

Nicholas Adams - Morrill Street Demolition

From: "Marc Gagnon" <mgagnon@landmarccorp.com>
To: NADAMS@portlandmaine.gov
Date: 10/5/2011 9:48 AM
Subject: Morrill Street Demolition

Nick,

Can you tell me who would be the department or person who would waive the housing penalty for this demolition even if it qualifies? Thanks.

Marc C. Gagnon | President

Landmarc Construction

415 Congress Street | Suite 202

Portland, ME 04112

207.699.2572-p | 207-699-1380-f | 207-232-2830-c

<http://www.landmarccorp.com>

84 Morrill St

Nicholas Adams - RE: Morrill Street Demolition

From: "Marc Gagnon" <mgagnon@landmarccorp.com>
To: NADAMS@portlandmaine.gov
Date: 10/5/2011 11:13 AM
Subject: RE: Morrill Street Demolition

Thank you very much Nick! I will call Penny to ask for a letter, the Owner needs it for the work order.

The list is going very well. Just have a couple left. CMP, Time Warner, Dig Safe, until is scheduled and notified.

Marc C. Gagnon | President

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<http://www.landmarccorp.com>

From: Nicholas Adams [mailto:NADAMS@portlandmaine.gov]
Sent: Wednesday, October 05, 2011 10:00 AM
To: Marc Gagnon
Subject: Re: Morrill Street Demolition

Marc,

I talked to Penny my department head and she states it is for a 3 unit or more. Her number is 874-8719 if you would like to talk to her. How is the call list going for the utilities?

Nick Adams
Code Enforcement Officer

Planning & Urban Development Department
Inspection Services Division
389 Congress St. Rm 315
Portland, Maine 04101
Office: 207.874.8789
Support Staff: 207.874.8703
nadams@portlandmaine.gov

>>> "Marc Gagnon" <mgagnon@landmarccorp.com> 10/5/2011 9:47 AM >>>
Nick,

Can you tell me who would be the department or person who would waive the housing penalty for this demolition even if it qualifies? Thanks.

Marc C. Gagnon | President

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Portland, ME 04112

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Nicholas Adams - RE: Morrill Street

From: "Marc Gagnon" <mgagnon@landmarccorp.com>
To: NADAMS@portlandmaine.gov
Date: 10/12/2011 4:06 PM
Subject: RE: Morrill Street

Thanks Bud.

Both tax fees are paid and permit applications in and paid. Let me know. Thank you.

Marc C. Gagnon | President

Landmarc Construction

415 Congress Street | Suite 202
Portland, ME 04112
207.699.2572-p | 207-699-1380-f | 207-232-2830-c

<http://www.landmarccorp.com>

From: Nicholas Adams [mailto:NADAMS@portlandmaine.gov]
Sent: Wednesday, October 12, 2011 3:04 PM
To: Marc Gagnon
Subject: Re: Morrill Street

Marc,

Here is the ordinance

Sec. 14-483. Housing preservation and replacement.

(a) Purpose. The purpose of these regulations is:

1. To promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups;
2. To limit the net loss of housing units in the city;
3. To preserve housing in zones where housing is permitted for in the city for all residents in order to promote the health, safety and welfare of its citizens.

(b) Definitions.

Dwelling unit. A dwelling unit is one (1) or more rooms with private bath and kitchen facilities comprising an independent selfcontained dwelling unit. For purposes of this section only it also includes single family, two-family and multi-family dwellings and any dwelling units in those dwellings, or dwelling units, or rooms

that people rent or sleep in within lodging houses, dormitories, shelters and sheltered care group homes.

Loss of dwelling or dwelling unit for purposes of this section means the elimination or conversion to nonresidential use of a dwelling or dwelling units; elimination includes dwelling units lost due to demolition unless the demolition resulted from accidents outside of the owner's control, fire, natural disasters, or acts of war.

Original site means the location where the demolition or conversion to non-residential use of dwellings and dwelling units will take place.

(c) Applicability. Except as otherwise provided in this section, this section shall apply to the loss of three or more dwelling units in a five year period, provided that such dwelling units were a legally registered residential use as of July 1, 2002. Except as otherwise provided in this section, this section shall also apply to proposals that (a) result in the loss of fewer than three (3) dwelling units which were legally registered residential use as of July 1, 2002, and (b) creates surface parking.

Determination of number of the dwelling units within a structure or structures and the number of units lost will be based on records in the Department of Planning and Urban Development indicating the legal, registered use of the property since July 1, 2002 through the time of application. The actual use of the property for purposes of applicability of this section may be rebutted by the owner by proof of documentary evidence including but not limited to photographs, letters, and sworn affidavits. The Planning Authority may conduct its own investigation of the actual use and shall determine the applicability of this section based on the totality of the evidence.

(d) Exemptions.

This section does not apply to:

1. Consolidation, elimination or reconfiguration of one (1) or more dwelling units within an existing structure, as long as all the resulting units remain as dwelling units after such consolidation, elimination or reconfiguration, except as provided by subsection 5 below. Conversion of a dwelling unit to a hotel or motel room shall not qualify for the exemption provided by the paragraph.

The amendments to paragraph (d)(1) approved by the City Council on June 6, 2011 shall have an effective date of April 25, 2011 but not apply to any final determination regarding the applicability of this section made by the Planning Authority prior to April 25, 2011.

2. Proposals that result in a number of units equal to or greater than the number of units lost as determined by the Planning Authority; or

3. Grandfathered dwelling units existing in zones which no longer permit residential uses.
4. Property which has been ordered demolished by the City, pursuant to 17 M.R.S.A. §2851, et seq., as amended, except where it is determined by the Building Authority that the deterioration was caused by neglect or lack of maintenance.

Items Index," as published by the United States Bureau of Labor Statistics ("the Index") for January 1, 2003 Year, and the numerator of which shall be the Index for the same month in each subsequent year. In the event that the Index is not then in existence, the parties shall use such equivalent price index as is published by any successor governmental agency then in existence; or, if none, then by such nongovernmental agency as may then be publishing an equivalent price index, in lieu of and adjusted to the Index. If the Index shall cease to use 1982-84 equals 100 as the basis of calculation, or if a substantial change is made in the terms or number of items contained in the Index, the Base Index shall be adjusted to conform to such change, using such computation thereof, if available, as shall be employed by the United States Department of Labor in computing same. Notwithstanding anything herein to the contrary, contributions made after January 1, 2004 shall not be less than the amount originally required to be deposited pursuant to sub-section (i)(1) for each rooming or dwelling unit.

(j) Performance Guaranty/Letter of Credit. Owners or affiliates must post a performance guaranty in the form of a letter of credit, or other security acceptable to the city attorney in amount equivalent to the amount the applicant would have been required to contribute to the City's Housing Trust Fund if the applicant had chosen that option pursuant to sub-section g.

(k) Partial waiver of replacement requirements. Any owner who has applied for site plan review for elimination or conversion to non-residential use of dwelling units may apply to the Zoning Board of Appeals for a partial waiver from the housing replacement requirements of this section. Such waiver may be a downward adjustment of up to fifty percent (50%) of the owner's housing replacement obligation if the owner establishes to the board's satisfaction that:

1. The proposed development is consistent with the comprehensive plan;
2. The proposed development provides significant value and benefit to the immediate and surrounding neighborhood, including, but not limited to, community enhancement, social benefits or job creation;
3. The applicant demonstrates with objective evidence that the imposition of the requirements of this section would

impose such an economic burden upon the project relative to its scope that it renders the project impossible to develop; and

4. The requested relief does not constitute a grant of a special privilege inconsistent with the limitations upon similar properties.

The Zoning Board of Appeals must make positive findings on each of the four (4) criteria above in order for any such adjustment to be valid. An applicant aggrieved of a decision of the Zoning Board of Appeals may appeal a decision under this subsection pursuant to Sec. 14-553 of the City Code.

(l) Effect of Other City Ordinances.

1. Historic Preservation. Nothing in this division shall permit the demolition or conversion to non-residential use, of dwelling units in residential property protected by the Historic Preservation Ordinance (Sections 14-601, et seq.), except as permitted by that ordinance.

2. Conditional Zone. A conditional zone may not be used to circumvent the application of this section. The terms of this section shall apply to any conditional zone which involves dwelling units affected by this section. Notwithstanding the foregoing, nothing herein shall be deemed to prevent the City and the applicant from agreeing to terms which exceed those imposed by this section by means of a conditional zone.

(m) Appeals. Any applicant aggrieved by a decision of the Planning Authority under this section may appeal to the Zoning Board of Appeals within 30 days of that decision.

(Ord. No. 27-02/03, 10-7-02; Ord. No. 280-09/10, 7-19-10; Ord. No. 241-10/11, 6-6-11)

Nick Adams
Code Enforcement Officer

Planning & Urban Development Department
Inspection Services Division
389 Congress St. Rm 315
Portland, Maine 04101
Office: 207.874.8789
Support Staff: 207.874.8703
nadams@portlandmaine.gov

From: Penny St. Louis
To: Nicholas Adams
Date: 10/18/2011 7:47 AM
Subject: Re: Good Morning Penny,

This would trigger housing replacement. Give them my cell phone #. I am happy to talk with them.

-----Original Message-----

From: Nicholas Adams

To: Penny St. Louis <PL@portlandmaine.gov>

Sent: 10/18/2011 7:29:35 AM

Subject: Good Morning Penny,

Good Morning Penny,

I just got off the phone with the contractor for 84 Morrill and 2 Princeton. The permit is to demo town single family homes. I think Marge and Tammy have already talked to you about the issues. I didn't know if you have had a chance to look into the Housing Replacement ordinance. Have a good day.

Thanks

Nick

Nicholas Adams - Fwd: Re: Morrill's Corner

From: Penny St. Louis
To: mgagnon@landmarccorp.com
Date: 10/19/2011 3:12 PM
Subject: Fwd: Re: Morrill's Corner
CC: Ann Machado; Danielle West-Chuhta; Gary Wood; Marge Schmuckal; Nicho...
Attachments: morrillscorner.docx

Mark: I cannot recall if I sent this to you yesterday or not. I checked with our legal department on the applicability of the Housing Replacement Ordinance to the two properties Hannaford wants to demolish. The opinion is that if they were to be demolished the Housing Replacement Ordinance would require replacement or contribution to the City's fund. Attached is a copy of the controlling Agreement passed by the Portland city Council.

>>> Danielle West-Chuhta (Danielle West-Chuhta) 10/18/2011 11:52 AM >>>

Hello:

The Housing Replacement Ordinance ("HRO") is applicable to this situation. This is because, the conditional zone agreement does not (nor can it under section 14-483(1)(2)) modify the terms of the HRO. Under the HRO if three or more dwelling units (which includes single family dwellings) which are legally registered as residential uses (as of July 1, 2002) are eliminated (through demolition or conversion to a non-residential use) in a five (5) year period, the HRO applies. Therefore, since two housing units were already demolished on the site and now two more are being proposed to be demolished (in less than five years) the developer has to either construct new replacement units (and pay a performance guarantee), convert a nonresidential building to residential use or pay into Housing Replacement fund (\$50,000 for each unit).

Thanks,

Danielle

Danielle P. West-Chuhta
Associate Corporation Counsel
City of Portland, Maine
(207) 874-8480

>>> Penny St. Louis 10/18/2011 11:12 AM >>>

Good Morning: Hannaford bought the Morrill's Corner development from Stop and Shop. Stop and Shop had demolished housing units as part of their proposed project. Hannaford now want to demolish two additional vacant housing units. I believe they are subject to Housing Replacement but want to confirm with legal. Attached is the governing Conditional Rezoning Agreement.

Mark Gagnon of Landmark Company is the agent for Hannaford. We need to let him know our interpretation. Can you help?

Nicholas Adams - Morrill Street

From: "Marc Gagnon" <mgagnon@landmarccorp.com>
To: NADAMS@portlandmaine.gov
Date: 10/19/2011 1:17 PM
Subject: Morrill Street

Hi Nick,

Any progress with Penny? I heard she was leaving next week so I would like to finalize this week if possible. I have a call into her as well. Thanks.

Marc C. Gagnon | President

Landmarc Construction

415 Congress Street | Suite 202

Portland, ME 04112

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Nicholas Adams - RE: Re: Morrill's Corner

From: Danielle West-Chuhta (Danielle West-Chuhta)
To: Marc Gagnon; Penny St. Louis
Date: 10/19/2011 4:20 PM
Subject: RE: Re: Morrill's Corner
CC: Gary Wood; Nicholas Adams

I believe that the Building Inspections department has determined that the buildings are structurally sound and so as I stated the exemptions do not apply in this case.

Thanks,

Danielle

>>> "Marc Gagnon" <mgagnon@landmarccorp.com> 10/19/2011 4:14 PM >>>

Thank you all for your time. However, I think the city would agree that these structures should be removed for reasons previously mentioned. Can Code Enforcement make this request and enforce?

Marc C. Gagnon | President

Landmarc Construction

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Portland, ME 04112
207.699.2572-p | 207-699-1380-f | 207-232-2830-c

<http://www.landmarccorp.com>

From: Danielle West-Chuhta [mailto:DWCHUHTA@portlandmaine.gov]
Sent: Wednesday, October 19, 2011 4:08 PM
To: Marc Gagnon; Penny St. Louis
Cc: Gary Wood
Subject: RE: Re: Morrill's Corner

Mr. Gagnon:

The only exemptions that exist in the Housing Replacement Ordinance are as follows: (1) consolidate, eliminate or reconfigure units as long as the resulting units remain as dwelling units; (2) proposal that result in a number of units equal to or greater than the number of units lost as determined by the Planning Authority; (3) grandfathered dwelling units existing in zone which no longer permit residential uses; (4) property which has been ordered demolished by the City; and (5) the conversion to a non-residential use of any dwelling units

located on the ground floor of a building within a business zone. Based on my review of the facts, I do not think that these apply to your situation.

Thank you for your time,

Danielle

Danielle P. West-Chuhta
Associate Corporation Counsel
City of Portland, Maine
(207) 874-8480

>>> Penny St. Louis 10/19/2011 3:33 PM >>>

Mark: I am forwarding your request to our Legal Department. I do not see any authority for a waiver under the Portland City Code. If there is, they will so advise.

>>> "Marc Gagnon" <mgagnon@landmarccorp.com> 10/19/2011 3:21 PM >>>

Penny,

You did not! Why should a purchaser of a piece of property free and clear be subject to this agreement when housing is no longer a factor in the city of Portland or having any knowledge of previous activity-ordinance? I would think you could waive this requirement based upon the condition of the structures, present legal issues with vandalism, drug trafficking and neighborhood crime. The houses are in disrepair and will not be and cannot be occupied by a human being even to the lightest of Portland housing standards.

I respectfully request that you amend your decision and this ruling for these particular properties. Please advise. Thank you.

Marc C. Gagnon | President

Landmarc Construction

415 Congress Street | Suite 202
Portland, ME 04112
207.699.2572-p | 207-699-1380-f | 207-232-2830-c

<http://www.landmarccorp.com>

From: Penny St. Louis [mailto:PL@portlandmaine.gov]

Sent: Wednesday, October 19, 2011 3:13 PM

To: mgagnon@landmarccorp.com

Cc: Ann Machado; Danielle West-Chuhta; Gary Wood; Marge Schmuckal; Nicholas Adams; Tammy Munson

Subject: Fwd: Re: Morrill's Corner

Mark: I cannot recall if I sent this to you yesterday or not. I checked with our legal department on the applicability of the Housing Replacement Ordinance to the two properties Hannaford wants to demolish. The opinion is that if they were to be demolished the Housing Replacement Ordinance would require replacement or

contribution to the City's fund. Attached is a copy of the controlling Agreement passed by the Portland city Council.

>>> Danielle West-Chuhta (Danielle West-Chuhta) 10/18/2011 11:52 AM >>>

Hello:

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Thanks,

Danielle

Danielle P. West-Chuhta
Associate Corporation Counsel
City of Portland, Maine
(207) 874-8480

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Mark Gagnon of Landmark Company is the agent for Hannaford. We need to let him know our interpretation. Can you help?

Nicholas Adams - RE: Landmarc

From: "Marc Gagnon" <mgagnon@landmarccorp.com>
To: "Nicholas Adams" <NADAMS@portlandmaine.gov>
Date: 11/6/2011 5:58 PM
Subject: RE: Landmarc

Thanks Nick. Let me know when you will be in your office on Monday.

Marc C. Gagnon | President

Landmarc Construction

415 Congress Street | Suite 202
Portland, ME 04112
207.699.2572-p | 207-699-1380-f | 207-232-2830-c

<http://www.landmarccorp.com>

From: Nicholas Adams [mailto:NADAMS@portlandmaine.gov]
Sent: Friday, November 04, 2011 8:18 AM
To: Marc Gagnon
Subject: Re: Landmarc

Marc,

I will be around either day.

Nick Adams
Code Enforcement Officer

Planning & Urban Development Department
Inspection Services Division
389 Congress St. Rm 315
Portland, Maine 04101
Office: 207.874.8789
Support Staff: 207.874.8703
nadams@portlandmaine.gov

>>> "Marc Gagnon" <mgagnon@landmarccorp.com> 11/2/2011 7:25 PM >>>
Nick,

How are you? Are you around tomorrow afternoon sometime or Monday to get together? I want to talk to you about our project status's. Thanks Nick.

Marc C. Gagnon | President

Landmarc Construction

415 Congress Street | Suite 202

Portland, ME 04112

207.699.2572-p | 207-699-1380-f | 207-232-2830-c

<http://www.landmarccorp.com>

Tammy Munson - Today's 2pm Morrill Crossing meeting

From: Greg Mitchell
To: Munson, Tammy; NADAMS@portlandmaine.gov; West-Chuhta, Danielle
Date: 11/22/2011 9:22 AM
Subject: Today's 2pm Morrill Crossing meeting
Attachments: morrillscorner.docx

Danielle, Tammy and Nick:

I would like to meet about 20 minutes before this meeting for us to get on the same page. I am planning to start the meeting with introductions followed by brief opening remarks. After my remarks, I think it makes sense to turn the meeting over to Danielle to provide a brief overview of the City's housing replacement and summarize the verbal discussions and paper trail how we have been communicating with all parties (property owner or agents) involved in this discussion. See below string of emails which I think summarizes where we stand. This meeting is taking place in my office. We can finalize our meeting game plan at today's 1:40pm prep meeting. Let me know if you are available.

Thanks, Greg

Greg A. Mitchell, Acting Director
 Planning and Urban Development Department
 City of Portland
 389 Congress Street
 Portland, Maine 04101
 Tel. 207.874.8945
 Fax 207.756.8217

>>> Penny St. Louis 10/19/2011 3:12 PM >>>

Mark: I cannot recall if I sent this to you yesterday or not. I checked with our legal department on the applicability of the Housing Replacement Ordinance to the two properties Hannaford wants to demolish. The opinion is that if they were to be demolished the Housing Replacement Ordinance would require replacement or contribution to the City's fund. Attached is a copy of the controlling Agreement passed by the Portland city Council.

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Thanks,

Danielle

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Associate Corporation Counsel
City of Portland, Maine
(207) 874-8480

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Mark Gagnon of Landmark Company is the agent for Hannaford. We need to let him know our interpretation. Can you help?

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

Permit No: 09-1340	Issue Date:	CBL: 152 C002001
-----------------------	-------------	---------------------

Location of Construction: 33 ALLEN AVE	Owner Name: ALLEN AVENUE PLAZA LLC	Owner Address: 33 ALLEN AVE	Phone:
Business Name:	Contractor Name: Dearborn Construction	Contractor Address: 999 Narragansett Trail Buxton	Phone 5089010723
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	Zone:

Past Use: Commercial - Vacant Buildings Building C "Ice Rink" CBL 152 C005	Proposed Use: Commercial - Vacant Buildings - Demolition of 4 structures Described as; Building A "Bingo Time" Building B "Burnt Building" Building C "Ice Rink" Building D "Garage"	Permit Fee: \$1,500.00	Cost of Work: \$148,000.00	CEO District: 4
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FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type
Signature:	Signature:

Proposed Project Description:
 Demolition of 4 structures Described as; Building A "Bingo Time" Building B "Burnt Building" Building C "Ice Rink" Building D "Garage"

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)			
Action <input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Condition	<input type="checkbox"/> Denied	
Signature:	Date:		

Permit Taken By: Ldobson	Date Applied For: 11/23/2009	Zoning Approval	
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1. This permit application does not 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..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zon <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Mino <input type="checkbox"/> MM <input type="checkbox"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Us <input type="checkbox"/> Interpretatio <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input type="checkbox"/> Not in District or Landma <input type="checkbox"/> Does Not Require Revie <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Condition <input type="checkbox"/> Denied Date:
--	---	---	---

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 is 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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICAN	ADDRESS	DATE	PHO
RESPONSIBLE PERSON IN CHARGE OF WORK, TIT		DATE	PHO

Location of Construction: 33 ALLEN AVE	Owner Name: ALLEN AVENUE PLAZA LLC	Owner Address: 33 ALLEN AVE	Phone:
Business Name:	Contractor Name: Dearborn Construction	Contractor Address: 999 Narragansett Trail Buxton	Phone 5089010723
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	Zone:

Dept: Zoning	Status: Approved	Reviewer: Marge Schmuckal	Approval Date: 11/23/2009
Note:			Ok to Issue: <input checked="" type="checkbox"/>
Dept: Building	Status: Approved with Conditions	Reviewer: Tammy Munson	Approval Date: 11/30/2009
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) As discussed, the connecting wall of the Bruno's building must be evaluated by a structural engineer for adequate structural repairs once the wall framing is exposed. If additional structural work is required, a design must be submitted to this office for review.			
Dept: Fire	Status: Approved with Conditions	Reviewer: Capt Keith Gautreau	Approval Date: 11/24/2009
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) Permit is for Demolition only. Any other work will require separate permits.			

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 is 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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICAN

ADDRESS

DATE

PHO

RESPONSIBLE PERSON IN CHARGE OF WORK, TIT

DATE

PHO

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

BU **PERMIT** ICTION

Permit Number: 090679

Please Read Application And Notes, If Any, Attached

This is to certify that SS-MORRILLS LLC/Dearborn Construction
has permission to Demolition of all Structures for Morrills Crossing Street & Shop
AT 41 ALLEN AVE CB# 435-G022001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is altered or otherwise used-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

PERMIT ISSUED

OTHER REQUIRED APPROVALS

Fire Dept. _____

Health Dept. _____

Appeal Board _____

Other _____

CITY OF PORTLAND

JUL 6 2009

[Signature] 7/2/09
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

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

Permit No: 09-0679	Issue Date: <i>7/6/09</i>	CBL: 435 G022001
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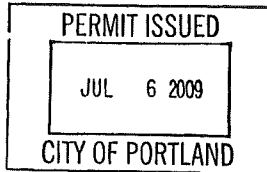
Location of Construction: 41 ALLEN AVE	Owner Name: SS MORRILLS LLC	Owner Address: ONE WELLS AVE	Phone: 208-901-0723
Business Name:	Contractor Name: Dearborn Construction	Contractor Address: 999 Narragansett Trail Buxton	Phone: 2079298812
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	Zone:

Past Use: Single Family Home	Proposed Use: Demolition of all Structures for Merrills Crossing Stop & Shop	Permit Fee: \$120.00	Cost of Work: \$10,000.00	CEO District: 4
Proposed Project Description: Demolition of all Structures for Merrills Crossing Stop & Shop		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>DEMO</i> Type: <i>IBC-2003</i> Signature: <i>[Signature]</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		

Permit Taken By: lmd	Date Applied For: 07/01/2009
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Zoning Approval

<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Reviews</p> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: _____	<p>Zoning Appeal</p> <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 Date: _____	<p>Historic Preservation</p> <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: _____
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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 is 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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT _____ ADDRESS _____ DATE _____ PHONE _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ DATE _____ PHONE _____