

CITY OF PORTLAND, MAINE

PLANNING BOARD

Bill Hall, Chair
Joe Lewis, Vice Chair
Lee Lowry, III
Carol Morrisette
Michael J. Patterson
David Silk
Janice Tevanian

OCTOBER 15, 2010

Ll Bean Inc
15 Casco St
Freeport, ME 04033

Diversified Properties Inc.
P.O. Box 10127
Portland, ME 04104

Project Name: Gertrude Ave. Street Extension and Subdivision
Project ID: 10-79900013
CBL: 402-D-003-001
Project Address: Gertrude Ave.
Planner: Erick Giles, AICP, LEED AP

Dear Mr. Wolf:

On September 21, 2010, the Portland Planning Board considered the Gertrude Ave. Street Extension and Subdivision. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance. The Planning Board voted 4-0 to approve the application with the following waiver and conditions as presented below.

WAIVERS

The Planning Board voted 4-0 to waive the Technical Standard, Section 14-498 of the Technical and Design Standards pertaining to the provision for construction of sidewalks.

SUBDIVISION REVIEW

The Planning Board voted 4-0 that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition(s) of approval:

1. Prior to the release of a Defect Guarantee the applicant shall televise the existing 18" RCP storm drain within the Gertrude Ave. roadway to verify that the pipe has not been damaged. A verification report shall be submitted to the Department of Public Services and Planning Authority. If the 18" pipe is found to be damaged the applicant shall make all necessary repairs subject to the review and approval of the Department of Public Services and Planning Authority.
2. The applicant shall use erosion control mulch in lieu of silt fencing. Also erosion control shall be added to easterly corner of lot #2.
3. Property pins shall be installed prior to the issuance of occupancy permit.

4. 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.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for 10-79900013 which is attached.

STANDARD CONDITIONS OF APPROVAL

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

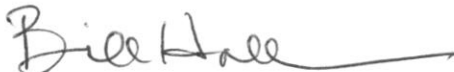
1. A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee.
2. Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan 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 **Erick Giles** at **207-874-8723** or **egiles@portlandmaine.gov**

Sincerely,



Bill Hall Chair
Portland Planning Board

Attachments:

1. PB Report #29-10
2. Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Eric Giles, AICP Planner/Senior Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director
Gayle Guertin, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, TY Lin
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File