

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

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July 1, 2003

Mr. H. Mason Sears  
Yacht Haven LLC  
65 Kensington Street  
Portland, ME 04103

RE: Maine Yacht Marina Phase II, 65 Kensington Street  
ID #2003-0020, CBL #430-B-013

Dear Mr. Sears:

On May 27, 2003 the Portland Planning Board voted 5-0 (Lowry, Patterson absent) to approve Phase II of the Maine Yacht Marina project. The Board found that the application met the standards of the Site Plan, Shoreland and Flood Plain Ordinance of the Land Use Code.

The approval was granted for the project with the following conditions:

- i. That until the public access easement deed required as part of Phase 1 has been conveyed to the City, no building permits will be issued for the Phase 2 development. Also, the note on the Phase 2 plan regarding the public access easement shall be revised to eliminate the work "future."
- ii. that the applicant relocate the existing storm drain outside of the proposed structure and an easement be granted to the City for maintenance and repair of this system. In the event the existing system is determined to be a sewer or combined system, the applicant will return to the Planning Board to relocate the sewer or combined system, and provide an adjusted easement to the City.
- iii. that the final alignment of the driveway be reviewed and approved by the Traffic Engineer.
- iv. that no storage of boats shall be allowed on parcel 2, which is located in the R-3 zone, unless a variance is obtained or appropriate zoning is changed, in which case, it must come back to the Planning Board for review and approval.
- v. that the City Arborist review and approved the landscaping plan.

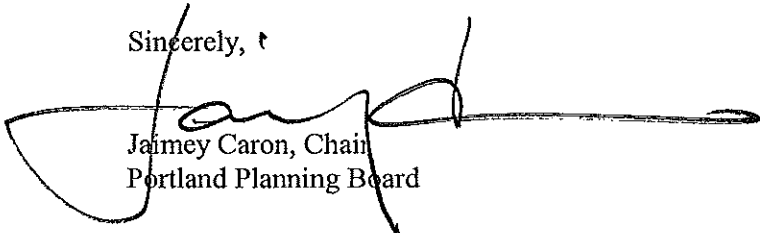
The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report #67-02, which is attached.

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

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 1.7% 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.
2. 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.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction 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 preconstruction meeting.
5. 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.)
6. The Development Review Coordinator (who is located at DeLuca Hoffman at 775-1121) must be notified five (5) working days prior to date required for final site inspection. 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 Kandice Talbot at 874-8901.

Sincerely, †



Jaimey Caron, Chair  
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Sarah Hopkins, Development Review Program Manager  
Kandice Talbot, Planner  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
✓ Jodine Adams, Inspections  
Larry Ash, Traffic Engineer  
Tony Lombardo, Project Engineer  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
Don Hall, Appraiser, Assessor's Office  
Approval Letter File  
Correspondence File  
William Haskell, Gorrill-Palmer Consulting Engineers, Inc.,  
P.O. Box 1237, 15 Shaker Road, Gray, ME 04039

