

950894  
City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 547 Brighton Ave		Owner: Cumberland Farms		Phone:		Permit No:	
Owner Address: 777 Dedham St- Canton, MA		Leasee/Buyer's Name:		Phone:			PERMIT ISSUED AUG 25 1995 CITY OF PORTLAND
Contractor Name: agent David A. Louie		Address: 139 Spurlock Ave-Cape Elizabeth, ME		Phone: 799-3922			
Past Use:		Proposed Use: replacement building -gas station/convenience store		COST OF WORK: \$ 100,000 FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: 17 Type 2B BOCA 93 Signature: [Signature] Signature: [Signature]			
Proposed Project Description: Floor Site Plan & construct replacement building				PEDESTRIAN ACTIVITIES DISTRICT (P.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		Zoning Approval: <b>Special Zone or Reviews:</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <input type="checkbox"/> major <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: L. Chase		Date Applied For: 8/22/95				<b>Zoning Appeal</b> <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 <b>Historic Preservation</b> <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date: 8/24/95	

1. This permit application doesn't 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..

**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 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 provisions of the code(s) applicable to such permit

23 August 1995

SIGNATURE OF APPLICANT	ADDRESS:	DATE:	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			
PHONE:			

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT



COMMENTS

9/14/95 Foundation / Settlement (OK)  
 9/19 U/G Plumbing test on Waste lines ok - ok to pour floors  
 10/2 Ch Block Walls & Roof framing ok  
 10/12 ok to Close (10)  
 10/17 Fin Marshall ok Bed  
 10/26 - Request Temp CofO for Convenience Store only - NO GASOLINE  
Sales - plumbing ok -  
 Structural & finish ok  
 Food Service ok except Hot H<sub>2</sub>O temp -  
 Elec -  
 Site plan ok per Jim Seymour  
 Fin ok per Lt. Mac  
 6/96 - Final CofO ok - OK

9/27/95

Inspection Record

Type	Date
Foundation:	
Framing:	
Plumbing:	
Final:	
Other:	

Applicant: DAVID Louie  
Address: 569 Brighton Ave  
Assessors No.: 184-D-2 & 1 & 3

Date: 8/24/95

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - B-1

Interior of corner lot -

Use - New store & Canopy & pumps for existing use

Sewage Disposal -

Rear Yards - None req -

Side Yards - 5' per 14-165 (3) C. 1. - see letter dated 7/20/95 5' shown  
10' → side yards on side streets

Front Yards - Woodford St is front yard established - 10' req - 10' shown  
on Bldg & canopy

Projections -

Height - 1 Story - 442.75'

Lot Area - 21,546 sq ft shown

Building Area - 80% is max. impervious surface - open green areas exactly  
20% per Pinkham & Greer

Area per Family - N/A

Width of Lot - 50' - 50' + shown

Lot Frontage -

Off-street Parking - MAX 10% of total parking may be located between Re-principled  
structure & the front yard -  
None is shown

Loading Bays -

Site Plan - minor review

Shoreland Zoning - N/A

Flood Plains - N/A

1 space/200' in excess of 2000' or  
7 spaces needed -  
9 spaces shown



170 U.S. Route One  
Falmouth, Maine 04105  
Tel: 207.781.5242  
Fax: 207.781.4245

June 21, 1995  
File: 95126

Mr. David A. Lourie  
Attorney at Law  
189 Spurwink Avenue  
Cape Elizabeth, ME 04107

RE: SUBMITTAL FOR CUMBERLAND FARMS, BRIGHTON AVENUE

Dear David:

We are pleased to provide the attached plans for Cumberland Farms for submittal to the City of Portland for site plan approval by the City's staff. We have utilized the same layout as provided by Cumberland Farms with a few exceptions.

The site plan allows for the construction of the new store while the existing store remains in operation. Once the new store is operational, the fuel islands will be constructed utilizing service from the existing tanks.

We have graded the new site in a similar fashion to the existing site from the high side along Woodford Street toward the low side of Brighton Avenue. We have shown a catch basin and storm drain system connected to a treatment tank. The system removes sediment washed from the pavement into sumps of the catch basin and in the first compartment of the treatment tank. Floatables will get removed in the catch basin via the Casco trap or in the second compartment in the treatment tank.

This storm water management system will require removal of sediment on an annual basis. If any minor spills of petroleum products occur, the system should capture them prior to introduction to the City's system. The petroleum products must also be pumped from the system by Cumberland Farms.



**PINKHAM & GREER**

CONSULTING ENGINEERS, INC.

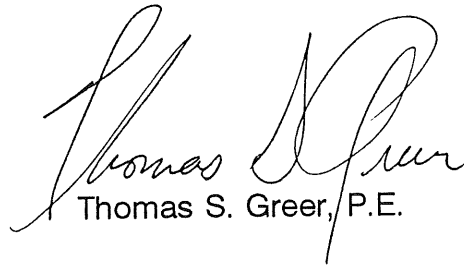
Mr. David A. Lourie  
June 21, 1995  
Page 2 of 2

We have shown a connection of the system to a catch basin lead at the intersection. This was discussed with Bill Goodwin of the City and must be reviewed by Paul Niehoff to ensure it's acceptance.

Please let me know if you have any concerns.

Sincerely,

PINKHAM AND GREER



Thomas S. Greer, P.E.

TSG/dp

Attachment

DAVID A. LOURIE

Attorney at Law

189 SPURWINK AVENUE

CAPE ELIZABETH, MAINE 04107

(207) 799-4922 • FAX (207) 767-4266

June 22, 1995

Joseph E. Gray, Jr.  
Director of Planning and Urban Development  
City of Portland  
389 Congress Street  
Portland, Maine 04101

RE: Cumberland Farms Site Plan

Dear Joe:

I am writing as the Attorney for Cumberland Farms in connection with site plan approval of its new convenience store and gas station at Rosemont corner. The zoning Administrator has now approved the proposed signage on the lot as conforming to the new Sign Ordinance. This Letter and Narrative is submitted per Portland City Code §14-525(c) in connection with the site plan approval of the Cumberland Farms at 569 Brighton Avenue.

1. With respect to zoning, please be advised that the site plan conforms to the B-1 zoning requirements. It appears that discussion of only two issues is necessary:
  - A. Set backs This is a corner lot. The set backs shown on the Plan are five (5) feet abutting the commercial property on Woodfords Street, and ten (10) feet abutting the Piscopo's Bakery property on Brighton Avenue, as the latter may be a residential use.<sup>1</sup>
  - B. Impervious surface ratios Pinkham & Greer has advised us that the maximum impervious surface ratio of 80% is not exceeded. Please advise if your calculations do not confirm this and we will make appropriate revisions to meet this requirement.
2. With respect to Portland City Code §14-525(c), please be advised as follows:
  - A. The Owner of the all of the parcels proposed to be developed is:

1

Cumberland Farms would have liked to build the store closer to the Bakery line, but recently became aware of possible residential occupancy of the upper stories. We wish to obtain approval of the Site Plan as submitted at this time, while we continue to explore the setback issue, alternative interior layouts, and space needs.

569 Brighton Ave

**CUMBERLAND FARMS SITE PLAN**  
**June 22, 1995**

**Cumberland Farms**  
**777 Dedham Street**  
**Canton, MA. 02021-9115**

B. The estimated cost of the development is: **\$ 400,000**. (Please note that this does not include demolition of the existing building and canopy, which will be applied for under separate permits.

- (1) A description of the proposed uses to be located on the site, including quantity and type of residential units, if any;

**Gas Station and Convenience Store.**

- (2) The total land area of the site and the total floor area and ground coverage of each proposed building and structure;

**Total Land Area = 21,526 sq. ft.**

**Total Floor Area of Building = 3206.25 sq. ft.**

**Ground Coverage of Building = 3206.25 sq.ft.**

**Total Ground Area of Canopy = 1888 sq. ft.**

- (3) General summary of existing and proposed easements or other burdens now existing or to be placed on the property;

**None.**

- (4) The types and estimated quantities of solid waste to be generated by the development;

**There will be no increase in solid waste.** (The Applicant's larger stores recycle, while its smaller stores cannot do so due to space limitations. The existing use generates twelve cubic yards of waste per week. The expansion of the building will permit on-site recycling which does not occur presently. Based on Applicant's experience, the expanded use will generate only six cubic yards of waste per week, which is less waste than the present use.)

- (5) Evidence of the availability of off-site facilities including sewer, water and streets;

**Existing utility connections on the former Bank Property will be utilized.** (These were preserved per the letter to George Flaherty. See attached copy.) **Existing connections of Cumberland Farms will be abandoned.**

- (6) A narrative describing the existing surface drainage on the site and a stormwater management plan indicating measures

**CUMBERLAND FARMS SITE PLAN**  
**June 22, 1995**

**Flaherty. See attached copy.) Existing connections of Cumberland Farms will be abandoned.**

- (6) A narrative describing the existing surface drainage on the site and a stormwater management plan indicating measures which will be taken to control surface water runoff.

**See Drainage and Stormwater Management Plan submitted herewith. A trap for contaminated water as shown on the attached plan will be installed.**

- (7) A construction plan outlining the anticipated sequence of construction of the major aspects of the proposed project, including without limitation roads, retention basins, sewer lines, seeding and other erosion control measures, and pollution abatement measures, and also setting forth the approximate dates for commencement and completion of the project.

**Cumberland Farms will be the general contractor on the project. Construction of the new building would commence on or about August 1, 1995. Construction of the new building is anticipated to take approximately ninety (90) days. The existing building would be demolished immediately after the City grants a Certificate of Occupancy on the new building. Thereafter, the new canopy and pumps would be installed, the existing canopy removed, and the old curb cuts near the Rosemont intersection closed. Assuming we are successful in obtaining all approvals promptly so as to commence construction August 1, 1995, we expect to complete construction, all demolition, and all landscaping prior to November 15, 1995.**

- (8) A list of all state and federal regulatory approvals to which the development may be subject, the status of any pending applications, and the anticipated time frame for obtaining such permits or that a determination of no jurisdiction from the agency will be requested;

**Permit for Self-Service Station from State Fire Marshal; Registration with DEP for piping changes to new fuel pumps.**

- (9) Evidence of financial and technical capacity to undertake and complete the development including, but not limited to, a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved, if requested to do so;

**The Applicant will self-finance the project. Cumberland Farms**



**CUMBERLAND FARMS SITE PLAN**  
**June 22, 1995**

is a national company located in Massachusetts which has built and currently operates a thousand stores. The construction will be undertaken by the Company itself, with subcontracts to local companies where necessary. The Company has the clear technical and financial ability to undertake a small project of this type.

- (10) Evidence of the applicant's title, right, or interest in the property, including without limitation deeds, leases, purchase options or any other documentation;

**See attached deeds of:    Bradford & Donna Davis to Cumberland Farms, Inc. dated July 22, 1986 recorded in Book 7282, Page 349; and**

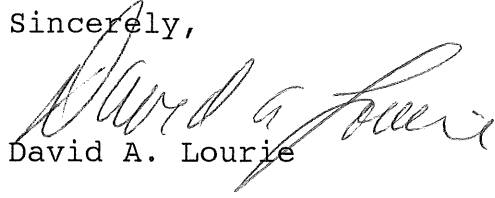
**Resolution Trust Corporation to Cumberland Farms, Inc., dated August 22, 1992, and recorded in Book 10568 Page 244.**

- (11) A narrative describing any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the project site and a description of the methods that will be used to protect such areas or sites.

**Not Applicable.**

Please advise if you require any additional information concerning the above.

Sincerely,

  
David A. Lourie

cc: Thomas Greer, Pinkham & Greer  
Kathy Sousa, Cumberland Farms  
Fran Sheflin, Cumberland Farms

35162  
**Know all Men by these Presents,**

**That** We, BRADFORD H. DAVIS, JR. and DONNA M. DAVIS

of Portland, County of Cumberland, State of Maine,

~~being unmarried~~ for consideration paid, grant to CUMBERLAND FARMS, INC., a Delaware corporation, its successors and assigns forever

~~xxx~~

~~xxxxxxx~~

~~xxxxxx~~

whose mailing address is 777 Dedham Street, Canton, MA 02110

with ~~warranty~~ covenants, the land in Portland, County of Cumberland

State of Maine, described as follows:

A certain lot or parcel of land situated in Portland, in the County of Cumberland and State of Maine, and being lot numbered ninety-three (93) on Plan of Rosemont, recorded in the Cumberland County Registry of Deeds in Plan Book 11, Page 123, to which plan reference may be had.

This conveyance is made by Grantors and accepted by Grantee subject to all valid and subsisting conditions, covenants, restrictions, reservations, exceptions, rights-of-way and easements of record and all laws, regulations and restrictions, including building and zoning ordinances, of municipal or other governmental authorities applicable to and enforceable against the above-described Property.

Being premises conveyed by Margery Wilson Clay to Humble Oil & Refining Company by deed dated July 29, 1970 recorded in Cumberland Registry of Deeds on August 31, 1970 in Book 3141, Page 225. Humble Oil & Refining Company, a Delaware corporation, merged into Exxon Corporation, a New Jersey corporation, on January 1, 1973.

Being the same premises conveyed by Exxon Corporation to the grantors herein by deed dated July 30, 1984, but effective as of August 24, 1984 and recorded in Cumberland County Registry of Deeds, Book 6545, Page 158.

This conveyance is made subject to current real estate taxes which the Grantee, by accepting this deed, hereby assumes and agrees to pay.

Excepting therefrom a parcel taken by the State of Maine designated as Area 2 "Section 2" as set forth in Notice of Lay-out and Taking by the Department of Transportation dated January 10, 1978 and recorded in Book 4165, Page 311.

BK7282FG0349

And we the said, BRADFORD H. DAVIS, JR. and DONNA M. DAVIS  
(being husband and wife) join in this deed as grantors

~~and wife~~ and releases all rights by descent and all other rights.

Witness our hands and seals this *twenty-second* day of the month of  
JULY, 19 86.

Signed, Sealed and Delivered

in presence of

*Walter S. Davis*  
To: *Walter S. Davis*  
BRADFORD H. DAVIS, JR.  
*Donna M. Davis*

..... DONNA M. DAVIS .....

State of ~~Delaware~~, County of Cumberland ss. July 22, 19 86

Then personally appeared the above named

BRADFORD H. DAVIS, JR.

and acknowledged the foregoing instrument to be his free act and deed.

Before me,

RECEIVED

RECORDED IN OFFICE OF DEEDS

1986 JUL 22 PM 4:08

CUMBERLAND COUNTY

*Walter S. Davis*

*Donna M. Davis*  
Notary Public  
*Danmelly S. Douglas*

# Warranty Deed

Maine Statutory Short Form

From

BRADFORD H. DAVIS, JR. et al  
To

CUMBERLAND FARMS, INC.

Dated July, 1986

State of Maine,

ss. Registry of Deeds.

Received, 19

at H., M., and

recorded in Book, Page

Attest: Register.

FROM THE OFFICE OF

WALTER E. FOSS  
643A Forest Ave.  
Portland, Maine

Marks Printing House, Portland, Maine  
ML 40-1

Return to Grantee  
977 Dedham St.  
Camden, Mass.  
02110

10522  
RTC MAINE QUITCLAIM DEED WITH COVENANT

THIS QUITCLAIM DEED WITH COVENANT is made this 22nd day of August, 1992, by RESOLUTION TRUST CORPORATION, as Receiver of AMERICAN BANK F.S.B. whose address is 1000 Adams Avenue, Norristown, PA as GRANTOR, to CUMBERLAND FARMS, INC., a Delaware corporation whose address is 777 Dedham Street, Canton, MA, as GRANTEE.

WITNESS that Grantor, for good and valuable consideration, receipt of which is acknowledged, grants to Grantee, with Quit Claim covenants, all the real property located in Portland, Maine, more particularly described as:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN.

To have and to hold the same, together with all tenements, hereditaments and appurtenances thereto; subject to current real property taxes, zoning and other governmental restrictions, and all covenants, conditions, restrictions, easements, rights-of-way and other matters of record.

Grantor hereby covenants with Grantee, its successors and assigns that Grantor will warrant and forever defend Grantee, its successors and assigns forever, against all claims of all persons claiming by, through or under Grantor, except as aforesaid. No other covenants or warranties, express or implied, are given by this Deed.

IN WITNESS WHEREOF, Grantor has set its hand and seal the day and year first above written.

WITNESS:

GRANTOR:

RESOLUTION TRUST CORPORATION as  
Receiver of AMERICAN BANK F.S.B.

Susan Tripp  
Susan Tripp

By: Linda H. Harrison

Printed Name: Linda H. Harrison

Title: Attorney-In-Fact

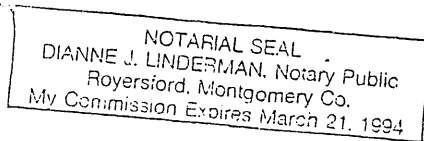
COMMONWEALTH OF PENNSYLVANIA

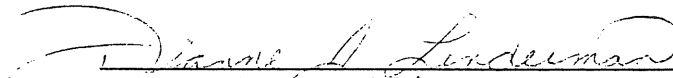
COUNTY OF MONTGOMERY

September 22, 1992

Then personally appeared the above-named Linda H. Harrison, Attorney in Fact for Resolution Trust Corporation, as Receiver of American Bank, F.S.B. and acknowledged the foregoing instrument to be her free act and deed in said capacity.

Before me,



  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Dianne J. Linderman  
Printed Name

SEAL

## Exhibit A

the following described land situate in  
the City of Portland, County of Cumberland, State of Maine:

A certain lot or parcel of land with the buildings thereon, situated in said Portland, being part of a tract known as "Rosemont", and the part hereby described being designated as lot No. 94 on said tract according to a plan of the same recorded in the Registry of Deeds for said County of Cumberland in Plan Book 11, Page 123; the lot hereby conveyed being otherwise and more particularly described as follows: Beginning at a point on the northeasterly side of Brighton Avenue, which point is distant one hundred and forty (140) feet southeasterly from the junction of the northeasterly side of Brighton Avenue and the southerly side of Woodford Street, and being the most southerly corner of lot No. 93 as shown on said plan; thence from said point by the northeasterly side of Brighton Avenue in a southeasterly direction a distance of sixty (60) feet to the southwesterly corner of lot No. 95 as delineated on said plan; thence in a northeasterly direction by said lot No. 95 as delineated on said plan a distance of one hundred forty-five and thirteen hundredths (145.13) feet to said Woodford Street; thence in a westerly course by said Woodford Street a distance of seventy-four and twenty-eight hundredths (74.28) feet to the northeasterly corner of said lot No. 93 as delineated on said plan; thence in a southwesterly course by said lot 93 as delineated on said plan a distance of one hundred one and fifty-six hundredths (101.56) feet to the point of beginning, containing 7,401 square feet of land, more or less.

Also another certain lot or parcel of land with the buildings thereon, situated in said Portland and being lot No. 96 as shown on said plan of "Rosemont" said lot being otherwise and more particularly described as follows: Beginning at a point on the northeasterly side of Brighton Avenue at the southeasterly corner of lot No. 94 above described; thence from said point by the northeasterly side of Brighton Avenue in a southeasterly direction a distance of fifty (50) feet to the southwesterly corner of lot No. 96 as delineated on said plan; thence in a northeasterly direction by said lot No. 96 a distance of ninety-four and twenty-seven hundredths (94.27) feet to the southwesterly corner of lot No. 98 as delineated on said plan; thence in a northerly direction along the line of lot No. 98 seventy-three and forty-five hundredths (73.45) feet to said Woodford Street; thence in a westerly direction along said Woodford Street a distance of thirty and eight tenths (30.8) feet to the northeasterly corner of said lot No. 94; thence in a southwesterly direction by said lot No. 94 a distance of one hundred forty-five and thirteen hundredths (145.13) feet to Brighton Avenue and the point of beginning; said lot contains 7,086 square feet more or less.

Recorded  
Cumberland County  
Registry of Deeds  
02/25/93 12:56:21PM  
John B. O'Brien  
Register



**CUMBERLAND FARMS, INC.**

777 DEDHAM STREET, CANTON, MASSACHUSETTS 02021-9115

PHONE: 617-828-4900 TELEX: 710-348-0130 (CUMBFARMS-CTON)

November 23, 1993

Mr. George Flaherty  
Public Works Director  
Parks and Public Works  
55 Portland Street  
Portland, ME 04101

RE: AMERICAN BANK BUILDING  
563 BRIGHTON AVENUE  
PORTLAND, MAINE

Dear Mr. Flaherty:

As you know, Cumberland Farms, Inc. purchased the abutting parcel to its convenience store located at the intersection of Brighton Avenue and Woodruff Street in Portland. On the parcel recently acquired is the former American Bank Building plus an accessory building which we would like to remove from the parcel and tax rolls.

It is our intention to redevelop the parcel and we would like to preserve the existing sewer line servicing the former bank building and would intend to reuse this utility within the next six (6) months. It is our understanding that failure to reactivate this utility will cause its removal and termination from the main in the street.

We have also authorization Mr. Lou Germani to obtain all the necessary permits for the demolition of these premises. If any further information is required, please contact the undersigned at your convenience.

Very truly yours,

CUMBERLAND FARMS, INC.

*Richard L. Longton*  
Richard L. Longton  
Vice-President, Construction

maw

cc: Mr. Paul Niehoff

Sworn to and subscribed before me this 23rd day of November 1993.

*Muriel A. White*  
Muriel A. White, Notary Public  
My Commission Expires: 6/13/97



Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

July 28, 1995

David A. Lourie  
Attorney at Law  
189 Spurwink Avenue  
Cape Elizabeth, ME 04107

RE: 569 Brighton Avenue/Woodford Street

Dear David:

I am in receipt of your letter showing the building elevation for the proposed Cumberland Farms and the first story of the bakery, abutting the side yard.

The requirements of the Zoning Ordinance in the B-1 zone, section 14-165(3)c.1., states that if a side yard is provided, it shall be no less than five feet in width. It goes on to state that if a side yard abuts a residence zone or a residential use, then a 10 foot setback is required.

The information you have provided me does show that the new structure will not abut a residential use. Since the B-1 zone continued over 2 more lots, your new structure also does not abut a residential zone. Therefore, I have determined that you may use a five foot side setback.

Thank you also for the documentation that you provided that shows that you would not be over the maximum impervious surface ratio of eighty (80%) percent with this proposed configuration.

Sincerely,

Marge Schmuckal  
Zoning Administrator

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development  
P. Samuel Hoffses, Chief of Inspection Services  
Natalie Burns, Associate Corporation Counsel

DAVID A. LOURIE  
*Attorney at Law*  
189 SPURWINK AVENUE  
CAPE ELIZABETH, MAINE 04107  
(207) 799-4922 • FAX (207) 767-4266

*569 Brighton  
Ave*

August 16, 1995

P. Samuel Hoffses  
Chief of Building Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: Cumberland Farms Building Permit

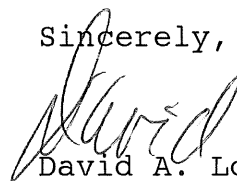
Dear Sam:

We have now filed the required bond and the fees required for release of the approved site plan. Enclosed please find the detailed building plans for the new Cumberland Farms on Brighton Avenue for your review and approval.

It is the intention of Cumberland Farms to commence construction as soon as the permit is issued. We would therefore appreciate an expedition of this matter possible. Please call me if you have any questions, or as soon as the permit is approved so I can arrange to have it picked up.

Thanks again for your assistance in this matter.

Sincerely,

  
David A. Lourie

cc: Kathie Sousa, Cumberland Farms  
Fran Sheflin, Cumberland Farms  
Tom Greer, P.E.

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

25 August 1995

Cumberland Farms  
777 Dedham Street  
Canton, MA 02021

RE: 569 Brighton Avenue  
Portland, Maine

Dear Sir,

Your application to construct a gas station/convenience store has been reviewed and a permit is herewith issued subject to the requirements listed below. This permit does not excuse the applicant from meeting applicable State and Federal laws.

No Certificate of Occupancy will be issued until all requirements of this letter are met.

### Site Plan Review Requirements

Building Inspection - Approved - M. Schmuckal  
Fire Department - Approved - Lt. McDougal  
Planning Division - Approved - with conditions (see attached) and approval letter, 18 July 1995  
Development Review Coordinator - Approved - with conditions (see attached) M. O'Sullivan

### Building and Fire Code Requirements

1. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspections Services must be obtained. (A 24 hour notice is required prior to inspection)
2. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
3. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10, section and subsections 1023. and 1024. of the City's Building Code. (The BOCA National Building Code/1993)
4. The plans submitted with the building permit application does not bear the seal of a State of Maine registered design professional, architect or engineer as per State law and City of Portland Ordinance. This is required. Please submit such documentation before work begins.

5. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act, Title 5 MRSA refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.

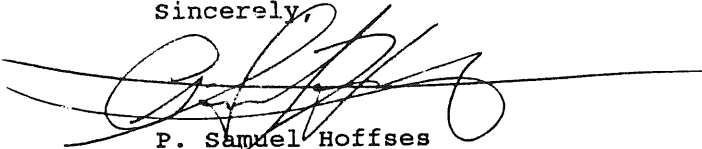
6. All structural loads shall meet the requirements of Chapter 16 of the City's Building Code (The BOCA National Building Code 1995)

7. The self-service gas station equipment shall meet the requirements of NFPA #1, chapter 22-2.

8. Food service items shall meet all State and Local laws and ordinances.

If you have any questions regarding these requirements, please do not hesitate to contact this office.

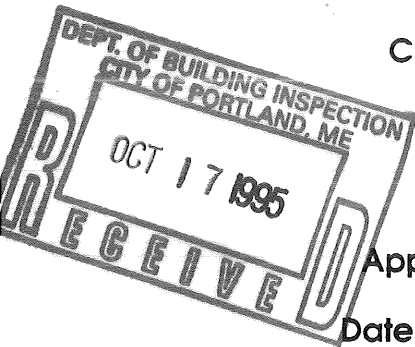
Sincerely,



P. Samuel Hoffses  
C. Inspection Services

cc: M. Schmuckal, ACoFI  
Lt. McDougal, PFD

In accordance with Title 25, Sec. 2450, as amended, approval is hereby granted for the installation of a Self-Service Gasoline Dispensing Station at:



Cumberland Farms #1848

569 Brighton Avenue  
Portland, ME 04101

Approval Number: SS95-012

Date Issued: October 13, 1995

Ladd G. Alcott  
Acting State Fire Marshal



### REGULATIONS FOR SELF-SERVICE GASOLINE DISPENSING STATIONS

1. Every person, firm or corporation who intends to construct, reconstruct, convert or alter any service station to provide attended self-service gasoline dispensing shall furnish the Office of State Fire Marshal with plans of such proposed station that shall include the location of the pump island in respect to the control console and location of the fire extinguishing control.
2. Every gasoline service station shall be under the direct control of the owner, operator or duly authorized employee who shall be on duty at all times when gasoline is being sold or dispensed.
3. Each installation shall be equipped with a fixed fire extinguishing system installed in accordance with the appropriate NFPA Code. Said system shall provide protection for all pumps in the dispensing area. Each extinguisher head shall be installed in such a manner that an accumulation of ice or snow will not adversely effect the proper functioning of the system.
4. The number of nozzles capable of simultaneous operation may not exceed sixteen nozzles per operator on duty at islands open to use, and no more than eight nozzles may be used at one time.
5. The controlling mechanism console and its related equipment are to be of an approved type.
6. Gasoline shall be dispensed only by a competent licensed motor vehicle operator or by a qualified station attendant.
7. Instructions for the operation of dispensers shall be conspicuously posted, and in addition, signs bearing the words "Extinguish All Smoking Materials; Shut off Engine" in block letters at least two inches (2") in height shall be conspicuously posted at both ends of the pump island visible to approaching vehicles.
8. The control console providing power to the pump motor is in constant attendance by the owner, operator or duly authorized employee while gasoline is being dispensed and is properly protected against physical damage from motor vehicles.
9. There shall be constant contact by the control console operator and the pump island by means of an inter-communication system which shall be maintained in proper operating condition at all times.
10. The control console operator must observe the filling operating of each vehicle. Mirrors are not acceptable as providing adequate visual control.
11. The control console shall include a disconnect switch which will instantly cut off all pumping power.
12. No other method of self-service gasoline dispensing will be permitted.
13. The municipal fire officials of the city or town in which a proposed self-service station is to be located shall be informed of such proposal and the requirements of all local ordinances must be met.
14. Fees for the review and approval of required plans shall be charged under the provisions of Title 25, Section 2450. Approval to be posted on site.
15. A listed, automatic-closing type hose nozzle valve with latch-open device may be installed.



CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

I. D. Number

6/22/95

Cumberland Farms  
Applicant  
777 Dedham St- Canton, MA 02021

Application Date

Applicant's Mailing Address  
David Lourie - XXXXXXXXXXXXXXXX

Project Name/Description

Consultant/Agent

569 Brighton Ave  
Address of Proposed Site

799-4922

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): ☐ New Building ☐ Building Addition ☐ Change of Use ☐ Residential  
☐ Office ☐ Retail ☐ Manufacturing ☐ Warehouse/Distribution ☐ Other (specify)

replacement structure

21,546 sq ft

B-1

Proposed Building Square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance          | <input type="checkbox"/> Single-Family Minor   | <input type="checkbox"/> Other                   |

Fees paid: site plan \$300 subdivision

Approval Status:

Reviewer

Marge Schumaker

- |  |  |                                 |
|--|--|---------------------------------|
| <input checked="" type="checkbox"/> Approved | <input type="checkbox"/> Approved w/Conditions<br>listed below | <input type="checkbox"/> Denied |
|--|--|---------------------------------|

- 
- 
- 
- 

Approval Date 8/24/95 Approval Expiration date Extension to date ☐ Additional Sheets Attached

☐ Condition Compliance signature date

Performance Guarantee ☐ Required\* ☐ Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |                   |                 |
|---|----------------|-------------------|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted | date           | amount            | expiration date |
| <input type="checkbox"/> Inspection Fee Paid            | date           | amount            |                 |
| Performance Guarantee Reduced                           | date           | remaining balance | signature       |
| Performance Guarantee Released                          | date           | signature         |                 |
| Defect Guarantee Submitted                              | submitted date | amount            | expiration date |
| Defect Guarantee Released                               | date           | signature         |                 |





CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

I. D. Number

Address:

Cumberland Farms

6/22/95

Applicant 777 Dedham St- Canton, MA 02021

Application Date

Applicant's Mailing Address

Project Name/Description

David Lourie - 439XXXXXXXXXXXX

569 Brighton Ave

Consultant/Agent

Address of Proposed Site

799-4922

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): ☐ New Building ☐ Building Addition ☐ Change of Use ☐ Residential

☐ Office ☐ Retail ☐ Manufacturing ☐ Warehouse/Distribution ☐ Other (specify)

replacement structure 21,546 sq ft

Proposed Building Square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

☒ Site Plan  
(major/minor)

☐ Subdivision  
# of lots

☐ PAD Review

☐ 14-403 Streets Review

☐ Flood Hazard

☐ Shoreland

☐ Historic Preservation

☐ DEP Local Certification

☐ Zoning Conditional  
Use (ZBA/PB)

☐ Zoning Variance

☐ Single-Family Minor

☐ Other

Fees paid: site plan \$300

subdivision

Approval Status:

Reviewer

☐ Approved

☒ Approved w/Conditions  
listed below

☐ Denied

1. *see approval ltr 18 July 95*
- 2.
- 3.
- 4.

Approval Date 18 July 95

Approval Expiration 18 July 95

Extension to date

☐ Additional Sheets  
Attached

☐ Condition Compliance

*YOLO*  
signature

22 Aug 95  
date

Performance Guarantee

☒ Required\*

☐ Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input checked="" type="checkbox"/> Performance Guarantee Accepted	date	amount	expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	date	amount	
<input checked="" type="checkbox"/> Performance Guarantee Reduced	date	remaining balance	signature
Performance Guarantee Released	date	signature	
Defect Guarantee Submitted	submitted date	amount	expiration date
Defect Guarantee Released	date	signature	

569 Brighton Ave





CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

I. D. Number

Cumberland Farms

6/22/95

Applicant 777 Dedham St- Canton, MA 02021

Application Date

Applicant's Mailing Address

Project Name/Description

David Lourie - 789XXXXXXXXXXXX

569 Brighton Ave

Consultant/Agent

Address of Proposed Site

799-4922

Assessor's Reference: Chart-Block-Lot

Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply): ☐ New Building ☐ Building Addition ☐ Change of Use ☐ Residential  
☐ Office ☐ Retail ☐ Manufacturing ☐ Warehouse/Distribution ☐ Other (specify) replacement structure  
Proposed Building Square Feet or # of Units 21,546 sq ft Acreage of Site                      Zoning                     

Check Review Required:

<input checked="" type="checkbox"/> Site Plan (major/minor)	<input type="checkbox"/> Subdivision # of lots <u>                    </u>	<input type="checkbox"/> PAD Review	<input type="checkbox"/> 14-403 Streets Review
<input type="checkbox"/> Flood Hazard	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Historic Preservation	<input type="checkbox"/> DEP Local Certification
<input type="checkbox"/> Zoning Conditional Use (ZBA/PB)	<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Single-Family Minor	<input type="checkbox"/> Other <u>                    </u>

Fees paid: site plan \$300 subdivision                     

Approval Status:

Reviewer                     

☐ Approved ☒ Approved w/Conditions listed below ☐ Denied

1. See Approval HR 18 July 95

2.                     

3.                     

4.                     

Approval Date 18 July 95 Approval Expiration 18 July 96 Extension to                      date                      ☐ Additional Sheets Attached

☒ Condition Compliance                      signature                      date 22 Aug 95

Performance Guarantee ☒ Required\* ☐ Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input checked="" type="checkbox"/> Performance Guarantee Accepted	<u>                    </u> date <u>                    </u>	<u>                    </u> amount <u>                    </u>	<u>                    </u> expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>                    </u> date <u>                    </u>	<u>                    </u> amount <u>                    </u>	
<input checked="" type="checkbox"/> Performance Guarantee Reduced	<u>                    </u> date <u>                    </u>	<u>                    </u> remaining balance <u>                    </u>	<u>                    </u> signature
Performance Guarantee Released	<u>                    </u> date <u>                    </u>	<u>                    </u> signature <u>                    </u>	
Defect Guarantee Submitted	<u>                    </u> submitted date <u>                    </u>	<u>                    </u> amount <u>                    </u>	<u>                    </u> expiration date
Defect Guarantee Released	<u>                    </u> date <u>                    </u>	<u>                    </u> signature <u>                    </u>	