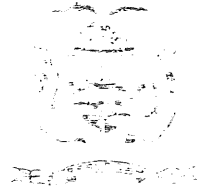


106-A-C/19

Joseph E. Gray Jr.
Director



CITY OF PORTLAND

January 2, 1997

Michael Deletetsky
NYNEX
5 Davis Farm Road
Portland, ME 04103

Re: Calumet Avenue, Cushing Island

Dear Mr. Deletetsky:

On December 9, 1996 the Portland Planning Authority granted minor site plan approval for installation of two (2) telephone equipment cabinets at Calumet Avenue, Cushing Island.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

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

1. 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. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
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.

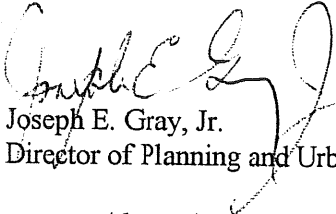
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106-A-C

- 21
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 (874-8300 ext. 8722) 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 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 the Planning Staff.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
Kandice Talbot, Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
Kathi Staples PE, City Engineer
Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

OEST Associates, Inc.

- engineers
- architects
- surveyors
- construction managers

343 Gorham Road • South Portland, ME 04106-2317 • TEL (207) 761-1770 • FAX (207) 774-1246

982.39.01

November 15, 1996

Review Committee
City of Portland
389 Congress Street
Portland, Maine 04101

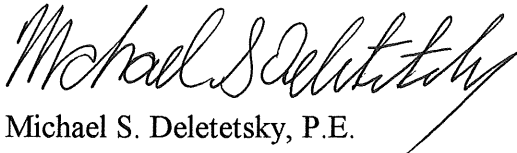
SUBJECT:

Dear Review Committee Members:

Please find enclosed site plan and written report for the electronic switching cabinet installation on Cushing Island. The site is located on an easement granted by the Cushing Island Trust off Calumet Avenue. The equipment being installed on this site will allow the residents of Cushing Island to receive and utilize improved telephone service and options.

If you have any questions please feel free to call me at 761-1770.

Sincerely,
OEST Associates, Inc.



Michael S. Deletetsky, P.E.

MSD:lag
Enclosure
A:\CUSHING.39

TABLE OF CONTENTS

SITE PLAN REVIEW WRITTEN STATEMENT

APPENDIX 1 SOILS MAP AND FLOOD MAP

APPENDIX 2 EASEMENT DEED

APPENDIX 3 ABILITY TO FINANCE

WRITTEN STATEMENT

LOT USAGE

The lot is currently vacant. Our project is a fiber optic switching cabinet. The cabinet houses telephone equipment used to supply service to the islanders.

LAND AREA

The total land area of the site is approximately one and a half acres. The easement being utilized by NYNEX is 2096.5 SF. There will be a poured concrete slab on grade that will have an overall dimension of seven by fourteen feet.

EASEMENTS

NYNEX will be taking an easement for the 2096.5 SF parcel needed to build this site. There exists an overhead electric line service on this parcel in the area of the NYNEX development. There was no recorded easement description for this electric line. The NYNEX site will have no affect on this electrical service.

SOLID WASTE

There is no solid waste generated by this facility.

OFF-SITE FACILITIES

There is an existing street in the area that will service the occasional visits to the site. After the initial installation the site will be visited by a NYNEX technician an average of once a week. There are no requirements in this switching facility that require water or sewer.

SURFACE DRAINAGE

The site currently has a sheet runoff of surface water mostly in a southeast to northwest direction. The area has a growth of low brush.

The post-development site will be cleared of the existing growth but 1998.5 SF of the 2096.5 SF total will remain pervious. The site will still sheet flow southeast to northwest except on the east side of the development which will have a small swale constructed to restrict water from the crushed stone walkway from flowing on neighboring property. This development will not add more water to Calumet Avenue or significantly impact the neighboring property with water runoff.

CONSTRUCTION PLAN

The site will be cleared and then the underground duct bank will be constructed. The contractor will then form and pour the concrete pad and build the crushed stone walkway. The walkway will be built over the duct bank so as to keep construction activities consolidated to a smaller area. NYNEX technicians will then come to the site to install the two cabinets.

REGULATORY APPROVAL

The site is not subject to any state or Federal regulatory approvals.

EVIDENCE OF FINANCIAL TECHNICAL CAPACITY

See enclosed letter (Appendix 3).

APPLICANT'S TITLE TO SITE

See enclosed deed description (Appendix 2).

DESCRIPTION OF NATURAL AREAS

There are no known unusual natural areas, wildlife or fishery habitats or archeological sites on or near the project site. The site will have erosion control protection during construction and establishment of future permanent growth.

(EL 20)

NATIONAL FLOOD INSURANCE PROGRAM

FLOODWAY FLOOD BOUNDARY AND FLOODWAY MAP

CITY OF
PORTLAND, MAINE
CUMBERLAND COUNTY

COASTAL BASE FLOOD ELEVATIONS
APPLY ONLY LANDWARD OF 0.0 NGVD

WHITEHEAD

PASSAGE

SITE

ZONE C

ZONE C

WHITEHEAD

ZONE C

CUSHING ISLAND



EASEMENT DEED

ORIGINAL

For and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to it paid by New England Telephone and Telegraph Company, a corporation duly organized under the laws of the State of New York, whose address is 125 High Street, Boston, Massachusetts, 02110, the receipt of which is hereby acknowledged, CUSHING'S ISLAND TRUST, of Portland, Maine, hereby grants unto said Company, its successors and assigns, the right and easement to place and maintain underground electrical and communication cables, conduits, cabinets and appurtenances along with a pad-type foundation upon an easement over a certain parcel of land located on the southerly sideline of of Calumet Avenue, (so called), Cushing's Island, in the City of Portland, Cumberland County, Maine, bounded and described as follows: Beginning at a 5/8-inch rebar found on the northeasterly corner of the Grantor and the northwesterly corner of land now or formerly of Margaret Sullivan and Frank Ingari, as described in Book 11733, Page 41, of the Cumberland County Registry of Deeds; thence, S 40-02-00 E, along land of said Sullivan and Ingari, 60.00 feet to a 5/8-inch rebar set; thence, S 79-05-35 W, through land of the Grantor, 40.00 feet to a 5/8-inch rebar set; thence, N 40-02-00 W, through land of the Grantor, 60.00 feet to a 5/8-inch rebar set on the southerly side of said Calumet Avenue; thence, N 79-05-35 E, along Calumet Avenue, 40.00 feet to the point of beginning.

The above-described easement contains 2,096 square feet, more or less. Bearings are based on observed magnetic north, 1971, and are referenced to a plan entitled, "Plan of Property on Cushing Island," and recorded in the Cumberland County Registry of Deeds, Plan Book 66, Page 25. All rebars set are capped, "OEST 1245."

Said easement is further described as being a portion of Lot #19, Block C, Map #106A, as identified by the Assessors Maps for the City of Portland, County of Cumberland, and State of Maine, and as a portion of land owned by the Cushing's Island Trust, as described in Book 4903, Page 70, of the Cumberland County Registry of Deeds. Further reference is made to a plan by Oest Associates, Inc., of South Portland, Maine, entitled, "Standard Boundary Survey, Electronic Switching Cabinet Easement, Located on Property of Cushing's Island Trust, Calumet Avenue, Portland, Maine," dated August, 1996.

Further rights are herein granted to construct, place and maintain a grounding system consisting of ground rods, mats, and/or wells for protection of said

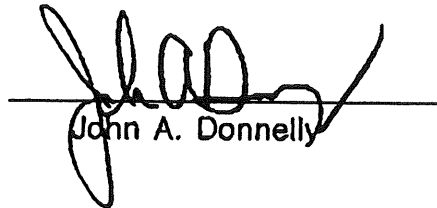
telecommunication equipment. The right to cut trees, trim brush and grade said easement area is also granted with permission to enter upon its property for the above purposes.

New England Telephone Company agrees to the following:

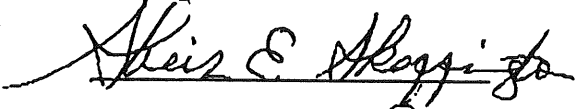

- 1) Assume any and all taxes associated with this terminal;
- 2) Indemnify and save harmless the Grantor, its successors and assigns from any claim costs and liability arising from use of said premises;
- 3) Landscape said easement area in accordance with the Grantor's wishes;
- 4) If necessary, New England Telephone Company will repair any damage which has occurred as a direct result of its construction of this site;
- 5) Upon completion of New England Telephone Company's use of and removal of its equipment from said easement area, all rights herein granted shall revert to the owner of record.

Witness my hand and common seal this 18th day of October, 1996.

CUSHING'S ISLAND TRUST
BY: Its President


John A. Donnelly

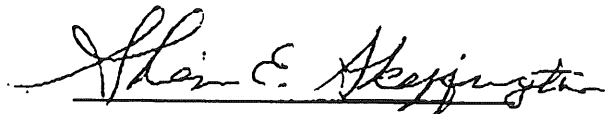
Witnesses:

State of Maine County of Cumberland ss., WITNESS OCTOBER 18, 1996

Then personally appeared the above named John A. Donnelly, duly authorized President of Cushing's Island Trust, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Cushing's Island Trust

Before me,


Notary Public

My Commission expires: 4-10-00

NYNEX
5 Davis Farm Road, Portland, ME 04103
Tel 207 797 1785
Mobile 233 2223

George A. Belcher Jr.
Manager, Right of Way

NYNEX

November 5, 1996

City of Portland
Planning Staff
389 Congress Street
Portland, Maine 04101

Re: Fiber Optic Switching Facility
Cushing Island, Maine

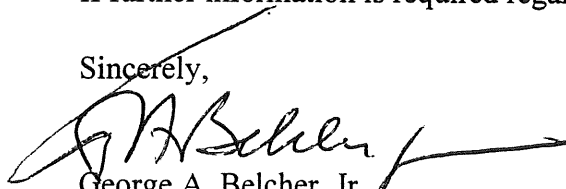
Dear Board Members:

New England Telephone d/b/a NYNEX is a self-insured corporation doing business in the state of Maine. New England Telephone has built and operates over 650 similar telephone equipment sites throughout Maine.

New England Telephone finances its own projects and is responsible for completing this project to the satisfaction of the City of Portland Planning Department.

If further information is required regarding this matter, please contact me at 797-1785.

Sincerely,



George A. Belcher, Jr.
Manager - Right of Way

CABINET DIMENSIONS

303 REX CABINET
OF 1200 PR X-CONNECT

ORIGINAL

