

Janet C. McCaa
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July 21, 2005

By E-mail (ebm@portlandmaine.gov)
Ethan Boxer-Macomber, Planner
City of Portland
Department of Planning and Development
389 Congress Street
Portland, Maine 04101

Re: Rite Aid Project at Northport Business Park

Dear Ethan:

I represent the trustees of Northport Realty Trust, the developer and current owner of Northport Business Park and an abutter to the proposed Rite Aid project on Allen Avenue.

My client has reviewed selected portions of Rite Aid's proposed plans submitted in connection with the public hearing scheduled for Tuesday, July 26, 2005, and has the following comments (which have also been conveyed to Rite Aid's attorney, Hope Creal Jacobsen):

1. Stormwater Drainage.

(a) Northport Realty Trust has forwarded to Rite Aid copies of two Release Deeds from the City of Portland to the Trust and asked Rite Aid to request its surveyor to locate the conveyances on the Grading and Utility Plan (GU-1) by Coler & Colantonio, Inc., revised July 11, 2005, to clarify the existing situation prior to further discussion of the possibility of Northport's granting the requested 30-foot-wide stormwater drainage easement.

(b) Northport is reluctant to grant the temporary grading easement required to be obtained by Rite Aid prior to construction, since it appears to encroach at least fourteen feet (plus or minus) on Northport's land and would apparently require the cutting of trees specifically planted at the Northport's direction 15 years ago. Northport further observes that Rite Aid is proposing 79.98% impervious surface coverage; zoning allows for a maximum impervious surface of 80%.

(c) Northport is also reluctant to grant the requested stormwater drainage easement because of the possible disruption to traffic flow on a major internal roadway

which may be caused by necessary construction in the vicinity of the DMH4 doghouse manhole near the flagpole.

(d) Northport has asked Rite Aid for more detail on the proposed silt fence.

2. Pylon Sign. There appears to be some confusion about the location of the proposed 7' x 7" (18 feet high) pylon sign. On the Layout Plan (L-1) prepared by Coler & Colantonio, Inc., revised July 11, 2005 (the "Layout Plan"), the pylon is located on the westerly side of the proposed Allen Avenue curb cut, but on the accompanying Landscape Plan revised July 12, 2005 (the "Landscape Plan") the pylon sign is located 5 feet from Northport's lot line. This latter location might possibly block signage on the Northport parcel, now or in the future.

3. Inadequate Snow Storage Area. There are two "snow storage" areas marked on the Layout Plan. However, the plantings shown on the Landscape Plan would actually make those areas unusable for snow removal. The westerly area (near Washington Avenue) would be unusable due to the three proposed Shasta Viburnum (4'-5'), while the easterly area would be rendered inaccessible because of the sidewalk and the 25 Andorra Juniper (18"-24"), 2 Lacebark Elm (8'-10') and the 2 Japanese Tree Lilac (6'-8') blocking the storage area. Northport is concerned that if Rite Aid does not allow for adequate on-site snow storage, snow-plow drivers could wind up piling snow on Northport's adjacent property.

I would appreciate your bringing these concerns to the attention of the Planning Board members in advance of the upcoming meeting. Edward F. Carye, one of the trustees of Northport Realty Trust, and I are planning to attend the public hearing on July 26, 2005.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Janet", written in a cursive style.

Janet C. McCaa

JCMcC/tdv

cc: Hope Creal Jacobsen, Esquire
Edward F. Carye, Trustee