

SURVEYING ENGINEERING LAND PLANNING

Northeast Civil Solutions

INCORPORATED

November 20, 2015

Ann B. Machado
Zoning Administrator
City of Portland
389 Congress Street, Room 35
Portland, ME 04101

381 Payne Road
Scarborough
Maine 04074

RECEIVED

DEC - 8 2015

Dept. of Building Inspections
City of Portland Maine

RE: 31 Brookside Road (Saribekian)

tel

207.883.1000
800.882.2227

fax

207.883.1001

Dear Ann:


We have been asked by Ko Saribekian, owner of the house and property at 31 Brookside Road, to assist her with her request regarding permitting an existing deck in her back yard. Ms. Saribekian had contacted us this past summer to address the issue of the deck, and we subsequently contacted the DEP, Jeff Tarling, and Tammy Munson on her behalf. We had prepared a DEP Permit-By-Rule request (the approved PBR is attached) in early July, spoke with Tammy (who let us know that because Ms. Saribekian was "self-reporting" that the request would not be considered to be "after-the-fact"), and have subsequently met with Jeff on site to review vegetation in the area of Fall Brook. Jeff and Ko came to an agreement regarding removal of non-native vegetation on the site, and the letter acknowledging this agreement that Jeff asked Ms. Saribekian to sign is also enclosed.

We had initially prepared a letter to Tammy for permitting the deck on June 29 (see attached), but then determined that both the DEP permit and an approval by Jeff would be necessary prior to submitting the letter. I have since spoken with you regarding the project, and you requested that we establish the highest annual tide (HAT) line in that area of Fall Brook that is tied to NGVD'29 datum from the elevation benchmark provided to us by the City of Portland Engineering Office. The results of the elevation and topographic survey have been reflected on the attached Existing Conditions plan dated 11/5/15.

The deck is more of a narrow walkway that extends across a steep slope in Ms. Saribekian's back yard, and allows her access to the yard which she maintains as a lawn and garden area. She would like to keep it in its current location and is thus seeking an after-the-fact permit from the city to do so. With the DEP having already approved the project, and with Mr. Tarling having met with and being satisfied that Ko has met environmental criteria for the area, we request favorable consideration for permitting the deck.

If you have any questions, please contact me at any time. Thank you.

Sincerely,
Northeast Civil Solutions, Inc.



Jim Fisher, President



SURVEYING ENGINEERING LAND PLANNING

Northeast Civil Solutions

INCORPORATED

June 29, 2015

381 Payne Road
Scarborough
Maine 04074

Tammy Munson, Director
Inspection Division
City of Portland
389 Congress Street, Room 315
Portland, ME 04101

tel

207.883.1000
800.882.2227

fax

207.883.1001

RE: Fast-track Permit Application for Detached Deck

Dear Tammy:


On behalf of Ko Saribekian, who resides at 31 Brookside Road, we are pleased to submit the attached application and appurtenant information packet for review and approval of a detached ground-level deck in the back yard of the property at this address. The lot is in the R-3 zone and currently supports a single-family residential home. It is also identified as parcels A6, A10, and A26 on tax map 158.

The deck already exists, having been constructed years ago, and runs across the back of the lot as shown on the attached Existing Conditions Plan prepared for Ms. Saribekian by Northeast Civil Solutions, dated 5/7/15. Ms. Saribekian had the deck constructed but was unaware at the time that a permit was required and had not been obtained. There are no issues with the deck, and she became aware last month that it does require a permit, so she was proactive and engaged NCS to assist her in obtaining it. We (NCS) were informed when we contacted the Inspections Department earlier this month that because we are "self-reporting" and applying now for the permit that it is not officially considered "after the fact" and therefore is a typical permit application with standard fees.

A DEP Permit-by-Rule (PBR) is required and has been submitted for approval. We will forward that to you as soon as we receive it. Additionally, attached please find a check for \$36 based on the cost of constructing the deck; if any additional fees are required please let us know. Likewise, if you have any questions or need additional information, feel free to contact me at any time. Thank you.

for the stairs to the water.

Sincerely,
Northeast Civil Solutions, Inc.


Jim Fisher, President

August 14, 2015

City of Portland
Attn: Jeff Tarling, City Arborist
389 Congress Street
Portland, ME 04101

RE: Cutting, Trimming, and Revegetation in the Shoreland Zone

Dear Mr. Tarling:

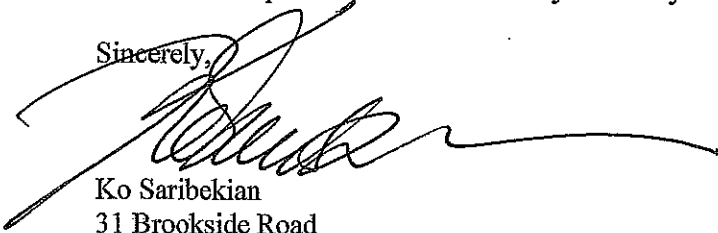
I have read and am now familiar with the publications and information you have provided to me regarding activity in the Shoreland Zone, particularly as they pertain to tree cutting, trimming of vegetation, and revegetation in the area of my property at 31 Brookside Road adjacent to Fall Brook. The publications you have provided, and by which I will abide, include "Gardening to Conserve Maine's Native Landscape: Plants to Use and Plants to Avoid;" "Brackish Tidal Marsh;" and "Mixed Salt Marsh."

You and I have met at my property to view the area adjacent to the brook, and I understand that I can have the gardens and lawn at the top of bank remain in their current state, but I will not have any trimming, weed-whacking, or bush-hogging in the area between the top of bank and the water. I also understand that I can have one mowed path to the brook from my yard, with the width of this path not to exceed 4', and the remaining area will be allowed to revegetate naturally or be augmented by me with native species of plants (pursuant to the recommendations in the publications listed above). I will also remove any non-native species of which I am aware that are growing or may grow in the area between the top of bank and the brook.

I appreciate your consideration on behalf of the city as you have worked with me to maintain the beauty of my property and the area around it, while preserving the natural growth of vegetation in the buffer area between my lawn/gardens and the brook itself. Please feel free to contact me any time as we all work to preserve the natural health and beauty of vegetated areas around Fall Brook.

Finally, though not directly connected to my property, I encourage you and the city to monitor and apply the same standards of care and enforcement regarding maintenance of the area around Fall Brook to the other properties in the area, and most particularly to the property across the brook from the residential lots on Brookside Road. The land opposite mine on the other side of the water is generally uncared for and is prone to erosion due to inefficient or lack of ground cover, and is rife with dead or dying trees that are or will soon collapse into the brook thereby adversely altering the eco-system of the area.

Sincerely,



Ko Saribekian
31 Brookside Road
Portland, ME 04103



PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov

Jeff Levine, AICP, Director
Director of Planning and Urban Development

Tammy Munson
Director, Inspections Division

Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

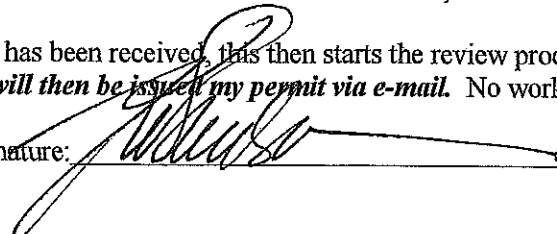
I, the undersigned, intend and acknowledge that no permit application can be reviewed until payment of appropriate permit fees are **paid in full** to the Inspections Office, City of Portland Maine by method noted below:

Within 24-48 hours, upon receipt of an e-mailed invoice from Building Inspections, which signifies that my electronic permit application and corresponding paperwork have been received, determined complete, entered by an administrative representative, and assigned a permit number, I then have the following four (4) payment options:

- to provide an on-line electronic check or credit/debit card (we now accept American Express, Discover, VISA, and MasterCard) payment (along with applicable fees beginning July 1, 2014),
- call the Inspections Office at (207) 874-8703 and speak to an administrative representative to provide a credit/debit card payment over the phone,
- hand-deliver a payment method to the Inspections Office, Room 315, Portland City Hall,
- or deliver a payment method through the U.S. Postal Service, at the following address:

City of Portland
Inspections Division
389 Congress Street, Room 315
Portland, Maine 04101

Once my payment has been received, this then starts the review process of my permit. **After all approvals have been met and completed, I will then be issued my permit via e-mail.** No work shall be started until I have received my permit.

Applicant Signature: 

Date: 5/28-2015

I have provided digital copies and sent them on: _____ Date: _____

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means ie; a thumb drive or CD to the office.

Room 315 - 389 Congress Street- Portland, Maine 04101 (207) 874-8703 - Fax: 874-8716 - TTY: 874-8936



Jeff Levine, AICP, Director
Planning & Urban Development Department

Tammy Munson, Director
Inspections Division

Residential Additions/Alterations Permit Application Checklist

All of the following information is required and must be submitted. Checking off each item as you prepare your application package will ensure your package is complete and will help to expedite the permitting process.

The Maine Home Construction Contracts Act requires that any home construction or repair work for more than \$3000. in materials or labor must be based on a written contract unless the parties agree to exempt themselves. A sample contract is available on the City's website at www.portlandmaine.gov, in the Inspection Office, Room 315 of Portland City Hall or call (207)874-8703 to have one mailed to you.

One (1) complete set of construction drawings must include:

- Cross sections w/framing details
- Floor plans and elevations existing & proposed
- Detail removal of all partitions & any new structural beams
- Detail any new walls or permanent partitions
- Stair details including dimensions of: rise/run, head room, guards/handrails, baluster spacing
- Window and door schedules
- Foundation plans w/required drainage and damp proofing (if applicable)
- Detail egress requirements and fire separation/sound transmission ratings (if applicable)
- Insulation R-factors of walls, ceilings & floors & U-factors of windows per the IEBC 2009
- Deck construction including: pier layout, framing, fastenings, guards, stair dimensions
- Electronic files in pdf format are also required
- Proof of ownership is required if it is inconsistent with the assessors records

*Deck was previously constructed;
contractor unknown; no construction
drawings are available.*

Separate permits are required for internal & external plumbing, HVAC, and electrical installations.

If there are any additions to the footprint or volume of the structure, any new or rebuilt structures or, accessory detached structures a plot plan is required. A plot must include:

- The shape and dimension of the lot, footprint of the existing and proposed structure and the distance from the actual property lines. Structures include decks, porches; bow windows, cantilever sections and roof overhangs, sheds, pools, garages and any other accessory structures must be shown with dimensions if not to scale.
- Location and dimensions of parking areas and driveways
- A change of use may require a site plan exemption application to be filed.

Please submit all of the information outlined in this application checklist. If the application is incomplete, the application may be refused.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us online at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

**Permit Fee: \$25.00 for the first \$1000.00 construction cost, \$11.00 per additional \$1000.00 cost
This is not a Permit; you may not commence any work until the Permit is issued.**



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Address/Location of Construction: 31 Brookside Road		
Total Square Footage of Proposed Structure:		696 s.f.
Tax Assessor's Chart, Block & Lot Chart# 158 Block# A Lot# 10	Applicant Name: Ko Saribekian Address 31 Brookside Road City, State & Zip Portland, ME 04103	Telephone: 776-3281 Email: N/A
Lessee/Owner Name : (if different than applicant) SAME Address: City, State & Zip: Telephone E-mail:	Contractor Name: (if different from Applicant) Address: City, State & Zip: Telephone E-mail:	Cost Of Work: \$ 2000 C of O Fee: \$ _____ Historic Rev \$ _____ Total Fees : \$ _____
Current use (i.e. single family) <u>SINGLE FAMILY</u>		
If vacant, what was the previous use? <u>N/A</u>		
Proposed Specific use: <u>SINGLE FAMILY</u>		
Is property part of a subdivision? Y If yes, please name <u>BROOKSIDE (1950)</u>		
Project description: 696 s.f. detached deck and stairs behind existing house.		
Who should we contact when the permit is ready: Ko Saribekian		
Address: 31 Brookside Road		
City, State & Zip: Portland, ME 04103		
E-mail Address: N/A		
Telephone: 776-3281		

Please submit all of the information outlined on the applicable checklist. Failure to do so causes an automatic permit denial.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at <http://www.portlandmaine.gov/754/Applications-Fees> or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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

Signature:	Date: 5/28-2015
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This is not a permit; you may not commence ANY work until the permit is issued.

Acknowledgment of Code Compliance Responsibility- Fast Track Project



I, KO SARIIBEKIAN am the owner or duly authorized owner's agent of the property listed below
Print Legal Name

31 Brookside Road
Physical Address

I am seeking a permit for the construction or installation of:

A detached deck behind the existing house.

Proposed Project Description

I understand that the permits obtained pursuant to this acknowledgement of code compliance responsibility will be in my name and that I am acting as the **general contractor** for this project. I accept full responsibility for the work performed.

I am submitting for a permit authorized by the **State of Maine Uniform Building and Energy Code (MUBEC), Fuel Board Laws and Rules and all locally adopted codes and standards applying to Plumbing, Electrical, Fire Prevention and Protection in anticipation of having it approved or approved with conditions.** I have read the following statement and understand that **failure to comply with all conditions once construction is begun may necessitate an immediate work stoppage until such time as compliance with the stipulated conditions is attained.** I certify that I have made a diligent inquiry regarding the need for concurrent state or federal permits to engage in the work requested under this building permit, and no such permits are required or I will have obtained the required permits prior to issuance of this permit. I understand that the granting of this permit shall not be construed as satisfying the requirements of other applicable Federal, State or Local laws or regulations, including City of Portland historic preservation requirements, if applicable. I understand and agree that this permit does not authorize the violation of regulations.

In addition, I understand and agree that this building permit does not authorize the violation of the **12 M.R.S. § 12801 et seq. - Endangered Species.**

I certify under penalty of perjury and under the laws of the State of Maine the foregoing is true and correct. I further certify that all easements, deed restrictions, or other encumbrances restricting the use of the property are shown on the site plans submitted with this application.

I hereby apply for a permit as a owner of the below listed property and by so doing will assume responsibility for compliance with all applicable codes, bylaws, rules and regulations.
Owner or Owner's Agent

I further understand that it is my responsibility to schedule inspections of the work as required and that the City's inspections will, at that time, check the work for code compliance. The City's inspectors may require modifications to the work completed if it does not meet applicable codes. _____ INITIAL HERE

Sign Here: [Signature]
Owner or Owner's Authorized Agent

Date: 5/28-2015

PLEASE ALSO FILL OUT AND SIGN SECOND PAGE

Acknowledgment of Code Compliance Responsibility- Fast Track Project

OFFICE USE ONLY

PERMIT # _____

CBL # _____



THIS PROJECT IS ELIGIBLE FOR FAST TRACK PERMITTING BECAUSE IT IS IN THE FOLLOWING CATEGORY / CATEGORIES (CHECK ALL THAT APPLY):

- One/Two Family Swimming Pools, Spas or Hot Tubs
- One/Two Family Decks, Stairs and Porches (attached or detached) First Floor Only
- One/Two Family Detached One Story Accessory Structures (garages, sheds, etc.) not to exceed 600sq ft with no habitable space
- Home Occupations (excluding day cares)
- One/Two Family Renovation/Rehabilitation (within the existing shell)
- Attached One /Two Family Garages /Additions/Dormers bearing the seal of a licensed design professional
- New *Sprinklered* One and Two Family Homes (bearing the seal of a licensed design professional stating code compliance) – **MUST STILL RECEIVE LEVEL 1 SITE PLAN APPROVAL FROM PLANNING**
- One/Two Family HVAC (including boilers, furnaces, heating appliances, pellet and wood stoves)
- Interior office renovations with no change of use (no expansions; no site work; no load bearing structural changes are eligible) bearing the seal of a licensed design professional stating code compliance
- Interior Demolition with no load bearing demolition
- Amendments to existing permits
- Commercial HVAC systems (with structural and mechanical plans bearing the seal of a licensed design professional stating code compliance)
- Commercial HVAC for Boilers/Furnaces/Heating Appliances
- Commercial Signs or Awnings
- Exterior Propane Tanks
- Residential or Commercial Subsurface Waste Water Systems (No Rule Variance Only)
- Renewal of Outdoor Dining Areas
- Temporary Outdoor Tents and stages under 750 sq ft per tent or stage
- Fire Suppression Systems (Both non-water and water based installations)
- Fences over 6'-0" in height
- Site work only
- Retaining walls over 4ft in height with stamped plans (or approval from inspection staff)

I understand that if the property is located in a historic district this application will also be reviewed by Historic Preservation. I further understand that the Building Inspections Division reserves the right to deny a fast track eligible project.

Sign Here: _____
Owner or Owner's Authorized Agent

Date: 6/28-2015

NRPA PERMIT BY RULE NOTIFICATION FORM

(For use with DEP Regulation, Natural Resources Protection Act-Permit by Rule Standards, Chapter 305)

DEP COPY

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant (owner)	LEO SARIBERIAN	Name of Agent:	NCS, INC
Applicant Mailing Address:	31 BROOKSIDE ROAD	Agent Phone # (include area code)	207-883-1000
Town/City:	PORTLAND	PROJECT Information Name of Town/City:	PORTLAND, MAINE
State and Zip code:	MAINE, 04103	Name of Wetland or Waterbody:	FALL BROOK
Daytime Phone # (include area code):	207 776 3281	Map #:	158
		Lot #:	10
Detailed Directions to Site:	SEE ATTACHED DIRECTIONS, Must meet municipal standards (JH) 7/16/15		
		UTM Northing (if known)	4837267
		UTM Easting (if known)	397401
Description of Project:	696 SF DECK		
Part of a larger project? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the fact? (check one) →	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).			

NRPA PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.

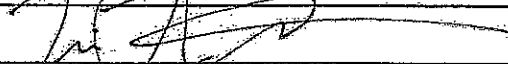
- Sec. (2) Act. Adj. to Protected Natural Res.
- Sec. (3) Intake Pipes
- Sec. (4) Replacement of Structures
- Sec. (5) REPEALED
- Sec. (6) Movement of Rocks or Vegetation
- Sec. (7) Outfall Pipes
- Sec. (8) Shoreline stabilization
- Sec. (9) Utility Crossing
- Sec. (10) Stream Crossing
- Sec. (11) State Transportation Facil.
- Sec. (12) Restoration of Natural Areas
- Sec. (13) F&W Creation/Enhance/Water Quality Improvement
- Sec. (14) REPEALED
- Sec. (15) Public Boat Ramps
- Sec. (16) Coastal Sand Dune Projects
- Sec. (17) Transfers/Permit Extension
- Sec. (18) Maintenance Dredging
- Sec. (19) Activities in/on/over significant vernal pool habitat
- Sec. (20) Activities located in/on/over high or moderate value inland waterfowl & wading bird habitat or shore-bird feeding & roosting areas

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach** a check for the correct fee, payable to: "Treasurer, State of Maine". The current fee for NRPA PBR Notifications can be found at the Department's website: <http://www.maine.gov/dep/feesched.pdf>
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** Proof of Legal Name if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are not required to provide any proof of identity.
- Attach** photos of the proposed site where activity will take place as required in PBR Sections checked above.
- Attach** all other required submissions as outlined in the PBR Sections checked above.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	6-29-2015
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. Work carried out in violation of any standard is subject to enforcement action.

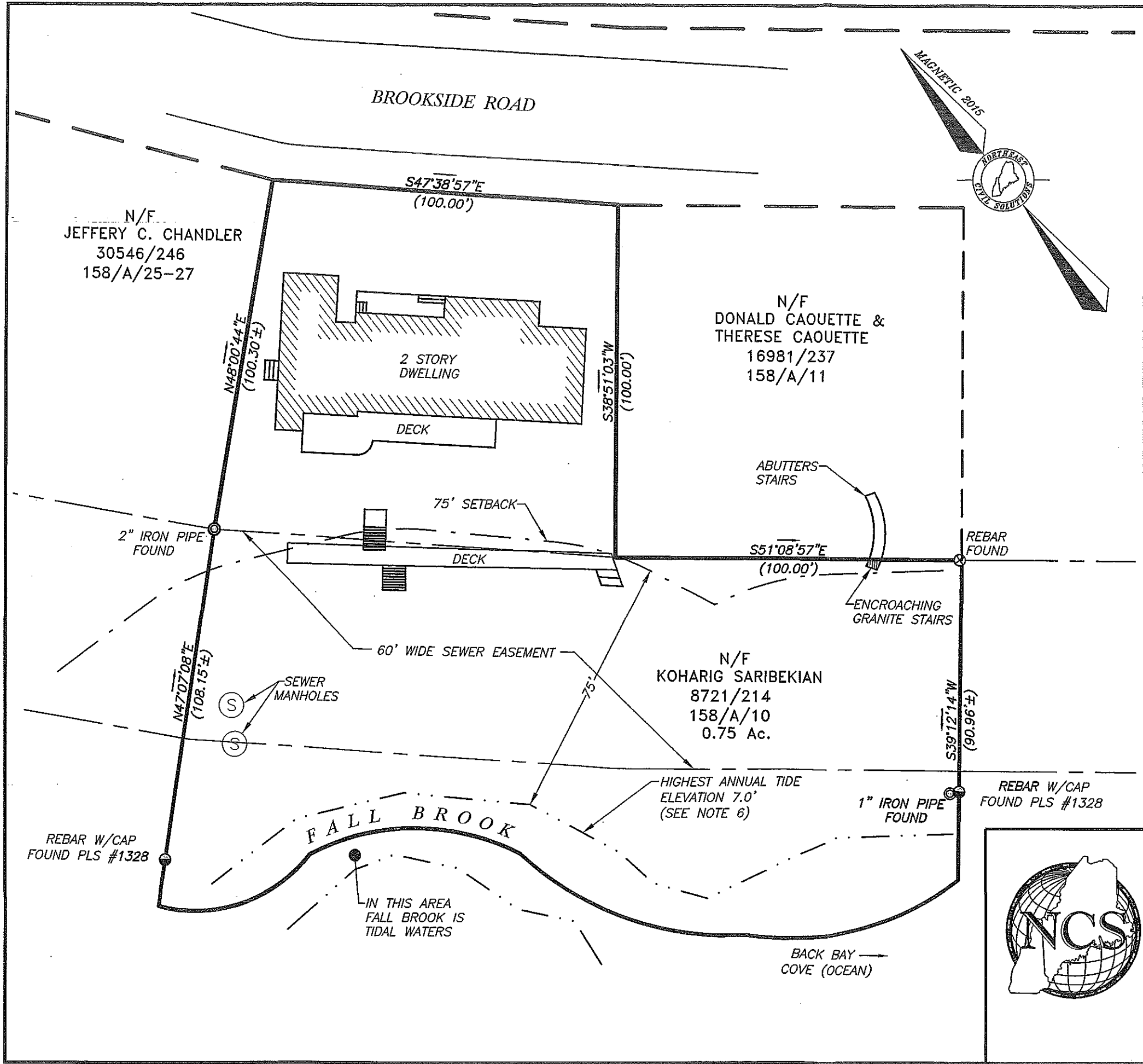
AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901

PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300

BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570

PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477

OFFICE USE ONLY	Ck# 12842	Date 7/6/2015	Staff JH	Staff	
PBR# 60056	FP 146.00		Acc. Date 7/16/15	Def. Date	After Photos



NOTES

1. RECORD OWNERSHIP OF THE PARCEL SHOWN CAN BE FOUND IN A DEED FROM SUMNER T. BERNSTEIN TO KOHARIG SARIBEKIAN DATED APRIL 14, 1989 AND RECORDED IN DEED BOOK 8721, PAGE 214 CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD).
2. THE PARCEL SHOWN IS LOCATED ON THE TOWN OF PORTLAND ASSESSOR'S MAP 158, PARCEL 10.
3. REFERENCE IS MADE TO THE FOLLOWING PLANS OF RECORD:
 - a. "WORKING DRAWING FOR KO SARIBEKIAN", BY WAYNE WOOD & CO., DATED AUGUST 2013 UNRECORDED.
 - b. "PLAN FOR BENSON & GRANT", BY H.I. & E.C. JORDAN CIVIL ENGINEERS, DATED FEBRUARY 1950, PLAN BOOK 53 PAGE 38.
4. THIS IS NOT A BOUNDARY SURVEY. THIS EXISTING CONDITIONS PLAN EXCEPTS CHAPTER 90, PART 2, SECTIONS 4 THROUGH 8 OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYOR'S RULES.
5. DUE TO THE FACT THAT THIS IS NOT A BOUNDARY SURVEY, THE RELATIONSHIP BETWEEN THE EXISTING STRUCTURES AND THE PROPERTY LINES ARE CONSIDERED APPROXIMATE AND SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION.
6. ELEVATIONS ARE BASED ON NGVD 1929 DATUM TAKEN FROM BENCHMARKS PROVIDED BY THE CITY OF PORTLAND.

EXISTING CONDITIONS PLAN OF 31 BROOKSIDE ROAD PORTLAND MAINE

SCALE: 1"=30' DATE: NOVEMBER 5, 2015

PREPARED FOR: KOHARIG SARIBEKIAN
31 BROOKSIDE ROAD
PORTLAND, MAINE, 04103

JOB NUMBER: 40377 ACAD FILE: 40377.DWG



SURVEYING ENGINEERING LAND PLANNING
Northeast Civil Solutions
INCORPORATED

381 PAYNE ROAD, SCARBOROUGH, MAINE 04074

tel 207.883.1000 fax 207.883.1001 e-mail info@northeastcivilsolutions.com
800.882.2227

