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**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

**Planning Division**  
Alexander Jaegerman, Director

**Sent Certified Mail**

October 30, 2009

MGW Consulting & Development, LLC  
Michael Wilson  
46 Irving Street  
Portland, Maine 04102

**RE: Site Plan Review Required for Site Work at 46 Bay Street, Portland, Maine, CBL #155 E 007001 & 008001, & 156 B 015001,**

Dear Mr. Wilson:

On October 29, 2009, City staff inspected the property at 46 Bay Street to investigate unauthorized site work, specifically the clearing of vegetation, the placement of fill on your site within 75 feet what appears to be an open water wetland, and the alteration of drainage patterns. Chapter 14 of the Land Use Code requires site plan approval for "the alteration of a watercourse, drain or swale." Site work to date requires site plan review and approval. The site work may also require approval from the Maine Department of Environmental Protection (DEP). Also, there were no erosion control measures in place at the time of the site inspection, which is a violation of City and State ordinances.

This letter is a **STOP WORK ORDER** pursuant to Section 14-523 and 14-528 of the Land Use Ordinance. **All site work must stop immediately.**

You must immediately stabilize the site using Best Management Practices for Erosion Control, ie. adding silt fence around the wetlands, and applying hay mulch over all open disturbed areas. More information is available from the DEP. You can also access this information using the following internet link. <http://www.maine.gov/dep/blwq/docstand/escbmps/>

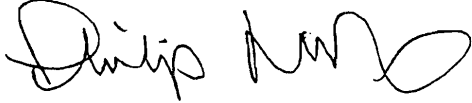
You must also apply for an after the fact minor site plan review by Friday, November 20, 2009. Enclosed is a checklist that will assist in what to submit on your site plan.

O:\PLAN\DRG\Projects\Bay Str 46 - Fill-Stockpile Site\Non-Compliance - Stop Work Order Letter 10-30-2009.doc

We are seeking your timely cooperation with the City's site plan submission, review and approval requirements. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452.

Please contact me at 874-8632 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip DiPierro". The signature is fluid and cursive, with a large initial "P" and a stylized "D".

Philip DiPierro  
Development Review Coordinator

cc: Penny St. Louis Littell, Planning and Development Director  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Tammy Munson, Inspection Services Manager  
Danielle West-Chuta, Corporation Counsel