

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

Sent Certified Mail

October 17, 2003

Mr. Steven Reynolds
J.B. Brown & Sons
482 Congress Street
Portland, ME 04112

Mr. Chris Wilson
Les Wilson and Sons
161 Warren Avenue
Westbrook, ME 04092

Mr. Michael Deluca
Deluca-Hoffman Associates, Inc.
778 Main St., Suite 8
South Portland, ME 04106

RE: More Site Changes at 901 Washington Avenue
After the Fact Parking Lot Expansion,
901 Washington Ave., (2003-0047)(170F001)

Dear Mr. Reynolds, Mr. Wilson, and Mr. Deluca:

On September 17, 2003, additional site changes were observed taking place on the property at 901 Washington Avenue. These changes have not been approved, nor have they been proposed on any site plan submittals.

As you may recall the city issued a STOP WORK ORDER on November 22, 2002, as a result of the installation of additional parking, tree cutting, and other miscellaneous site work that occurred without the proper review and approval. This stop work order is still in place, and this letter also serves to document that the recent installation of light pole bases on September 17, 2003, is in violation of the stop work order.

Currently, the after-the-fact application has not been approved, due to a lack of response to City staff comments. These comments were supplied to the applicant/owner in the April 10, 2003 letter (attached). A follow up letter was also sent on June 24, 2003, from the City to the applicant/owner(attached). On September 23, 2003, additional submittals to the City were received. I have forwarded this along to our Engineering Reviewer. However, this submittal does not address all the items outlined in the City's April 10, 2003 letter, nor does it address the newly installed light pole bases.

Accordingly, I have directed Corporation Counsel to bring an enforcement action, pursuant to 30-A M.R.S.A., sec. 4452(3), seeking injunctive relief, the imposition of civil penalties and recovery of the City's attorney's fees.

Sincerely,

Alexander Jaegerman,
Planning Division Director

cc: Lee Urban, Planning and Development Director
Sarah Hopkins, Development Review Services Manager
Jay Reynolds, Development Review Coordinator
Mike Nugent, Inspection Services Manager
Charles Lane, Associate Corporation Counsel
Penny Littell, Associate Corporation Counsel
Marge Schmuckal, Zoning Administrator
File