

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: <i>Greenwood & Torrington, Peaks Island</i>		Owner: <i>City of Portland</i>		Phone:		Permit No: 960537	
Owner Address:		Leasee/Buyer's Name:		Phone: <i>74-5961</i>		Business Name:	
Contractor Name:		Address:		Phone:		<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: JUN 19 1996 CITY OF PORTLAND </div>	
Past Use:		Proposed Use:		COST OF WORK: \$ _____ FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied			
Proposed Project Description: <i>Variance Appeal to allow to construct a fence 75' high for 20' zone D. 110' x 50' high water mark. 75'</i>		Signature:		Signature:		Zoning Approval: Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> major <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: <i>Vicki Dover</i>		Date Applied For: <i>June 6, 1996</i>		PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
		Signature:		Date:		Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review	

1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

PERMIT ISSUED WITH LETTER

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

225 Dougals St. Portland 774-5961 6/6/96

SIGNATURE OF APPLICANT: <i>Mark Jordan</i>	ADDRESS:	DATE:	PHONE:
	<i>774-5961 x 3071</i>		
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT 6

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

18 June 1996

Portland Water District
225 Douglass St.
Portland, Maine

RE: Greenwood & Torrington P. I.

Dear Sir,

Your application to construct a municipal pump station has been reviewed and a permit is herewith issued subject to the following requirements. This permit does not excuse the applicant from meeting applicable State and Federal rules and regulations.

1. Please read and implement items addressed on the attached Land Use -Zoning Report

If you have any questions regarding these requirements, Please call this office.

Sincerely



P. Samuel Hoffses
Chief of Inspection Services

LAND USE - ZONING REPORT

ADDRESS: Greenwood & Torrington St, Peaks Island DATE: 6/17/96
REASON FOR PERMIT: to allow the construction of a pump station for the
Portland Water District
BUILDING OWNER: City of Portland C-B-L: in front of 84-V-3
PERMIT APPLICANT: Eric King
APPROVED: with conditions DENIED: _____

#9 & #10

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will **not** be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition To utilize Best Management practices
during construction

⑩ All disturbed soils shall be returned to original conditions
including reseeding & bushes etc. to work with the City's Arborist,
Jeff Tarling on this matter.

Marga Schmuckal Marge Schmuckal, Zoning Administrator,
Asst. Chief of Code Enforcement

The 58' proposed setback from the high water line instead of the required 75' setback is allowable without special approval. This use is regarded as "essential services" (ie utilities) and was not intended to have to meet the shoreland setbacks as intended

Applicant: Eric King
Address: Greenwood & Torrington, Peaks Island
Assessors No.: in front of 84-V-3

Date: 6/17/96

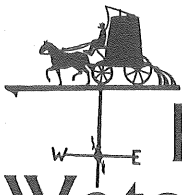
CHECK-LIST AGAINST ZONING ORDINANCE

- Date - New underground pumping station for construction of Sanitary Sewer
- Zone Location - IR-2
- Interior or corner lot - in street way - approved by Council 3/4/96
- Use - See Above
- Sewage Disposal -
- Rear Yards - } underground
- Side Yards - }
- Front Yards - }
- Projections -
- Height -
- Lot Area -
- Building Area -
- Area per Family -
- Width of Lot -
- Lot Frontage -
- Off-street Parking -
- Loading Bays -

condition ① To meet Best Management Practices during construction
② All disturbed soils shall be returned to original conditions including reseeding & bushes etc,

Site Plan - N/A
Shoreland Zoning - yes - 50' proposed instead of the 75' setback from high water req.
Flood Plains - No - Zone C map 15 of 17

6/14/96 I spoke with Rich Baker of the State Shoreland and Land Zoning office. This type of use can be considered "essential services" (i.e. utilities) and it was not intended to have to meet the shoreland setbacks as intended for other structures. No Planning Board Approval Needed.



Portland Water District

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

June 5, 1996

(207) 774-5961
FAX (207) 761-8307

City of Portland
Board of Appeals
389 Congress Street
Portland, ME 04101

Re: Torrington Avenue Pump Station
Request for Variance

Gentlemen:

The Portland Water District is currently preparing plans and specifications for construction of sanitary sewers in the Torrington Point area for Peaks Island. As part of the sewer system it will be necessary to construct an underground pump station at the intersection of Greenwood Street and Torrington Avenue. From an engineering and operations standpoint this is the most suitable location because it is at the low point in the system. At this point very little land is available except for a portion of the public Right-of-Way. Within the Right-of-Way is sufficient space for the pump station without obstructing the traveled way. Our problem is the available space is within the required setback from the high water line.

We require a variance from Section 14-145.12 relating to setback from the high water mark. The proposed location is 57 feet from the high water mark, not the required 75 feet. The site will not be significantly altered in grade nor vegetation as a result of construction. All disturbed lawn will be reseeded and bushes planted adjacent to the pump station control panel. (The landscaping plan was developed with assistance of the City Arborist, Jeff Tarling.) These bushes will be used to compensate for the only above ground construction which will be the pump station control panel.

During construction, site runoff will be controlled by installation of erosion control measures designed and placed in accordance with "Maine Erosion and Sedimentation Control Handbook: Best Management Practices". With the exception of the setback variance all other aspects of the work will be in accordance with the requirements of the local zoning, IR-2.

Based upon this information and the enclosed ten (10) copies of the Variance Appeal Application we respectfully request a variance from the setback requirements outlined in Section 14-145.12.

Thank you in advance for your consideration.

Sincerely,

PORTLAND WATER DISTRICT

Jay C. Hewett, P.E.
Director of Technical Services

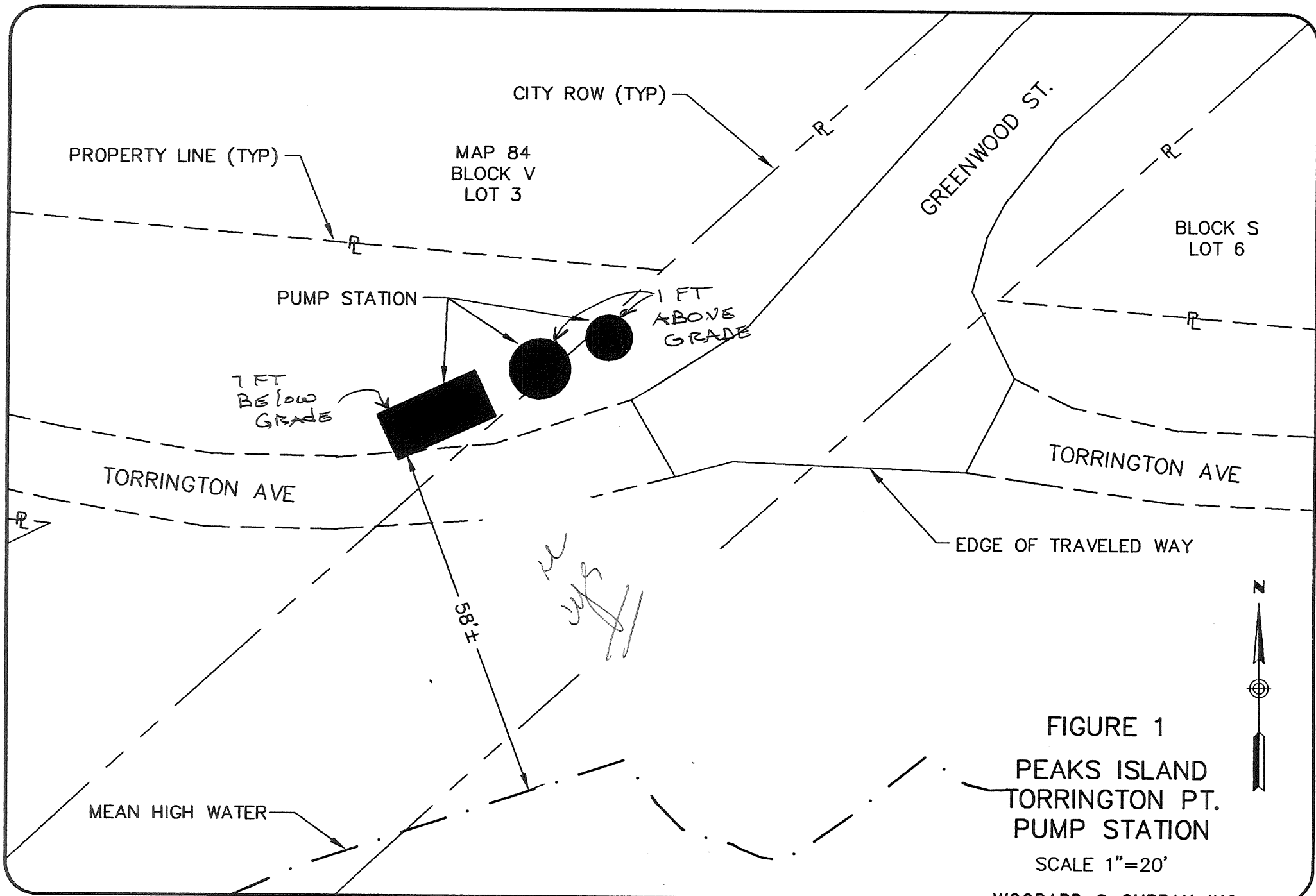
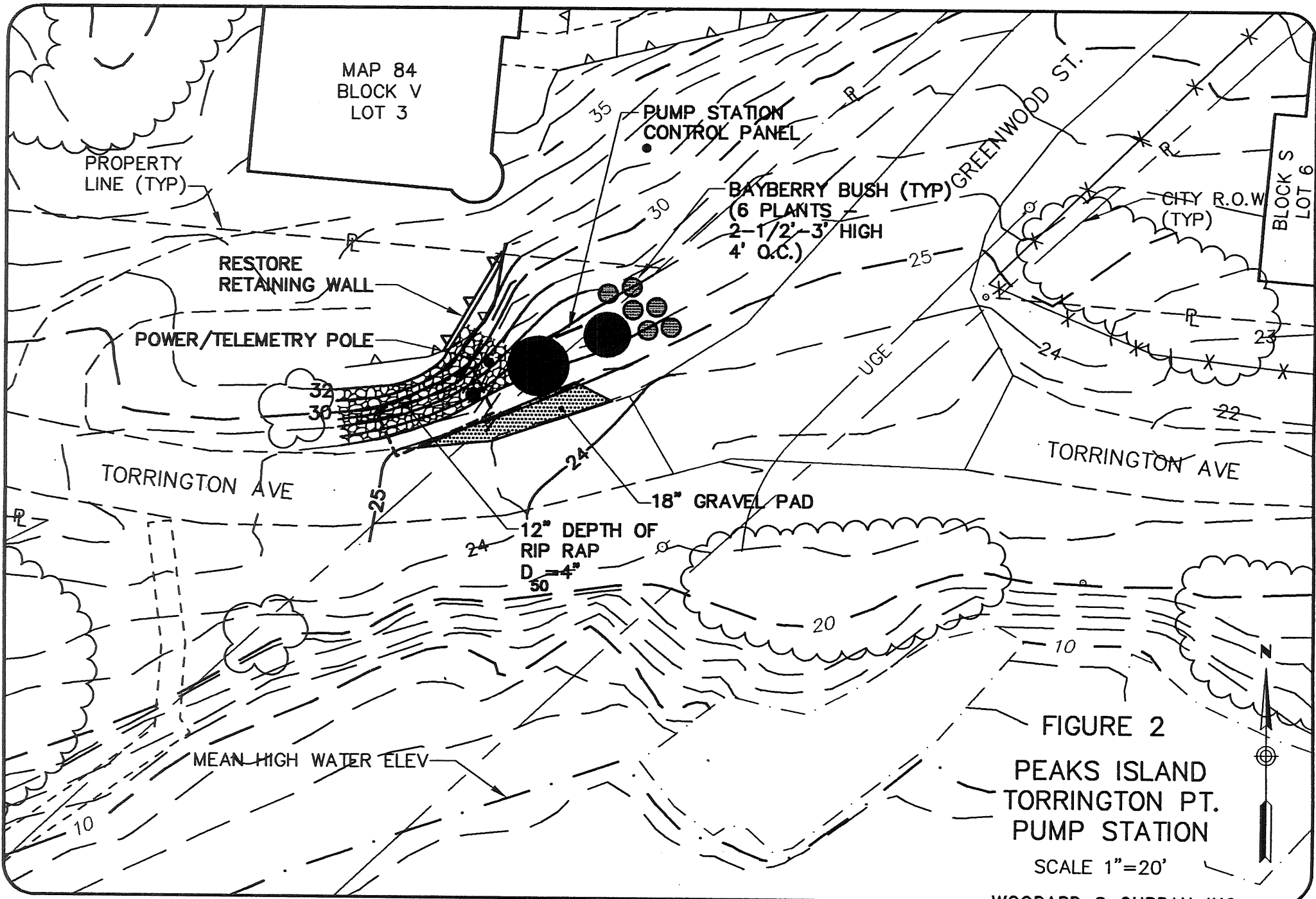


FIGURE 1
 PEAKS ISLAND
 TORRINGTON PT.
 PUMP STATION
 SCALE 1"=20'





PUMP STATION SITE



Portland Water District

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

(207) 774-5961
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Attached is a copy of the City of Portland, City Council Order # 00174, which authorizes Portland Water District to construct the Torrington Point Sewer Project on Peaks Island. Also enclosed is Figure 5, labeled the Peaks Island Petition Area, which was part of the construction project plan approved by the Council. Figure 5 shows the proposed pump station located in the street right-of-way.

ORDER 00174

ORDER APPROVING TORRINGTON POINT SEWER PLAN AND
AUTHORIZING CONSTRUCTION BY PORTLAND WATER DISTRICT
- SPONSORED BY ROBERT B. GANLEY, CITY MANAGER.

IN THE CITY COUNCIL

February 21, 19 96

Nadeen M. Daniels

Attest: _____
City Clerk.

Yeas

Nays

February 21, 1996: Motion made by Councilor Campbell
to suspend council rules to take public comment
on this item, seconded by Councilor Harlow. Passed 8-0.
This item received a first reading, as well.

March 4, 1996: Councilor Harlow motioned to amend Order
174 by adding for the petitioned area at the end of the
first paragraph. Motion seconded by Councilor Campbell.
Motion to amend passes with a show of hands. Motion to
pass Order 174 as amended made by Councilor Delogu.
Seconded by Councilor Campbell. Order 174 passes as
amended 9 yeas.

AT TRUE COPY. ATTEST
NADEEN M. DANIELS
CITY CLERK, PORTLAND, ME

Nadeen M. Daniels

001/002

WOODARD CURRAN

PORT WATER DST

06/05/96 16:19

City of Portland, Maine

IN THE CITY COUNCIL

ORDER APPROVING TORRINGTON POINT SEWER PLAN AND AUTHORIZING CONSTRUCTION BY PORTLAND WATER DISTRICT

ORDERED, that the plans for the Torrington Point Sewer Project on Peaks Island are hereby approved for the petitioned area;

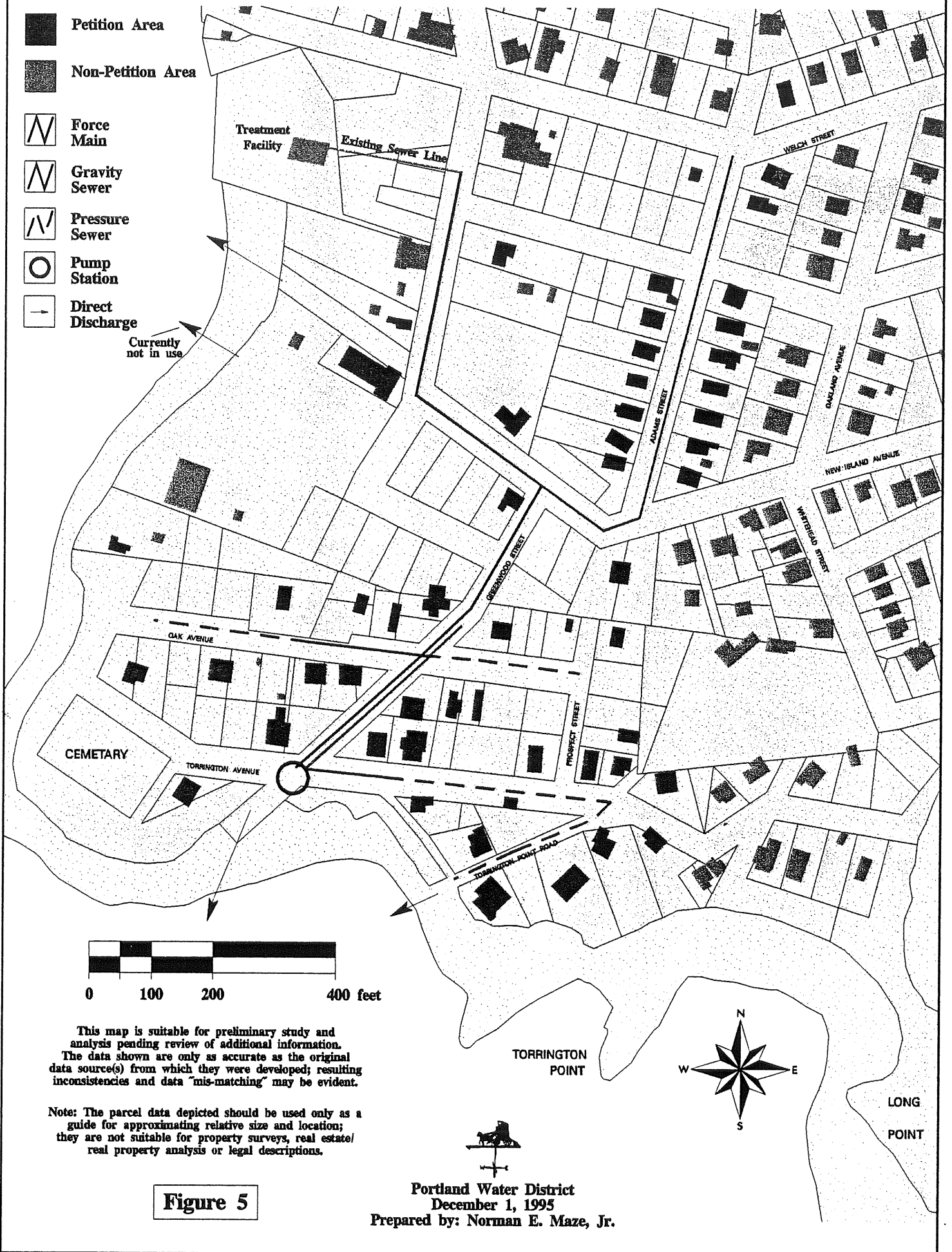
BE IT FURTHER ORDERED, that the Portland Water District is hereby authorized to construct the Torrington Point Sewer Project on Peaks Island.

torringt.ord.elb

02.12.1996

as amended by Council on 3/4/96

Peaks Island - Petition Area

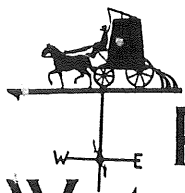


This map is suitable for preliminary study and analysis pending review of additional information. The data shown are only as accurate as the original data source(s) from which they were developed; resulting inconsistencies and data "mis-matching" may be evident.

Note: The parcel data depicted should be used only as a guide for approximating relative size and location; they are not suitable for property surveys, real estate/real property analysis or legal descriptions.

Figure 5

Portland Water District
 December 1, 1995
 Prepared by: Norman E. Maze, Jr.



Portland Water District

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

June 5, 1996

(207) 774-5961
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City of Portland
Board of Appeals
389 Congress Street
Portland, ME 04101

Re: Torrington Avenue Pump Station
Request for Variance

*Eric King with
Woodward & Curran
774-2112*

Gentlemen:

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Thank you in advance for your consideration.

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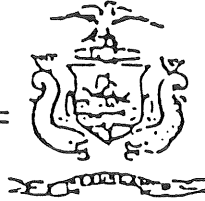
6/14/96 - I spoke with Rich Baker with State Shoreland Zoning. This type of use

PORTLAND WATER DISTRICT

Jay C. Hewett, P.E.
Director of Technical Services

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



VARIANCE APPEAL APPLICATION

Applicant's name and address: Portland Water District

P.O. Box 3553, Portland, ME 04104-3553

Applicant's interest in property (e.g. owner, purchaser, etc.): _____

Utility usage of Public Right-of-Way

Owner's name and address (if different): City of Portland

389 Congress Street, Portland, ME 04101

Address of property and Assessor's chart, block, and lot number: _____

Peaks Island, Corner of Greenwood St. & Torrington Avenue

Zone: IR-2

Present Use: Public Right-of-Way

Variance from: Section 14- 145.12

Note: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a variance as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.

Dated: 6.6.96

Mark Jordan
Signature of Applicant

Except as specifically provided by the Ordinance, a variance may be granted by the Board only where strict application of the Ordinance, or a provision thereof, to the petitioner and his property would cause undue hardship. In order for the Board to find "undue hardship", the applicant must answer all of the following questions, and provide supporting evidence. The Board will consider this evidence in deciding whether to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

Yes _____ (deny the appeal) N/A
No _____

Reasons Site location is Public Right-of-Way. The property return is not a factor in the normal sense. Current usage of a Public Right-of-Way is a reasonable return.

2. Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a variance?

Yes X
No _____ (deny the appeal)

Reasons The location is ideally located to function as central collection point for new sanitary sewer pump station. While within 75 feet of high water line, this site is above the 100 year flood line and protected from traffic.

3. Will the granting of the variance alter the essential character of the locality?

Yes _____ (deny the appeal)
No X

Reasons This portion of Right-of-Way is grassed area adjacent to gravel street. After construction of below grade station, the site will be seeded and bushes planted adjacent to control panel.

4. Is the hardship a result of action taken by the applicant or a prior owner (self-created hardship)?

Yes _____ (deny the appeal)
No X

Reasons The proposed pump station location is the only available space at the low point within the sewer service area. (This site has been approved by Portland City Council.)

It is up to the applicant to decide whether to file an appeal after reviewing the above requirements.

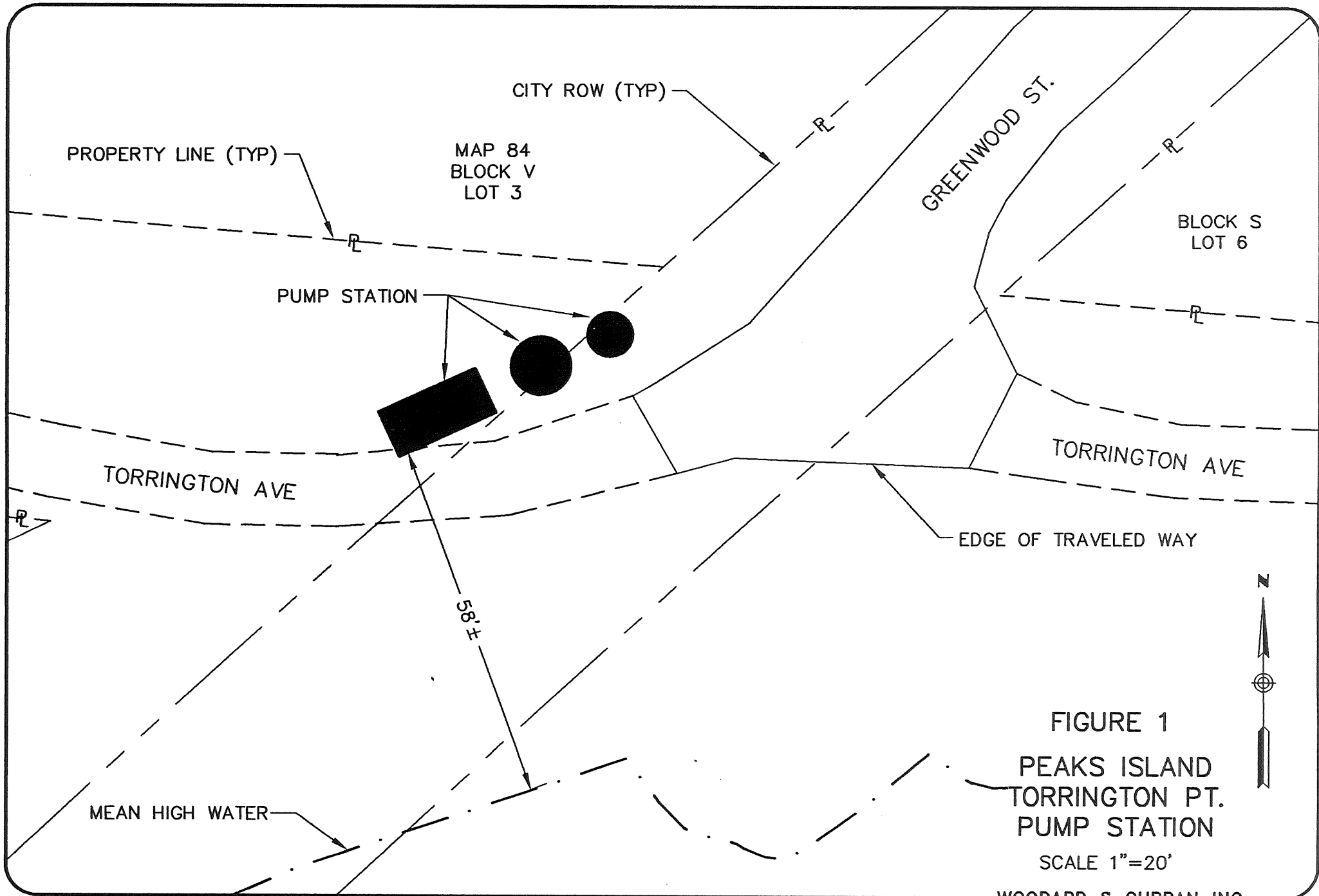


FIGURE 1
 PEAKS ISLAND
 TORRINGTON PT.
 PUMP STATION
 SCALE 1"=20'
 WOODARD & CURRAN INC.

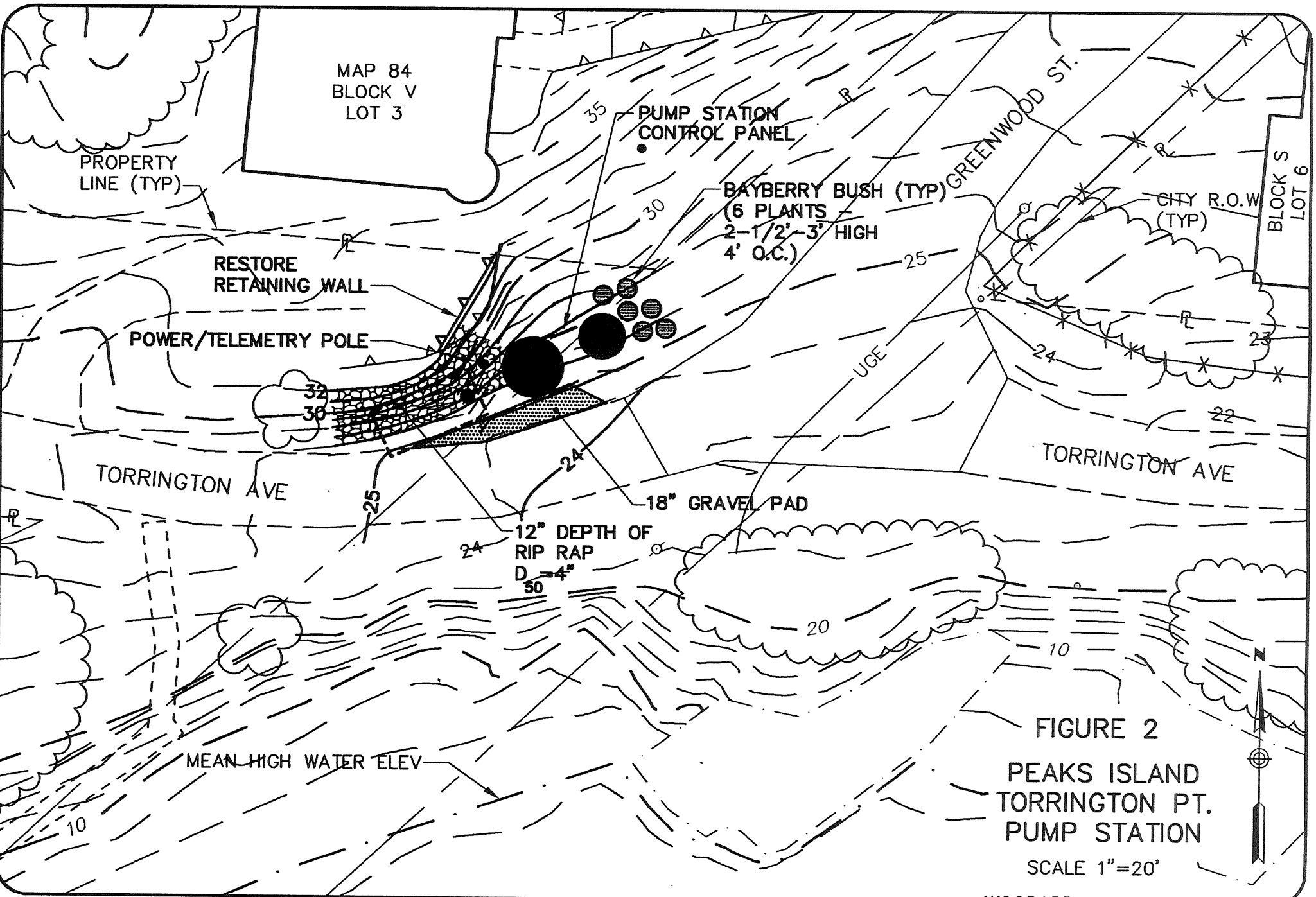


FIGURE 2
PEAKS ISLAND
TORRINGTON PT.
PUMP STATION
SCALE 1"=20'



PUMP STATION SITE



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February 21, 19 96

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CITY CLERK, PORTLAND, ME

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001/002

WOODWARD CURRAN

PORT WATER DST

06/05/96 16:19

City of Portland, Maine

IN THE CITY COUNCIL

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torringt.ord.elb

02.12.1996

as amended by Council on 3/4/96

Peaks Island - Petition Area

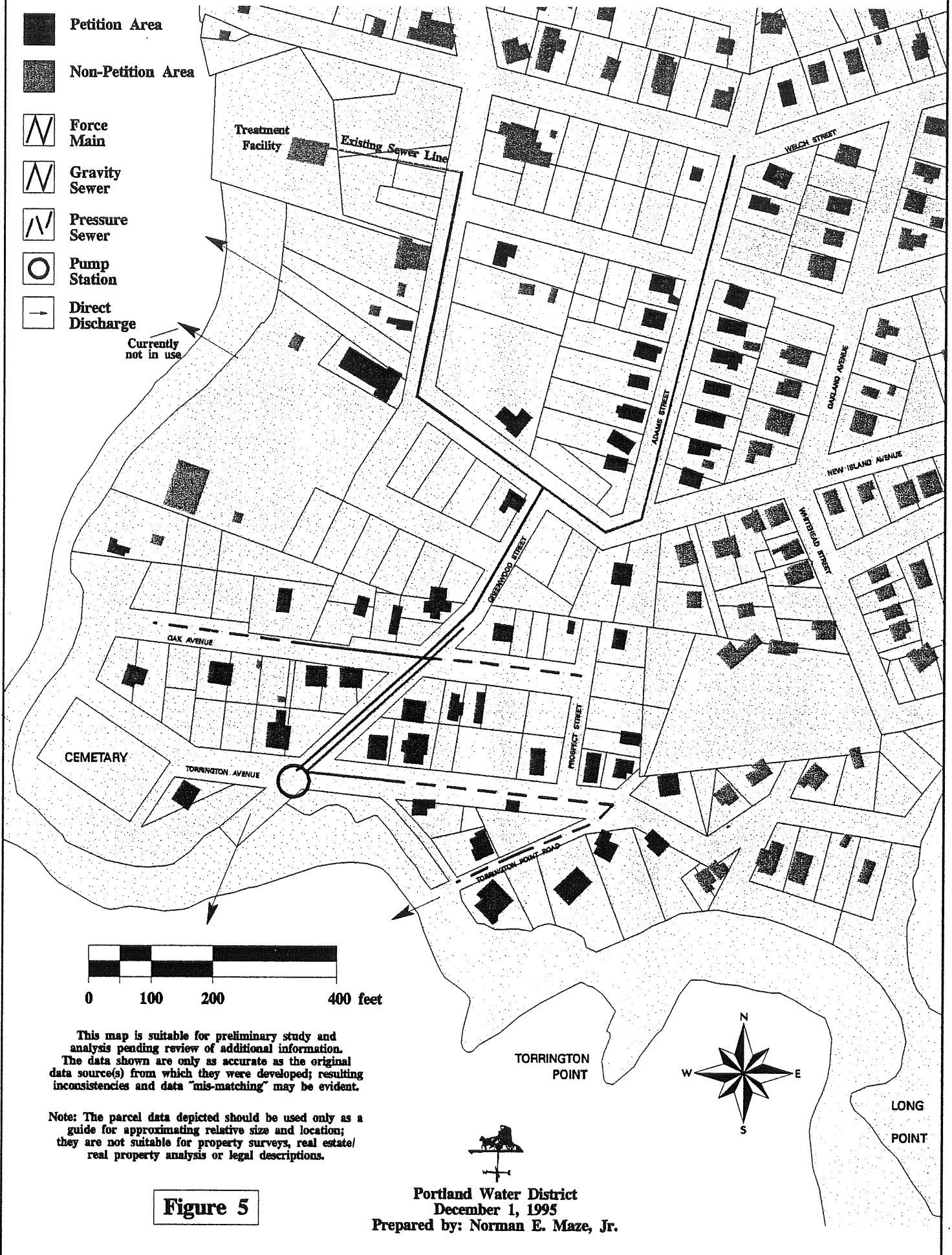
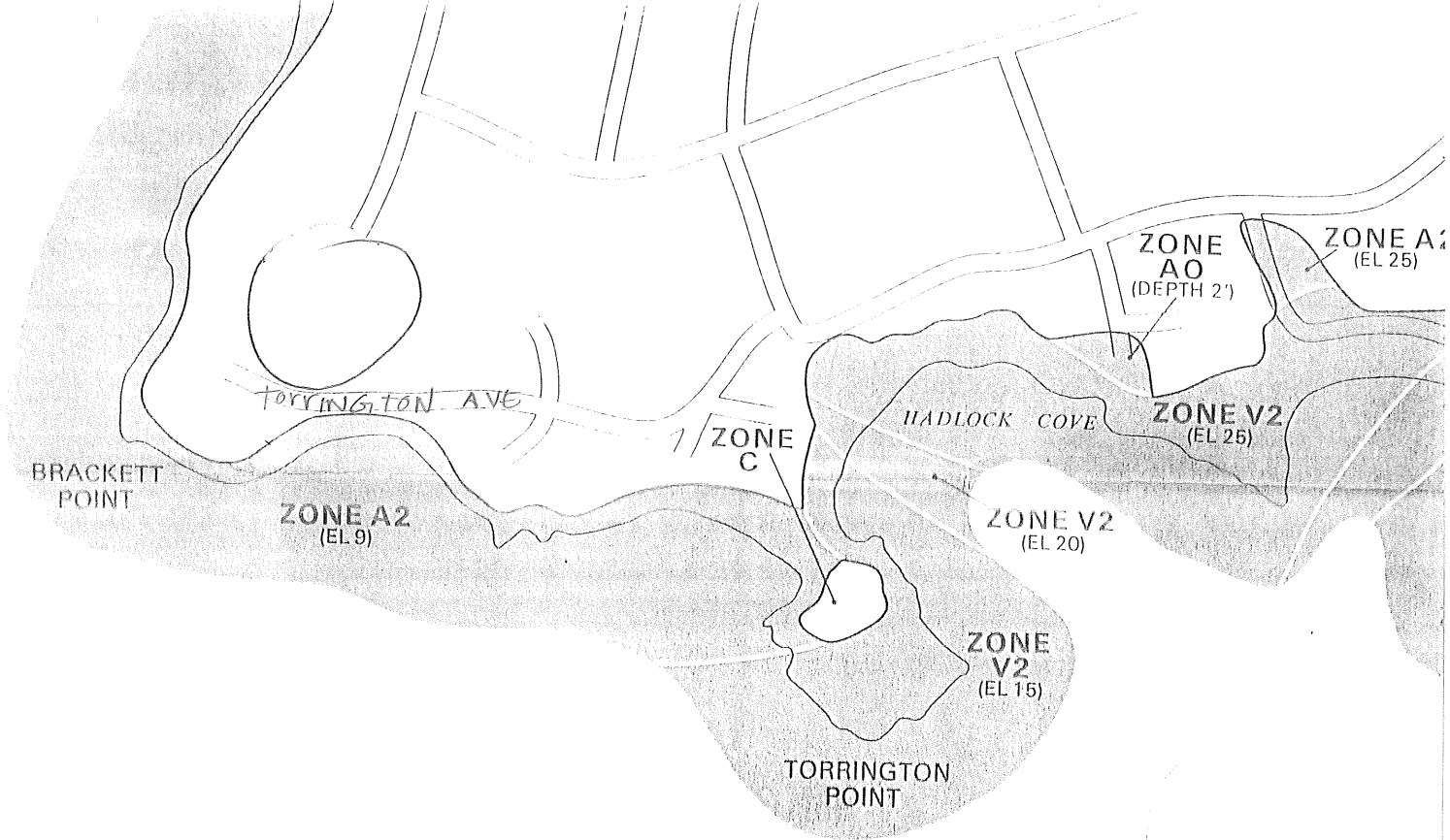


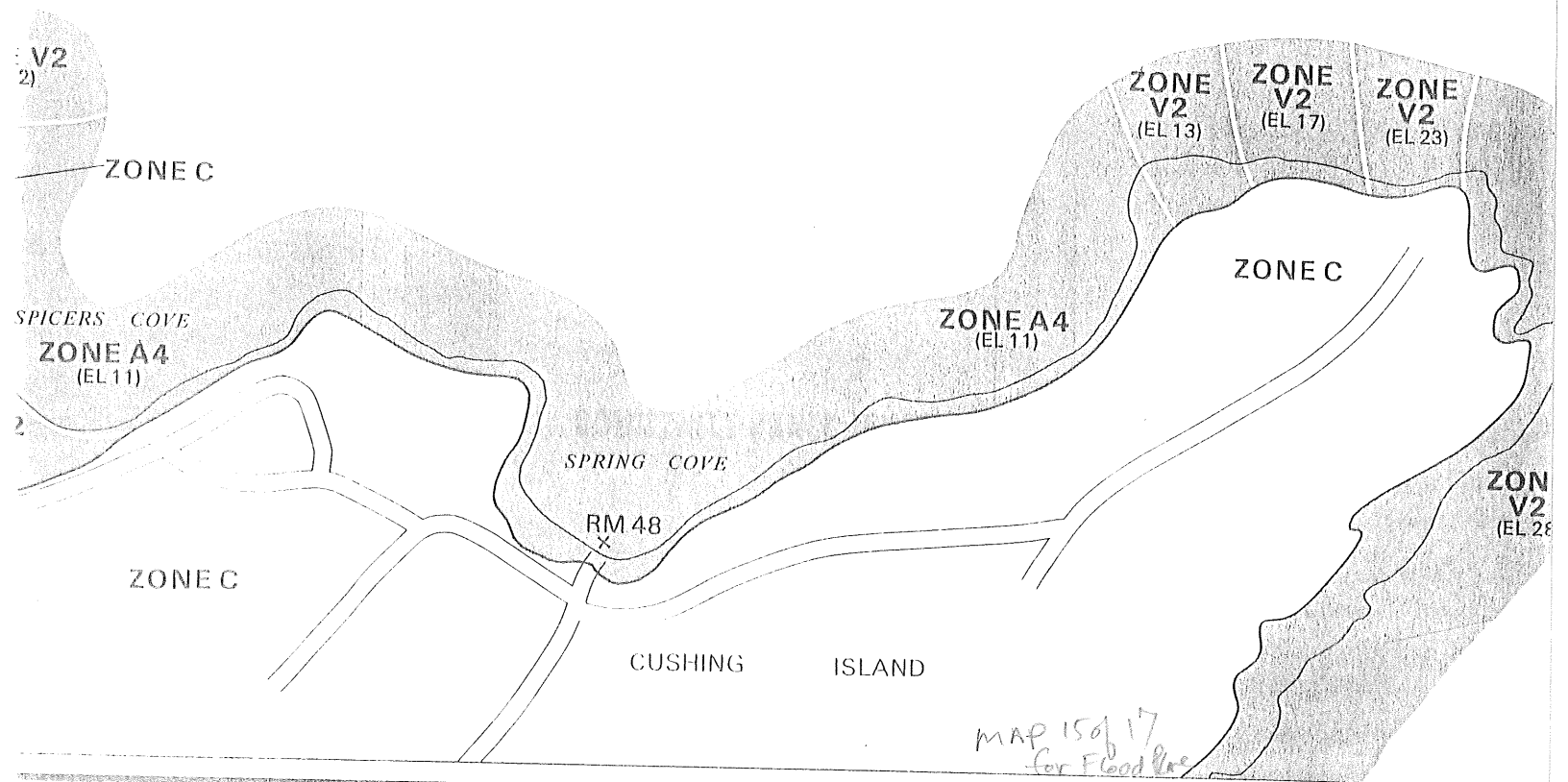
Figure 5

Portland Water District
 December 1, 1995
 Prepared by: Norman E. Maze, Jr.



WHITEHEAD

PASSAGE



MAP 15 of 17
for Flood Rec.

Margel

Eric Kung

Woodard & Curran
774-2112

for Site PLAN
? on Underground
utilities boxes are
placed in the
setbacks

7:36
6-6
MU

WANO
NY

IR-2 Zone
Zone C
MAP 15817
Flood
maps

Abmets
7X14
~~10X14~~

Flood
map #15

10-1-190
Flood
map #15
10-1-190