



Permitting and Inspections Department
Michael A. Russell, MS, Director

Ann Machado, Zoning Administrator

October 10, 2017

SECOND NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified Mail and Regular Mail

Portlandom, LLC
100 Conifer Hill Drive, #402
Danvers, MA 01923

Re: 782 Forest Avenue – 137-F-001 – the “Property” – B-2c Community Business Zone & R-5
Residential Zone – illegal paving

To Whom It May Concern:

As you recall, the City issued a Notice of Violation for this property on May 24, 2017. That Notice required you to complete the following within 30 days:

1. Remove the pavement covering the previously grassed area and reseed that area;
2. Submit a proposal to DPW that separates parking spaces from the sidewalk; and
3. Revegetate the Hartley Street esplanade and install granite curbing or other approved structural barrier on your property.

You filed an application for the Zoning Board of Appeals on June 23, 2017 seeking an interpretation appeal of the NOV, but it was found to be incomplete since it did not include information on what citations you were appealing nor any argument on why the NOV should be overturned. In July, your staff discussed with city staff the possibility of filing a practical difficulty appeal, but no new application or documents have been submitted to date. In the course of trying to assist you with this, and as a courtesy, staff offered to review a plan involving pervious pavers to see if it would meet both the City's requirements and your needs.

Unfortunately, the site layout plan, dated August 15, 2017, that you submitted does not meet the City's needs or requirements, and will not be an acceptable solution to remedy the violations noted in the Notice of Violation. The plan does not comply with the City's Technical Manual or stormwater requirements, and would result in the loss of two existing driveways.

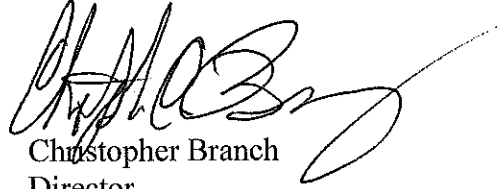
Therefore, the original remedies required by the Notice of Violation must still be implemented. You must immediately take steps to remedy the violations that have been outstanding all summer. This is particularly critical because the time for establishing grass growth is nearly done for the season. The violations must be completely remedied within 30 days from the date of this letter. If the work is not complete, the City will have no option but to take legal action to ensure that the property is brought into compliance.

We appreciate your cooperation and would be happy to answer any further questions to help facilitate these corrections.

Sincerely,



Ann B. Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
207-874-8709



Christopher Branch
Director
Public Works Department
City of Portland, Maine
207-874-8800