

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

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Maggie Stanley

June 15, 2016

William Needelman  
City of Portland  
389 Congress Street  
Portland, ME 04101

Project Name:	Waterfront Marketplace at Ocean Gateway	Project ID:	2016-138
Address:	6 Commercial Street	CBL:	444-A-3
Applicant:	City of Portland	Planner:	Nell Donaldson

Dear Mr. Needelman:

On June 14, 2016, the Planning Board considered your conditional use application for the Waterfront Marketplace at Ocean Gateway. The Planning Board reviewed the proposal for conformance with the conditional use standards of the Land Use Code (*Sections 14-300.1; 14-301.1(a); and 14-474(c)2*). The Planning Board voted to approve the application as presented below.

The Planning Board voted 4-0 (Morrisette, Boepple, and Eaton absent), on the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for June 14, 2016 for application 2016-138 relevant to the conditional use application and regulations and the testimony presented at the Planning Board hearing; to find that the conditional use for Waterfront Marketplace at Ocean Gateway is in conformance with the conditional use standards of the land use code, subject to the conditions below:

1. Prior to making any permanent changes associated with the marketplace, the applicant shall provide plans and supporting documentation relevant to the City of Portland's site plan ordinance, as applicable, for review and approval by the Planning Authority. Changes include but are not limited to permanent structures, increases in impervious areas, or utility connections;
2. Prior to commencing future phases of the Waterfront Marketplace as depicted in *Attachment 5*, the applicant shall provide evidence of right, title, and interest for use of the Maine DOT's right-of-way for review and approval by the Planning Authority and Corporation Counsel;
3. As noted on the conceptual plan (*Attachment 5 in Planning Board Report*), the proposed use shall not result in any detrimental impact to the public's access to the Eastern Promenade Trail;
4. Within one month of the close of the Waterfront Marketplace, the applicant shall provide a report evaluating the impacts of the market with respect to the conditional use standards and identify necessary modifications to the management plan for review and approval by the Planning Authority; and

5. The use is limited to that described in the application herein. Any modifications to the proposed use, as presented in the conceptual plan (*Attachment 5 in Planning Board Report*), shall be subject to review and approval by the Planning Authority.

The approval is based on the submitted application and the findings related to site plan review standards as contained in the Planning Board report for application 2016-138 which is attached.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,



Elizabeth Boepple, Chair  
Portland Planning Board

**Attachments:**

1. Planning Board Report

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Barbara Barhydt, Development Review Services Manager  
Helen Donaldson, Planner  
Philip DiPierro, Development Review Coordinator, Planning  
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Approval Letter File