the Portland Art and Technology High School. Please see figures below:

**Figure 1: Trail Access**



**Figure 2: Sidewalk and Overhead Utilities**



#### IV. PROPOSED DEVELOPMENT

The application proposes five (5) residential lots serviced by public water and sewer. The parcel was formerly owned by the City of Portland and sold to the developer for the purpose of creating a subdivision. In conversations with the applicant, all the lots will be developed at the same time, this should provide quality control regarding the placement of future curb cuts and street trees.

The following list summarizes the proposed subdivision:

- A. Access will be proved to each lot from an existing local road system which includes individual driveway access onto Plymouth St. to Allen Ave.
- B. The lots are designed to accommodate 32' x 24' (768 sq. ft.) 1/12 story single family homes.
- C. The applicant's Lot Layout Plan (C101) shows each lot to be serviced by overhead electrical power.
- D. The plan also shows a 20' bike/pedestrian easement in between Lots 4 and 5. According to the quitclaim deed, the grantor (City of Portland) "...reserves the right to relocate all or any portions of the Trail and associated improvements provided that all costs and expenses associated with such relocation shall be borne by Grantor so long as such new location reasonably provides connections with trail destination."
- E. The existing conditions of the site indicate significant amounts of bedrock removal will need to take place for development.
- F. No public stormwater drainage system exists in Plymouth Street. The applicant shows the drainage sheet flowing from the site.

#### V. SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

- A. *Application Completeness* – The subdivider submitted an application and plat on 3/26/09 and received a letter listing information needed to complete the application on 4/10/09.
  - i. Additional Material Submitted – On June 16, the applicant submitted a revised boundary survey, lot grading plan, and lot layout and utility plan. Based on the additional material submitted to staff the application is complete.
  - ii. Note #16 on Subdivision Plat – The note now requires future lot owners to build in accordance with map sheet C102 Lot Grading Plan

iii. Note on Lot Grading Plan – The note has been removed which states, “This plan is issued for permitting purposes and shall not be used for construction.”

iv. Deed Restrictions – All proposed easements and deed restrictions have been reviewed and approved by the City of Portland Corporation Counsel.

B. *Application Sufficiency* – The outstanding items are listed below which are addressed as conditions of approval:

i. Section 14-499 Required Improvements – The applicant is required to plant two (2) street trees per lot and shall provide a guarantee prior to the release of an approved recording plat.

## VI. PUBLIC COMMENT AND WORKSHOP SUMMARY

A. *Public comment received* – As of the writing of this report one (1) letter (**Attachment 6**) has been received by staff from an adjacent property owner expressing concern over the potential impact to her property from ledge removal and exasperation of flooding in her basement from future lot development.

B. *Neighborhood Meeting* – The applicant held a neighborhood meeting on May 18<sup>th</sup> (**Attachment B2**)

C. *Summary of Planning Board Workshop* – The Planning Board held a workshop on 4/28/09

### i. **Comments or Issues Raised by the Planning Board**

a. Above ground utilities are consistent with the neighborhood character of the area.

Outcome: A waiver request has been submitted and approved.

b. The area has high development cost because of the bedrock removal.

Outcome: All lots shall be developed in accordance with the approved lot grading plan.

c. Property abutting City of Portland should remain wooded and lots should preserve existing two (2) trees rather than a “no cut zone”.

Outcome: Applicant is required to install two (2) street trees as an improvement.

- d. Development of pedestrian path should be moved in relation to the contours of the site.

Outcome: The 20' pedestrian easement has been retained by the City of Portland to develop a minimum 10' walkway.

- e. Proximity of future trail to future houses is not acceptable.

Outcome: The building pad locations of Lots 4 and 5 have been relocated where the driveways will abut the future trail.

- f. Four (4) lots may be a better proposal rather than five (5).

Outcome: The proposed lots have not changed.

- g. Do not want to have to deal with conditions of approval regarding drainage.

Outcome: No conditions of approval have been submitted regarding drainage configuration.

**ii. Additional Materials Requested**

- a. Revised survey plan representing accurate lot sizes and adding note that future lot development will be in accordance with lot grading plan.

- b. Revised lot grading plan – removing note regarding the use of the plan for permitting purposes and not for construction.

**VII. STAFF REVIEW**

**A. ZONING ASSESSMENT**

**a. Zoning Administrator Marge Schmuckal**

04/01/09 – This 5-lot subdivision is located in an R-3 Zone. Each lot meets the minimum square footage, street frontage, and lot width. There is a questions as to whether Plymouth Street is a moritorium street. Public Services could answer that query.

The drive ways must be extended to at least 38' to accomodate two 9'x19' cars instead of the 36' depth shown. Required parking cannot be within the required front yard.



**b. Planner, Eric Giles**

06/16/09 – A review of the revised subdivision plan shows the driveways extended an additional 2' for a total of 38' and therefore satisfying the zoning requirement.

**B. SUBDIVISION STANDARDS**

The proposed development has been reviewed by staff for conformance with the relevant review standards of the subdivision ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497(a)(1)) and Will Not Result in Undue Soil Erosion (Section 14-497(a)(4))

**a. Consulting Stormwater Engineer, Dan Goyette**

06/12/09 – Based upon subsequent communication with the applicant Mr. Goyette has agreed to the following revisions to the plan to ensure the development will not result in undue water pollution and soil erosion:

- Grading of individual lots has been modified such that the portion of the lot in front of the homes will sheet flow toward Plymouth Street. All areas to the rear of the front of the homes will sheet flow towards the woods at the rear of the lots.
- Foundation drain connections to Plymouth Street underdrains were eliminated.
- A note was added the plan indicating, that future lot development must conform to the grading shown on the plan.

2. Sufficient Water Available (Section 14-497(a)(2) and (3))

**a. Planner, Eric Giles**

06/15/09 – The applicant has received a water capacity letter from the Portland Water District on 10/7/08.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497(a)(5))

**a. Consulting Traffic Engineer, Tom Errico**

06/11/09 – Driveways and building pads on Lots 4 and 5 should be reversed to show driveways abutting trail easement. The applicant has submitted a revised site plan in accordance with this recommendation.

06/16/09 – Mr. Errico has found the added increase in trip generation will not cause unreasonable traffic congestion.

4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497(a)(6)), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497(a)(7))

The subdivision plan shows 10' wide drainage easements in between the lots, except for Lots 4 and 5. A proposed sewer easement benefitting Lot 1 will extend across the front setback of Lot 2. Note #16 on the subdivision plan requires future lot development to occur in accordance with the proposed Lot Grading Plan. The design of the grading plan and the location of the proposed drainage and sewer easements have been approved by the Consulting Stormwater Engineer and the Department of Public Services.

a. **Deputy City Engineer, David Margolis-Pineo**

06/09/09 – Force mains will become 6" gravity sewer laterals 10' from the sanitary sewer main. The applicant has agreed to meet this request but in doing so has created a utility easement which encumbers one of the lots.

b. **Planner, Eric Giles**

06/16/09 – Based on a review of the proposed subdivision plan and consultation with Mr. Goyette and Mr. Margolis-Pineo, the proposed subdivision will provide for adequate sanitary sewer and stormwater disposal and will not cause an unreasonable burden on municipal solid waste and sewage.

5. Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497(a)(8))

Per the request of the City Arborist and based on comments from the Planning Board workshop, Note #10 has been added to the subdivision plat requiring future lot owners to conserve or plant two street trees per lot. However, under Section 14-499 Required Improvements, staff recommends that prior to the release of an approved recording plat the subdivider shall file a guarantee to install two (2) street trees per lot as directed by the city arborist.

a. **Planner, Eric Giles**

06/16/09 – The site is not located in a historic district or an area of significant scenic beauty or natural resources.

b. **City Arborist, Jeff Tarling**

06/15/09 – In review of the proposed Plymouth Street sub-division I would like to forward the following comments:

Overview – The five lot Plymouth Street subdivision is a wooded parcel containing a mix of mature hardwood & softwood trees. Unique or rare trees on site would include 'Pitch Pine'. All of the proposed lots are shallow to bedrock with many rock outcrops and several small drainage depressions toward the rear of the lots. This parcel was formally city-owned land adjacent to PATH vocational high school on Allen Avenue. A long existing gravel path connects the Plymouth Street neighborhood to the school property & adjacent open space.

Pedestrian Easement – The project proposes a pedestrian easement to replace the existing path. The proposed path will be very close to the homes planned for these lots. Compared to other subdivision projects that abut public school property, ie. Riverton School and Lyseth School the proposed pathway replacement could pose future problems associated with perceived encroachment of the public close to these new units. The pre-existing sale agreement between the city & the applicant plotting the location of the path may limit other options. The future pedestrian easement to PATH is one topic to mediate. My recommendation is that the new, replacement path should be constructed prior to the lot development to preclude problems later on when the lots are occupied.

Landscape & Tree-save Review – The project proposes to save trees along the rear property line as shown on the project plan. Additional 'tree-save' areas are limited due to relatively small lot size, soils close to bedrock that will require blasting or ledge removal, grade changes, drainage. The project proposes to plant the standard, two trees per unit.

"Ideally", projects like this could be completed with the goal of saving more of the existing stand of trees. The existing zoning, proposed lot sizes, and the size of the proposed building types all limit the ability to successfully save more trees and existing vegetation.

6. Comprehensive Plan (Section 14-497(a)(9))

The proposed subdivision would allow for higher density housing located near an existing school compatible with the established residential character of the area which implements the policy direction of the City's comprehensive plan (see below pg. 43-46, **Housing: Sustaining Portland's Future**).

a. **Planner, Eric Giles**

06/16/09 –

- o **Goal:** Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.

**Policies:**

- i. Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation.

- ii. Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.

- o **Goal:** Maintain and enhance the livability of Portland's neighborhoods as the City grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity.

**Policies:**

- i. Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.

- ii. Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.

- iii. Ensure the integrity and economic value of Portland's neighborhoods.

7. Financial Capability (Section 14-497(a)(10))

a. **Planner, Eric Giles**

06/16/09 – The applicant submitted a letter of financial capability from TD Banknorth dated 10/1/08.

8. Shoreland Impact (Section 14-497(a)(11)) and Flood Hazard (Section 14-497(a)(13))

a. **Planner, Eric Giles**

06/16/09 – According to the City of Portland Zoning Map and the FEMA Flood Hazard Maps, the site is not located in an area of floodplains nor the Shoreland Zoning Overlay.

9. Groundwater (Section 14-497(a)(12)), Wetlands (Section 14-497(a)(14)) and Streams (Section 14-497(a)(15))

a. **Planner, Eric Giles**

06/16/09 – Based on a review of the National Wetlands Inventory and consultation with Mr. Goyette, the site is not located within an area of wetlands, streams or shallow groundwater.

10. Waiver Requests.

- a. The applicant is requesting a waiver to Sec. 14-499 (h), which states, “All utility lines shall be placed underground unless otherwise approved by the Planning Board.”

At the 4/28/09 Planning Board workshop, the applicant explained to the board the existing conditions of the neighborhood are characterized by overhead utilities. The proposed subdivision may be considered an “infill” project, which is typically developed to meet the existing character of the area including utility improvements. As such, a waiver request to allow overhead utility lines may be approved.

**VIII. STAFF RECOMMENDATION**

Staff recommends the City of Portland Planning Board adopt Staff Report #29-09 as findings of fact and approve the Plymouth St. Subdivision with the imposition of conditions.

**IX. MOTIONS FOR THE BOARD TO CONSIDER**

On the basis of the application, plans, reports and other materials submitted by the applicant and on the findings and recommendations contained in Planning Board Report #29-09:

1. Janice  
2. Mike  
5-0  
(Sik, Odl absent)

1. The Planning Board (*waives/does not waive*) Section 14-499 (h) of the Required Improvements section of the Subdivision standards to allow for above ground utility lines.

2. The Planning Board finds that with the imposition of conditions the plan (*is/is not*) in conformance with the Subdivision standards of the City of Portland Land Use Code.

Manu Mehta  
5-0

i. **Conditions of Approval**

1. The subdivider shall install two (2) trees per lot in the front yard in accordance with the provisions of Section 14-499 Required Improvements of the Subdivision Ordinance. *and provide adequate full battery of lots 4 & 5 subject*

Attachments:

Planning Board Report Attachments

Planning Board Workshop Memo (04/28/09)

1. Marge Schmuckal, Zoning Administrator (04/01/09)
2. Dan Goyette, Consulting Stormwater Engineer (04/14/09)
3. Harold L. Downs, Public Services (01/09/09)
4. David Margolis-Pineo, (04/16/09)
5. Capt. Gautreau, Fire Chief (04/04/08).
6. Public Comment Linda Lincoln (04/19/09)
7. Agency Comments Summary (06/19/09)

Applicant's Submittal

**Attachment A**

1. Application
2. Gorrill-Palmer letter addressing Agency Comments 5/20/09

**Attachment B**

1. Subdivision Plan Maps
2. Neighborhood Meeting



63  
 07

**To:** Chair Silk and Members of the Portland Planning Board  
**From:** Eric Giles, Planner, AICP  
**Date:** April 23, 2009  
**Re:** Planning Board Workshop 4/28/09  
 Subdivision Application #2009-0033 – Plymouth St., CBL 345 B009001

**I. INTRODUCTION**

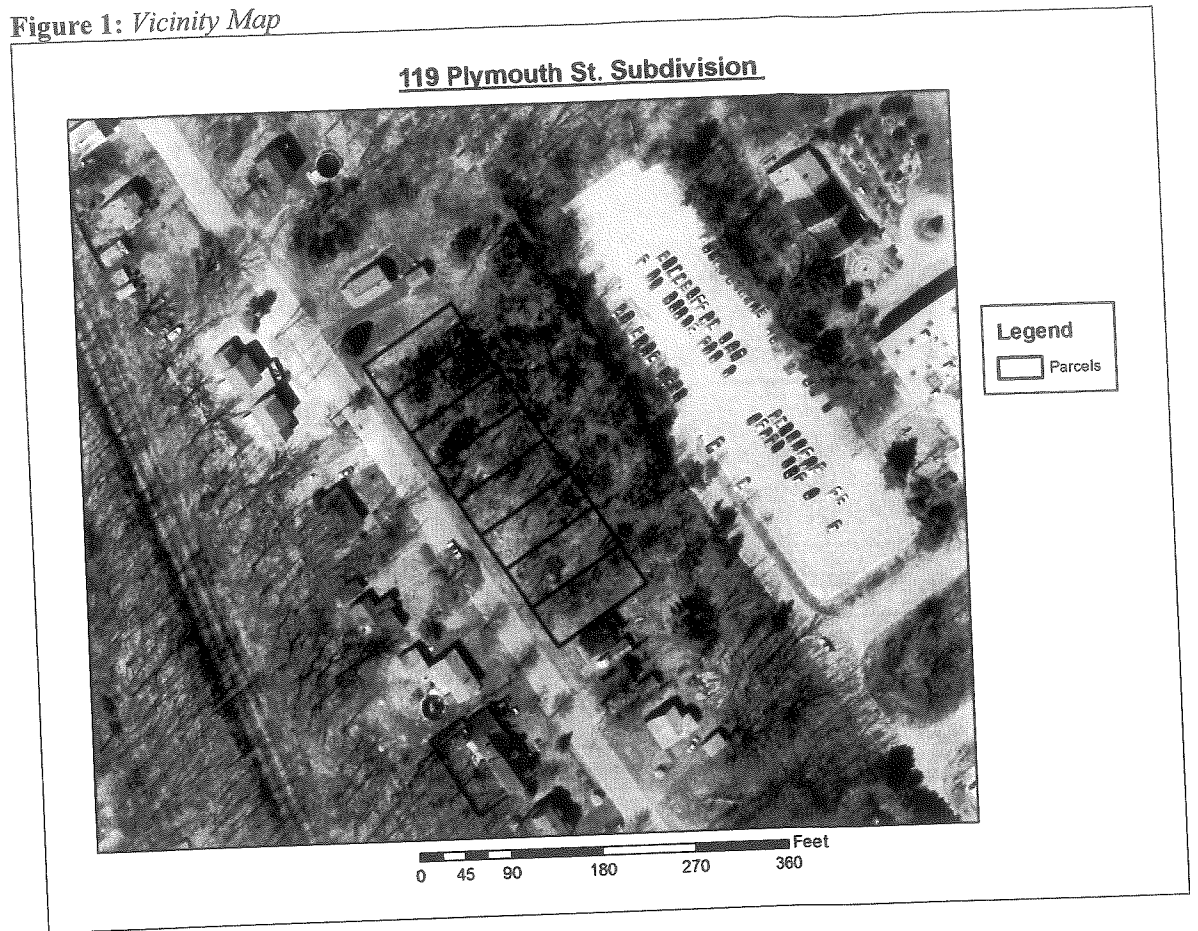
The applicant is proposing to subdivide .81 acres on Plymouth St. into five (5) residential lots within the R-3 Residential Zone. The Planning Board is being requested to review the application under Portland's Subdivision Ordinance.

The owner/applicant for this project is Diversified Properties, LLC and the consultant is Alton Palmer, P.E., Gorrill-Palmer Consulting Engineers, Inc. A total of 119 notices were mailed and the public notice appeared in the Portland Press-Herald on April 20 and 21 of 2009.

**II. PROJECT DATA**

<b>Zoning</b>	R-3 (Residential)	
<b>Parcel Size</b>	.81 acres (35,096 sq. ft.)	
<b>Minimum Lot Size</b>	<i>Required:</i> 6,500 sq. ft.	
	<i>Proposed:</i>	
	<table border="1"> <tr> <td>Lots #1-3 = 6,913 sq. ft. (0.16 acres)</td> </tr> <tr> <td>Lots #4-5 = 7,178 sq. ft. (0.16 acres)</td> </tr> </table>	Lots #1-3 = 6,913 sq. ft. (0.16 acres)
Lots #1-3 = 6,913 sq. ft. (0.16 acres)		
Lots #4-5 = 7,178 sq. ft. (0.16 acres)		
<b>Adjacent Zoning and Land Uses</b>	<i>North:</i> R-3, Public – Open Space, Portland Art and Technology High School	
	<i>South:</i> R-3, Residential – Single Family Homes, Railroad Line	
	<i>East:</i> R-3, Public – Portland Art and Technology High School	
	<i>West:</i> R-3, Residential – Single Family Homes, Railroad	

Figure 1: Vicinity Map



### III. PROPOSED DEVELOPMENT

The parcel was formerly owned by the City of Portland and sold to the developer for the purpose of creating a subdivision. The subdivision will create five (5) residential lots designed to accommodate 32' x 24' (768 sq. ft.) 1/12 story single family homes. The applicant's Lot Layout Plan (C101) shows each lot to be serviced by overhead electrical power and accessed by an individual driveway. The plan also shows a 20' bike/pedestrian easement in between Lots 4 and 5.

While a Lot Grading Plan has been submitted, a note on the plan states,

"Lot layout and grading configurations shown on this plan do not represent the intended final development of the lot for building permit. Final lot design shall be submitted by lot developer."

The existing conditions of the site indicate significant amounts of bedrock removal will need to take place for development. No public stormwater drainage system exists in Plymouth Street.

### IV. CONFORMANCE TO STATE OF MAINE, SUBDIVISION LAW 30-A M.R.S.A

**§ 4403 Municipal Review and Regulation:** The subdivider submitted an application and plat on 3/26/09 and received a letter listing information needed to complete the application on 4/10/09. Upon receipt of the additional items needed to complete the application a



public hearing will be scheduled within 30 days. The additional items requested are listed below:

1. Please revise the acreage calculation on the Survey to reflect the accurate square footage shown.
2. Under Section 14-496. Plat requirements - a.(13) The subdivider shall provide a tree plan showing groups of existing, sizable trees which the subdivider intends to preserve. Please submit a tree plan which may be developed in accordance with Jeff Tarling, City Arborist - [JST@portlandmaine.gov](mailto:JST@portlandmaine.gov)
3. Under Section 14-496. Plat requirements - a.(15) The subdivider shall provide a detailed plan of the entire subdivision and the immediate vicinity showing all existing and proposed drainage both on and off-site including drainage swales, ditches, etc., with directional flow arrows and approximate slope grades, and showing proposed finished "spot elevations" around the perimeter of the subdivision. Proposed drainage shall be shown as it may affect or restrict development on individual lots and with reference to improvements for which a performance guarantee is required under this article. Where deemed feasible by the public works authority, proposed finished contours at intervals of two (2) feet shall be provided on the drainage plan upon request (may be shown on separate plat): The plat which you have currently submitted does not show all existing and proposed drainage both on and off-site with directional flow arrows.
4. Under Section 14-498. Technical and Design Standards - (8) Sidewalks and curbs: a. Sidewalks shall be constructed on each side of each street. You may either comply with this requirement or submit in writing a request to the Planning Board to waive this provision.
5. Under Section 14-499. Required Improvements - h. All utility lines shall be placed underground unless otherwise approved by the Planning Board. You may either comply with this requirement or submit in writing a request to the Planning Board to waive this provision.
6. Please note the Consulting Engineer for Stormwater Management has not completed his review and will be forwarded upon completion.

**Staff Comment:** On 04/21/09, Dan Goyette, Consulting Stormwater Engineer, completed his review of the stormwater management and drainage plans. Mr. Goyette, concluded the grading and drainage plan does not satisfy Ch. 500 Stormwater Regulations. Due to existing site conditions including significant amounts of bedrock, the subdivider will need to implement a grading and drainage plan, prior to the conveyance of individual lots, to ensure all lots will drain to the rear of the property.

## V. ZONING

The proposed subdivision is within the R-3 Residential Zone.

Marge Schmuckal, Zoning Administrator, has reviewed the plans and her comments and questions are listed below:

1. This 5-lot subdivision is located in an R-3 Zone. Each lot meets the minimum square footage, street frontage, and lot width.

2. There is a question as to whether Plymouth Street is a moratorium street. Public Services could answer that query.
3. The drive ways must be extended to at least 38' to accommodate two 9'x19' cars instead of the 36' depth shown. Required parking can not be within the required front yard.

## VI. STAFF REVIEW

### 1. 14-496. Plat Requirements

The plat does not comply with the Plat Requirements because it does not include a Tree Plan (14-496 (14)) showing which trees the subdivider intends to preserve and provides an insufficient Drainage Plan (14-496 (15)).

Also, a soils profile from the USDA Natural Resources Conservation Service finds the building of single-family houses with basements to be "very limited". "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected. This may indicate a need to evaluate the subdivision's load bearing capacity by a professional engineer (14-496 (24)(b)).

### 2. 14-497. General Requirements (a) Review Criteria

**Public Sewer, Water, and Utilities:** The subdivision proposes to utilize existing municipal services including, sewer, water and streets. The applicant has received capacity approval letters from the Department of Public Services, Portland Water District and Central Maine Power.

#### *Stormwater*

The Department of Public Services' wastewater capacity approval letter states,

"The City of Portland recognizes that the six-inch under-drain is a design for catchbasins to remove stormwater from the street. A direct connection of the under-drainage from a home on Plymouth Street to remove roof water or ground water during heavy rainstorms may cause a backup of stormwater into the home. Therefore City of Portland will require a Backwater-Preventer to be installed on the storm-drain for each house connecting to the under-drainage."

A review comment from David Margolis-Pineo, Deputy City Engineer, Department of Public Services, confirms the proposed drainage design will not provide adequate storm water disposal,

"The applicant has shown stormwater drainage entering a 6" underdrain on Plymouth St. This is not acceptable. The applicant shall either extend the stormwater drainage system in Plymouth St. from the drain manhole or let the stormwater naturally sheet flow from the site."

Due to the review comments provided by the Department of Public Services and the Consulting Engineer for Stormwater Management, the proposed drainage design does

not comply with Section 14-497 (6) of the subdivision regulations which states the subdivision,

“Will provide for adequate sanitary waste and storm water disposal and will not cause an unreasonable burden on municipal services if they are utilized;”

Therefore, staff recommends the applicant implement a comprehensive grading and drainage improvements plan on the site prior to the conveyance of individual lots, whereby, all drainage shall flow to the rear of the property.

However, the applicant proposes to remove the note from the drainage plan which states final lot design is submitted by the lot developer and place a Deed Restriction on all lots to require all drainage to flow to the rear of the property at the time they are developed.

**Public Services:** The Fire Department has found the access, hydrant location and flows to be acceptable.

3. 14-498. Technical and Design Standards

Under sidewalks and curbs of the Street Plan requirements (14-498 (8)) the proposed subdivision must build a sidewalk on either side of the street. A sidewalk, in good condition (**Figure 2**), exists along the portion of Plymouth St. where the proposed lots front.

**Figure 2: Existing Sidewalk on Plymouth St.**



4. 14-499. Required Improvements

In accordance with 14-499 (f), a total of two (2) trees per lot, shall be planted. The applicant may satisfy this requirement with the submittal of a Tree Plan.

The applicant is requesting the Planning Board allow utilities to be placed above ground in accordance with 14-499 (h).

**VII. NEXT STEPS**

1. Applicant submit final plans and materials for completeness
2. Schedule Public Hearing

**Attachments:**

**Planning Dept. Correspondence**

1. Marge Schmuckal, Zoning Administrator 04/01/09
2. Dan Goyette, Consulting Stormwater Engineer 04/14/09
3. Harold L. Downs, Public Services 01/09/09
4. David Margolis-Pineo, 04/16/09
5. Capt. Gautreau, Fire Chief 12/22/08
6. Public Comment
  - a. Linda Lincoln 04/19/09

**A. Applicant's Submittal**

1. Application 03/26/09

**B. Plan Set**

1. Cover Sheet
2. Survey
3. Lot Layout and Utility Plan
4. Lot Grading Plan
5. Construction Details 1
6. Erosion Control Measures

Att. 1

MEMORANDUM

To: FILE  
From: Marge Schmuckal  
Subject: Application ID: 2009-0033  
Date: 4/1/2009

Dept: Zoning

This 5-lot subdivision is located in an R-3 Zone. Each lot meets the minimum square footage, street frontage, and lot width. There is a questions as to whether Plymouth Street is a moritorium street. Public Services could answer that query.

The drive ways must be extended to at least 38' to accomodate two 9'x19' cars instead of the 36' depth shown. Required parking can not be within the required front yard.

The building plans indicate that the proposed houses will be 2 story houses by definition (they are salt boxes and the second floor is over 2/3 square footage of the first floor area. The setbacks shown on the plan are ok because the ordinance allows one side to be reduced to no less than 8 feet as long as the amount reduced from the required (14' down to 8') is added to the other side. Twenty feet is required on the other side yard set back. I scaled 21 feet. As long as the individual plans do not change, the given setbacks should be meeting the requirements.

Marge Schmuckal  
Zoning Administrator

Att. 2

**From:** Eric Giles  
**To:** Goyette, Dan  
**Date:** 4/14/2009 11:26:55 AM  
**Subject:** RE: Plymouth St. Subdivision

Eric,

We have discussed the project over here and feel that they have not done enough with regards to stormwater. They are subject to all the conditions of the City's new ordinance and have simply stated that their impact is so small they aren't doing anything. Although we are not suggesting large changes to the plans, we are suggesting some. They have stated that the grading shown is for reference only. We would require that the drives not drain to the street. They should drain to the rear of the property, as is the natural drainage course today, so that any increase in stormwater can be absorbed into the existing wooded buffer and not increase the direct discharge of runoff to the City's system.

Dan

09 January 2009

Mr. James M. Wolf,  
 Diversified Properties  
 P O Box 10127,  
 Portland Maine 04104

**RE: The Capacity to Handle the Anticipated Wastewater and Stormwater Flows,  
 from the Four Single Family Homes, at 119 to 145 Plymouth Street.**

Dear Mr. Wolf:

**SANITARY INFORMATION**

The existing eight-inch diameter polyvinyl chloride sanitary sewer pipe, located in Plymouth Street has adequate capacity to transport, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to treat the anticipated wastewater flows of the 1,350 GPD.

<b><u>Anticipated Wastewater Flows from the Proposed Four Single-Family Homes:</u></b>		
5 Single Family Homes, (Three-Bedroom) @ 270 G.P.D	=	1,350 GPD
<b>Total Proposed Decrease in Wastewater Flows for this Project</b>	=	<b>1,350 GPD</b>
<b><u>Anticipated Stormwater Flows from the Proposed Four Single-Family Homes</u></b>		
<b><u>The Average Design Stormwater for Twenty-Five Years</u></b>		
The Developed Property with 5 Single Family Homes/Driveways	=	.7350 CFS
All Intensity data references The Rain Atlas in the U.S. Department of Commerce Weather Bureau		

**STORMWATER INFORMATION**

The City of Portland recognizes that the six-inch under-drain is a design for catchbasins to remove stormwater from the street. A direct connection of the under-drainage from a home on Plymouth Street to remove roof water or ground water during heavy rainstorms may cause a backup of stormwater into the home. Therefore City of Portland will require a Backwater-Preventer to be installed on the storm-drain for each house connecting to the under-drainage.

If The City can be of further assistance, please call 874-8829.

Sincerely,  
**CITY OF PORTLAND**



Harold L Downs  
 Senior Engineering Technician

HLD

- cc: Penny Littell, Director, Department of Planning, and Urban Development, City of Portland  
 Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland  
 David Margolis-Pineo, P.E., Deputy City Engineer, City of Portland  
 Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland  
 Michael Farmer, P.E., Project Engineer, City of Portland  
 Stephen K. Harris, Assistant Engineer, City of Portland  
 John Emerson, Wastewater Coordinator, City of Portland  
 Jane Ward, Administrative Assistant, City of Portland

Att. 4

April 16, 2009

To: Eric Giles  
From: Public Services  
Re: Plymouth Street Subdivision

Plymouth St.

1. All utilities to be underground.
2. Town and Country light poles may need to be added.
3. No new utility pole need to be placed.
4. Force mains will become 6" gravity sewer laterals 10' from the sanitary sewer main.
5. The leftover curb is to be delivered to the City's Congress St facility.
6. Applicant shall install bituminous sidewalk with the backside of the sidewalk on the property line.
7. Granite monuments shall be set with 3' o/s on first and last lot indicating Plymouth St. R-O-W.
8. The applicant has shown stormwater drainage entering a 6" underdrain on Plymouth St. This is not acceptable. The applicant shall either extend the stormwater drainage system in Plymouth St. from the drain manhole or let the stormwater naturally sheet flow from the site.



AH.5

MEMORANDUM

To: FILE

From: Keith Gautreau

Dept: Fire

Subject: Application ID: 2009-0033

Date:

Fire Department access looks good. Hydrant location is acceptable and flows will be sufficient for the occupancies.  
Capt. Gautreau



## AGENCY COMMENTS SUMMARY 119 Plymouth St. Subdivision

Planning Eric Giles, AICP

04/03/09

1. Stormwater - Basic, General, Flooding Required - "Except for those projects which do not involve significant new construction."
2. Sewer - No capacity letter
3. CMP Aerial Easement within Pedestrian Easement
4. Overhead Utilities - Underground for Subdivisions Required
5. Soils show very limited for structures with basements

06/11/09

**Zoning Administrator Marge Schmuckal**

04/01/09 This 5-lot subdivision is located in an R-3 Zone. Each lot meets the minimum square footage, street frontage, and lot width. There is a questions as to whether Plymouth Street is a moritorium street. Public Services could answer that query.

The drive ways must be extended to at least 38' to accomodate two 9'x19' cars instead of the 36' depth shown. Required parking can not be within the required front yard.

**Deputy City Engineer David Margolis-Pineo**

June 9, 2009

**The following review comments were submitted from this department on April 16, 2009. This memo is a follow up to the April 16<sup>th</sup> comments.**

Plymouth St.

1. All utilities to be underground.  
**Code requires the utilities to go underground unless waved.**
2. Town and Country light poles may need to be added.  
**Cobra Head lights exist on the remainder of this street, therefore the requirement for Town and Country lights are not required. See next comment.**
3. No new utility pole need to be placed.  
**If the applicant receives a waver not to install underground utilities, the applicant shall install new utility poles to avoid aerial easements. A Cobra Head light shall be installed on at least one of the new utility poles.**
4. Force mains will become 6" gravity sewer laterals 10' from the sanitary sewer main.

**City Arborist Jeff Tarling**

06/15/09 – In review of the proposed Plymouth Street sub-division I would like to forward the following comments:

**Over view** - The five lot Plymouth Street subdivision is a wooded parcel containing a mix of mature hardwood & softwood trees. Unique of rare trees on site would include 'Pitch Pine'. All of the proposed lots are shallow to bedrock with many rock outcrops and several small drainage depressions toward the rear of the lots. This parcel was formally city-owned land adjacent to PATH vocational high school on Allen Avenue. A long existing gravel path connects the Plymouth Street neighborhood to the school property & adjacent open space.

**Pedestrian Easement:**

The project proposes a pedestrian easement to replace the existing path, the proposed path will be very close to the homes planned for these lots. Compared to other subdivision projects that abut public school property, ie. Riverton School and Lyseth School the proposed pathway replacement could pose future problems associated with perceived encroachment of the public close to these new units. The pre-existing sale agreement between the city & the applicant plotting the location of the path may limit other options. The future pedestrian easement to PATH is one topic to mediate. My recommendation is that the new, replacement path should be constructed prior to the lot development to preclude problems later on when the lots are occupied.

**Landscape & Tree-save Review:**

The project proposes to save trees along the rear property line as shown on the project plan. Additional 'tree-save' areas are limited due to relatively small lot size, soils close to bedrock that will require blasting or ledge removal, grade changes, drainage. The project proposes to plant the standard, two trees per unit.

"Ideally", projects like this could be completed with the goal of saving more of the existing stand of trees. Zoning, lot size, the size of the proposed building types all limit the ability to successfully save more trees and existing vegetation.

**Fire Prevention Captain Keith Gautreau**

06/11/09

Fire Department access looks good. Hydrant location is acceptable and flows will be sufficient for the occupancies. Capt. Gautreau

# **Applicant's Submittal**

Att. A-1

CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy

2009-0033  
Application I. D. Number  
3/26/2009  
Application Date  
Plymouth St. 5 Lot Subdivision  
Project Name/Description

Diversified Properties  
Applicant  
P.O. Box 10127, Portland, ME 04104  
Applicant's Mailing Address

119 - 119 Plymouth St, Portland, Maine  
Address of Proposed Site  
345 B009001  
Assessor's Reference: Chart-Block-Lot

Consultant/Agent  
Applicant Ph: (207) 773-4988 Applicant Fax: (207) 773-6875  
Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Apt 0  Condo 0  Other (specify) \_\_\_\_\_  
Proposed Building square Feet or # of Units 35093 Acreage of Site 25120 Proposed Total Disturbed Area of the Site R3  
Zoning

Check Review Required:  
 Site Plan (major/minor)  Zoning Conditional - PB  Subdivision # of lots 5  Design Review  
 Amendment to Plan - Board Review  Zoning Conditional - ZBA  Shoreland  Historic Preservation  DEP Local Certification  
 Amendment to Plan - Staff Review  Zoning Variance  Flood Hazard  Site Location  
 After the Fact - Major  Stormwater  Traffic Movement  Housing Replacement  
 After the Fact - Minor  PAD Review  14-403 Streets Review  Other \_\_\_\_\_

Fees Paid: Site Plan \$625.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date \_\_\_\_\_

Planning Approval Status: Reviewer \_\_\_\_\_  
 Approved  Approved w/Conditions See Attached  Denied  
Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached  
 OK to Issue Building Permit \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

Performance Guarantee  Required\*  Not Required  
\* No building permit may be issued until a performance guarantee has been submitted as indicated below  
 Performance Guarantee Accepted \_\_\_\_\_ date \_\_\_\_\_ amount \_\_\_\_\_ expiration date \_\_\_\_\_  
 Inspection Fee Paid \_\_\_\_\_ date \_\_\_\_\_ amount \_\_\_\_\_  
 Building Permit Issue \_\_\_\_\_ date \_\_\_\_\_  
 Performance Guarantee Reduced \_\_\_\_\_ date \_\_\_\_\_ remaining balance \_\_\_\_\_ signature \_\_\_\_\_  
 Temporary Certificate of Occupancy \_\_\_\_\_ date \_\_\_\_\_  Conditions (See Attached) \_\_\_\_\_ expiration date \_\_\_\_\_  
 Final Inspection \_\_\_\_\_ date \_\_\_\_\_ signature \_\_\_\_\_  
 Certificate Of Occupancy \_\_\_\_\_ date \_\_\_\_\_  
 Performance Guarantee Released \_\_\_\_\_ date \_\_\_\_\_ signature \_\_\_\_\_  
 Defect Guarantee Submitted \_\_\_\_\_ submitted date \_\_\_\_\_ amount \_\_\_\_\_ expiration date \_\_\_\_\_  
 Defect Guarantee Released \_\_\_\_\_ date \_\_\_\_\_ signature \_\_\_\_\_



PO Box 1237  
15 Shaker Rd.  
Gray, ME 04039  
  
207-657-6910  
FAX: 207-657-6912  
E-Mail: mailbox@gorrillpalmer.com

March 25, 2009

Ms. Barbara Barhydt, Development Review Services Manager  
Department of Planning and Development  
Portland City Hall  
389 Congress Street  
Portland, ME 04101-2503

Subject: Subdivision Plan Submission  
Plymouth Street, Portland, Maine

Dear Barbara,

Enclosed please find a complete subdivision application and supporting information for Plymouth Street in Portland, Maine. Diversified Properties, Inc., has retained Gorrill-Palmer Consulting Engineers, Inc. to prepare plans and permit application for the proposed subdivision located at 119-149 Plymouth Street. The project site is located on Portland's Assessor's Map 345, Block B, Lots 9-16

The cumulative site area is approximately (0.80) acres of land. The property is undeveloped. A list of abutters for the project is included in Attachment 4. The site has the ability to be served with public water, sewer and electricity. Based on the size of the development, the project meets the definition of a major development. Work is planned to start in the spring of 2009.

This application package describes the applicant's plans to develop the above-referenced parcel. We look forward to discussing this project with you during your review.

- Attachment 1: Subdivision Review Application
- Attachment 2: Location Map
- Attachment 3: Title, Right & Interest
- Attachment 4: Abutters List
- Attachment 5: Financial Letter
- Attachment 6: Ability to Serve
- Attachment 7: FEMA Flood Map
- Attachment 8: Soils Map
- Attachment 9: Stormwater
- Attachment 10: House Footprints
- Full and reduced plan sets.

**Site Description**

The project area consists of approximately 0.80 acres of undeveloped land having City accepted Street frontage of 330 feet along Plymouth Street. Plymouth Street was upgraded in 2000 by the City. All lots will front on Plymouth Street.