

CITY OF PORTLAND, MAINE
PLANNING BOARD

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June 30, 2005

Jim Wescott
Wescott & Payson II, LLC
31 Old Campus Road
Portland, Maine 04103

RE: Yale Street Subdivision
Application ID #2005-0079
CBL: 438 A012031

Dear Jim:

On June 14, 2005, the Portland Planning Board voted unanimously to approve the above referenced subdivision application. The approval was granted for the project by the following motion, subject to the following conditions:

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #37-05 relevant to standards of the subdivision ordinance, and other findings:

1. That the plan is in conformance with the subdivision standards of the land use code.

Conditions of Approval:

- i. Prior to issuance of a building permit, the applicant shall revise the plans so as to satisfy the concerns of the City's consulting development review engineer as outlined in a May 26, 2005 memo from Jim Seymour, P.E. subject to final review and approval by the Planning Authority.
- ii. The applicant shall either (a) rebuild the storm drain in Harvard

Street subject to review and approval by the Department of Public Works or (b) provide a drainage easement to Milliken Brook through Radcliffe Glenn and associated infrastructure improvements to be reviewed and approved by Public Works together with a \$2000 per lot contribution to the City of Portland for off-site stormwater improvements.

- iii. The applicant shall submit a water capacity letter from the Portland Water District prior to issuance of a building permit.
- iv. The applicant shall modify the proposed street plan to include traffic calming measures as described in a June 9, 2005 email for the City's consulting traffic engineer, Tom Errico, subject to final review and approval by Mr. Errico, the Planning Board, and the City Engineer except that the width of the new section of Yale Street shall be 28 rather than 24 feet.
- v. The applicant shall present a letter from the Maine Department of Environmental Protection confirming that no wetland permit is required prior to the issuance of a building permit.
- vi. The applicant shall prepare and submit to Corporation Counsel for review and approval proposed drainage easements in customary form prior to the sale of any lots or the occupancy of any buildings.

The approval includes a 15-lot residential subdivision on an accepted, undeveloped portion of Yale Street.

The approval is based on the submitted site plan and the findings related to subdivision review standards as contained in Planning Report #37-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of 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 and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. 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.
6. 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.)

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 Division 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, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Ethan Boxer-Macomber, 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
Fire Prevention
Assessor's Office
Approval Letter File

