

PERMIT ISSUED

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 02-003	Issue Date: JAN 11 2002	CBL: 213 B002001
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Location of Construction: 25 Garrison St	Owner Name: Segerstrom Mark C &	Owner Address: 25 Garrison St	Phone: 207-772-3601
Business Name:	Contractor Name: M & M Carpentry	Contractor Address: Portland	Phone: 2077970454
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	Zone: R-2

Past Use: single family	Proposed Use: single family - create 2- 8'-0" openings interior first floor, remove 12' x 22' of floor area in attic and replace w/ exposed collar ties, remove chimney	Permit Fee: \$67.00	Cost of Work: \$2,000.00	CEO District: 3
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Proposed Project Description:
create 2- 8'-0" openings interior first floor, remove 12' x 22' of floor area in
attic and replace w/ exposed collar ties, remove chimney

FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied N/A	INSPECTION: Use Group: R3 Type: SB BOCA 1999
Signature:	Signature:

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)
Action. Approved Approved w/Conditions Denied
Signature: Date:

Permit Taken By: dgc	Date Applied For: 01/11/2002	Zoning Approval
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<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> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p>Date: 1/11/02</p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date:</p>	<p>Historic Preservation</p> <p><input type="checkbox"/> Not in District or Landmark</p> <p><input checked="" type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: 1/11/02</p>
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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

4/16/02 - Electrical Rough In OK

4/17/02 - Framing completed + looks good. Stairs are not
new but existing with a few new treads added. No issues

OK to close in.

Tan m

All Purpose 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.

Location/Address of Construction: <u>25 GARRISON ST.</u>		
Total Square Footage of Proposed Structure <u>N/A</u>	Square Footage of Lot <u>N/A</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>213</u> Block# <u>B</u> Lot# <u>2</u>	Owner: <u>MARK SEGORSTROM</u>	Telephone: <u>772 3601</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>MARK SEGORSTROM 54 OLD MAST RD PORTLAND ME 7723601</u>	Cost Of Work: \$ <u>2000.</u> Fee: \$
Current use: <u>SINGLE FAM.</u>		
If the location is currently vacant, what was prior use: _____		
Approximately how long has it been vacant: _____		
Proposed use: _____		
Project description: <u>1. OPEN 2x4 WALL - ADD 2x12 (3) HEADER @ 8 FT. 2. CHANGE WINDOW + FRAMING (SJS DIA.) 3. REMOVE ATTIC FLOOR - ADD COLLAR TIES 4. REMOVE CHIMNEY</u>		
Contractor's name, address & telephone: <u>MM CARPENTRY 7970454 BLVD 2 8410831 BLANE</u>		
Who should we contact when the permit is ready: <u>MARK SEGORSTROM</u>		
Mailing address: <u>SAA</u>		
		Phone: <u>SAA</u>

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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 of applicant: <u>[Signature]</u>	Date: <u>1/11/02</u>
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This is not a permit, you may not commence ANY work until the permit is issued

~~RECEIVED~~

77-980

ELECTRICAL PERMIT

City of Portland, Me.



Date 2-27-02
 Permit # 20024158
 CBL# 213-B-002

To the Chief Electrical Inspector, Portland Maine:
 The undersigned hereby applies for a permit to make electrical installations
 in accordance with the laws of Maine, the City of Portland Electrical Ordinance,
 National Electrical Code and the following specifications:

LOCATION: 25 Garrison St METER MAKE & # _____
 CMP ACCOUNT # _____ OWNER Mark Segerstrom
 TENANT Mark Segerstrom PHONE # _____

							TOTAL EACH FEE			
OUTLETS	37	Receptacles	28	Switches		Smoke Detector	7	.20	14.40	
FIXTURES	37	Incandescent		Fluorescent		Strips		.20	7.40	
SERVICES	X	Overhead		Underground		TTL AMPS	<800	15.00	15.00	
		Overhead		Underground			>800	25.00		
Temporary Service		Overhead		Underground		TTL AMPS		25.00		
								25.00		
METERS	1	(number of)						1.00	1.00	
MOTORS		(number of)						2.00		
RESID/COM		Electric units						1.00		
HEATING		oil/gas units		Interior		Exterior		5.00		
APPLIANCES		Ranges		Cook Tops		Wall Ovens		2.00		
		Insta-Hot		Water heaters		Fans		2.00		
		Dryers		Disposals		Dishwasher		2.00		
		Compactors		Spa		Washing Machine		2.00		
		Others (denote)						2.00		
	MISC. (number of)		Air Cond/win						3.00	
			Air Cond/cent				Pools		10.00	
		HVAC		EMS		Thermostat		5.00		
		Signs						10.00		
		Alarms/res						5.00		
		Alarms/com						15.00		
		Heavy Duty(CRKT)						2.00		
		Circus/Carnv						25.00		
		Alterations						5.00		
		Fire Repairs						15.00		
		E Lights						1.00		
		E Generators						20.00		
PANELS	1	Service		Remote		Main		4.00	4.00	
		TRANSFORMER						5.00		
										8.00
										10.00
							TOTAL AMOUNT DUE			
							MINIMUM FEE/COMMERCIAL 45.00	MINIMUM FEE 35.00	41.80	

INSPECTION: Will be ready _____ or will call X

CONTRACTORS NAME Cirron & Waltz MASTER LIC. # MC60016389
 ADDRESS 321 Lincoln St S. Portland. LIMITED LIC. # _____
 TELEPHONE 799 2228

SIGNATURE OF CONTRACTOR Richard D. Dipeo

PLUMBING APPLICATION

Department of Human Sciences
Division of Health Engineering

213 B 002

PROPERTY ADDRESS

Town or Plantation	Portland
Street	25 Greenwood St.
Subdivision Lot #	

PROPERTY OWNERS NAME

Last: Segerstrom	First: Mark
Applicant Name:	Mainely Plg + Hts
Mailing Address of Owner/Applicant (If Different)	587 Riverside St. Portland, Me - 04103

2002-8114

PORTLAND Date Permit Issued: 8/15/02 Local Plumbing Inspector Signature: <i>[Signature]</i>	8021 \$ 416.00 L.P.I. # 06140	TOWN COPY <input type="checkbox"/> Double Fee Charged
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Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspectors to deny a Permit.

Signature of Owner/Applicant

Date

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Local Plumbing Inspector Signature

Date Approved

PERMIT INFORMATION

This Application is for 1. <input type="checkbox"/> NEW PLUMBING 2. <input checked="" type="checkbox"/> RELOCATED PLUMBING	Type of Structure To Be Served: 1. <input checked="" type="checkbox"/> SINGLE FAMILY DWELLING 2. <input type="checkbox"/> MODULAR OR MOBILE HOME 3. <input type="checkbox"/> MULTIPLE FAMILY DWELLING 4. <input type="checkbox"/> OTHER - SPECIFY _____	Plumbing To Be Installed By: 1. <input checked="" type="checkbox"/> MASTER PLUMBER 2. <input type="checkbox"/> OIL BURNERMAN 3. <input type="checkbox"/> MFG'D. HOUSING DEALER/MECHANIC 4. <input type="checkbox"/> PUBLIC UTILITY EMPLOYEE 5. <input type="checkbox"/> PROPERTY OWNER LICENSE # 452401
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Hook-Up & Piping Relocation Maximum of 1 Hook-Up	Column 2 Number Type of Fixture	Column 1 Number Type of Fixture
HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District. OR HOOK-UP: to an existing subsurface wastewater disposal system.		1 Bathtub (and Shower)
PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.		2 Shower (Separate)
OR TRANSFER FEE [\$6.00]		1 Sink
		2 Wash Basin
		2 Water Closet (Toilet)
		1 Clothes Washer
		1 Dish Washer
		1 Garbage Disposal
		1 Laundry Tub
		1 Water Heater
		5 Fixtures (Subtotal) Column 1
		5 Fixtures (Subtotal) Column 2
		0.5 Total Fixtures
		30 Fixture Fee
		1 Transfer Fee
		1 Hook-Up & Relocation Fee
		30 Permit Fee (Total)

SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE

2d, 46
10
56

SINGLE FAMILY ADDITIONS AND ALTERATIONS

Your submissions must include the following to be accepted as a complete application:

- 1 copy of the deed if you have owned the property less than 365 days
- 1 copy of a legible site/plot plan
- 1 copy of the building/construction plan
- If your plans are larger than 11" x 17" we will need one copy on paper no larger than 11" x 17" of all submissions. We can not accept applications without the reduced submission. Electronic plans may be submitted in place of the 11" x 17" copies.

If you are doing an exact replacement of a deck, stairs or shed it will still require a plot plan, showing all setbacks from property lines to finished construction.

PLOT PLAN INCLUDES THE FOLLOWING:

- A neat legible scaled plot plan must be submitted. This plan must show all setbacks from all property lines from finished construction. This will include all existing buildings with dimensions. The plan must show all proposed additions/alterations/accessory structures with dimensions. If the property has any easements, please scale them into your plot plan, along with parking areas and driveways with dimensions.
- The proposed construction measurements must be staked out for a site plan visit to confirm measurements on the plot plan. This includes all property pins in relation to proposed construction.

A COMPLETE SET OF CONSTRUCTION DRAWINGS INCLUDES THE FOLLOWING:

- Cross Sections w/Framing details
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and damp proofing
- Stair and handrail details (interior & exterior)
- All construction must be conducted in compliance with the 1999 B.O.C.A. Building Code as amended by Section 6-Art II.

SEPARATE PERMITS ARE REQUIRED FOR INTERNAL & EXTERNAL PLUMBING, HVAC AND ELECTRICAL INSTALLATIONS

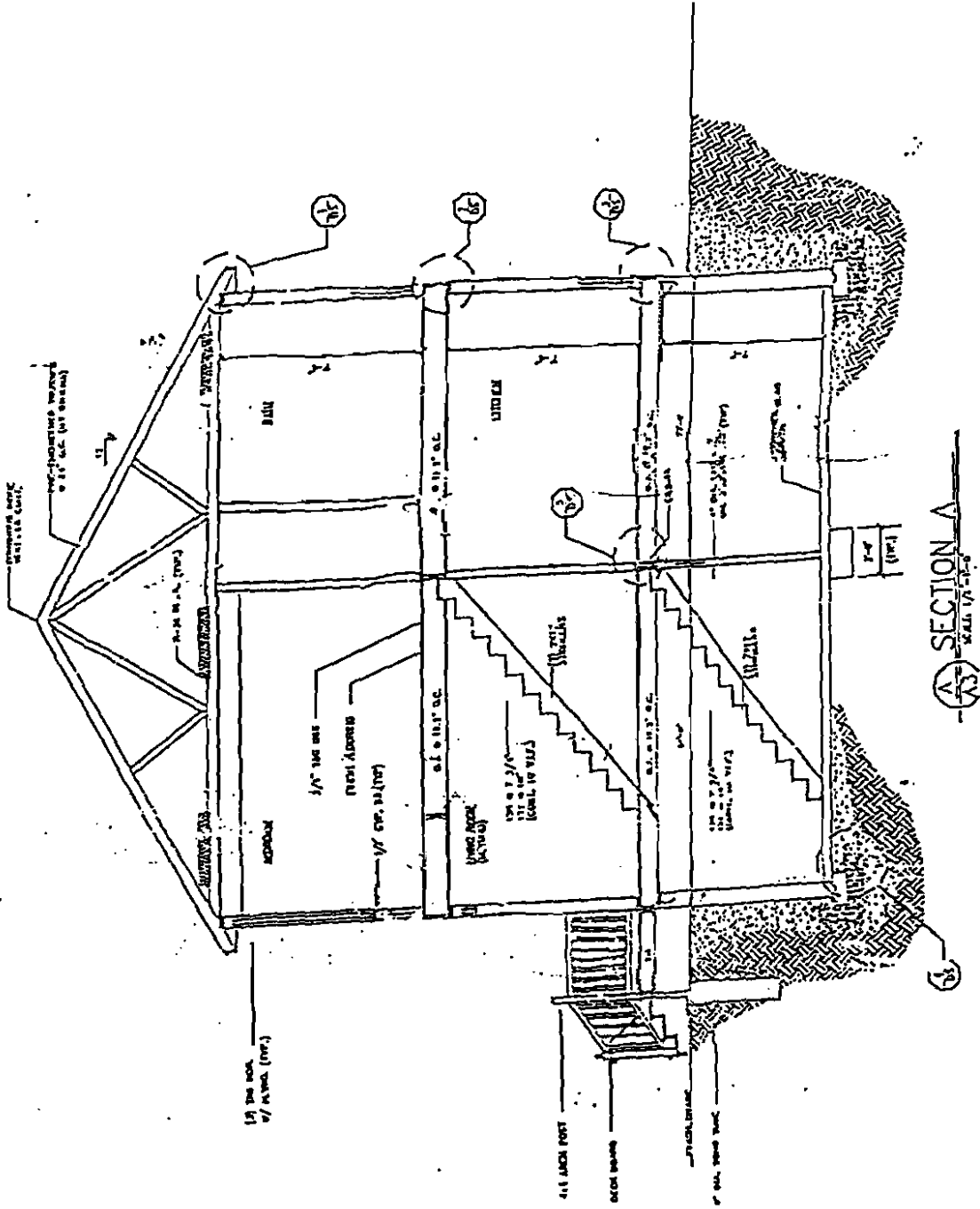
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1999 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) Installation must comply with the 1993 BOCA Mechanical Code.

The cost of construction is as follows:

Basic permit fee: \$30.00

The first \$1,000.00 worth of construction is covered in the \$30.00 base fee

Every additional \$1,000.00 will cost ~~\$6.00~~ 1.00



SECTION A-A

1/2" x 4" S.P.F. (1200)

4x4 JACK POST

DECK BOARD

2x4 S.P.F. (1200)

2x4 S.P.F. (1200)

2x4 S.P.F. (1200)

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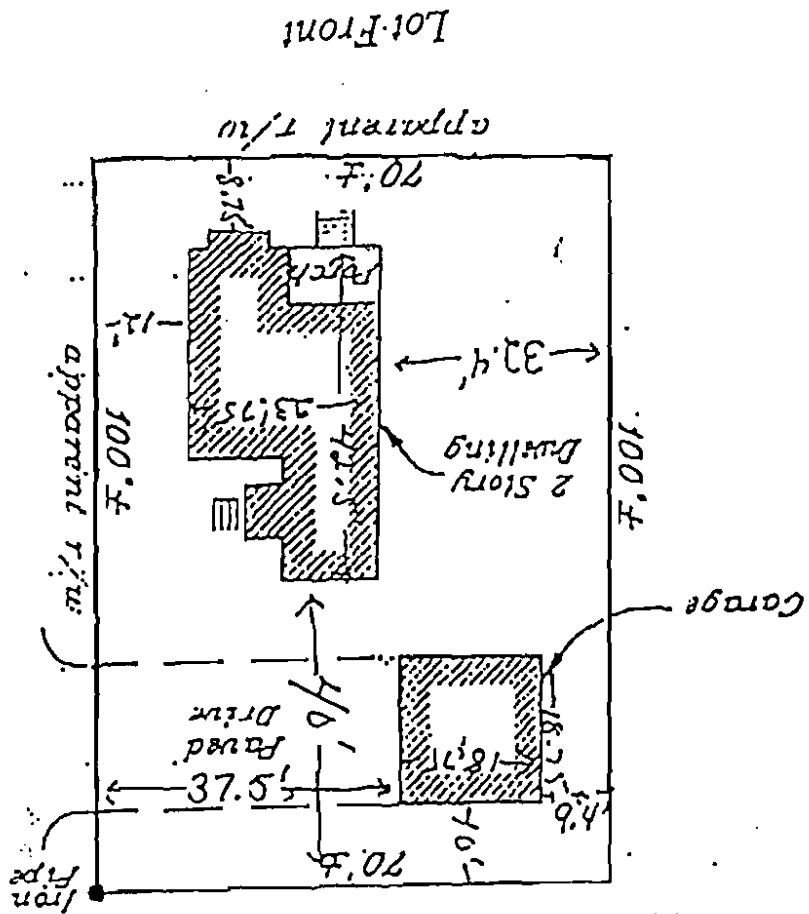
2x4 S.P.F. (1200)

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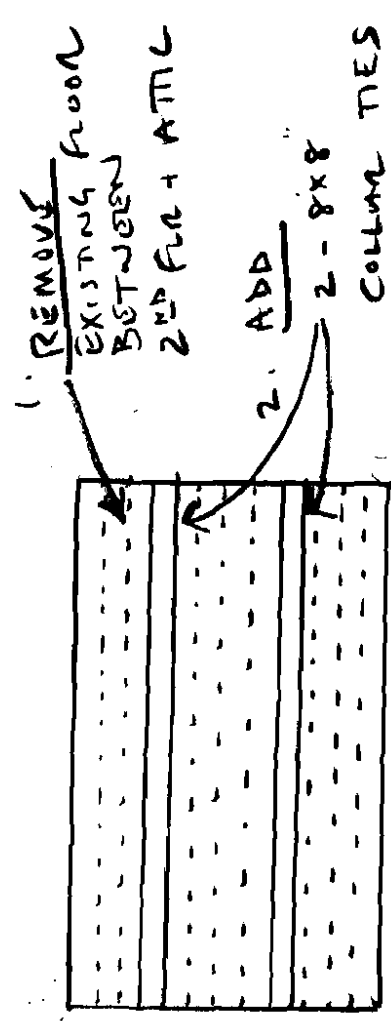
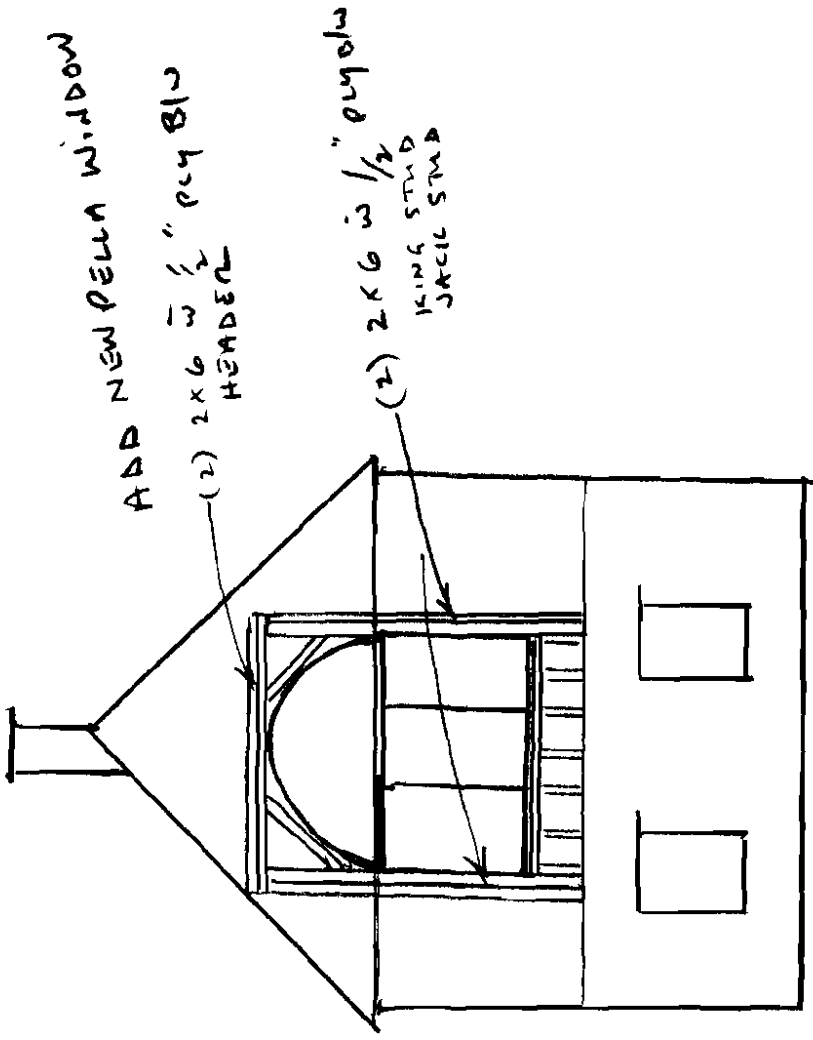
2x4 S.P.F. (1200)

2x4 S.P.F. (1200)



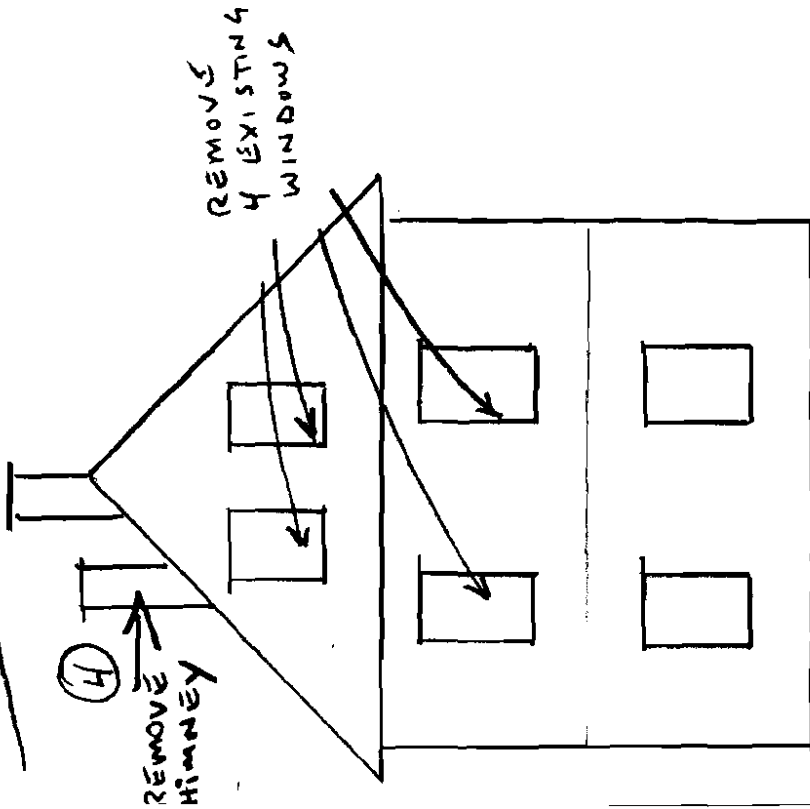
SCALE = $\frac{1}{8}$ " = 1 FT

NEW



②

EXISTING



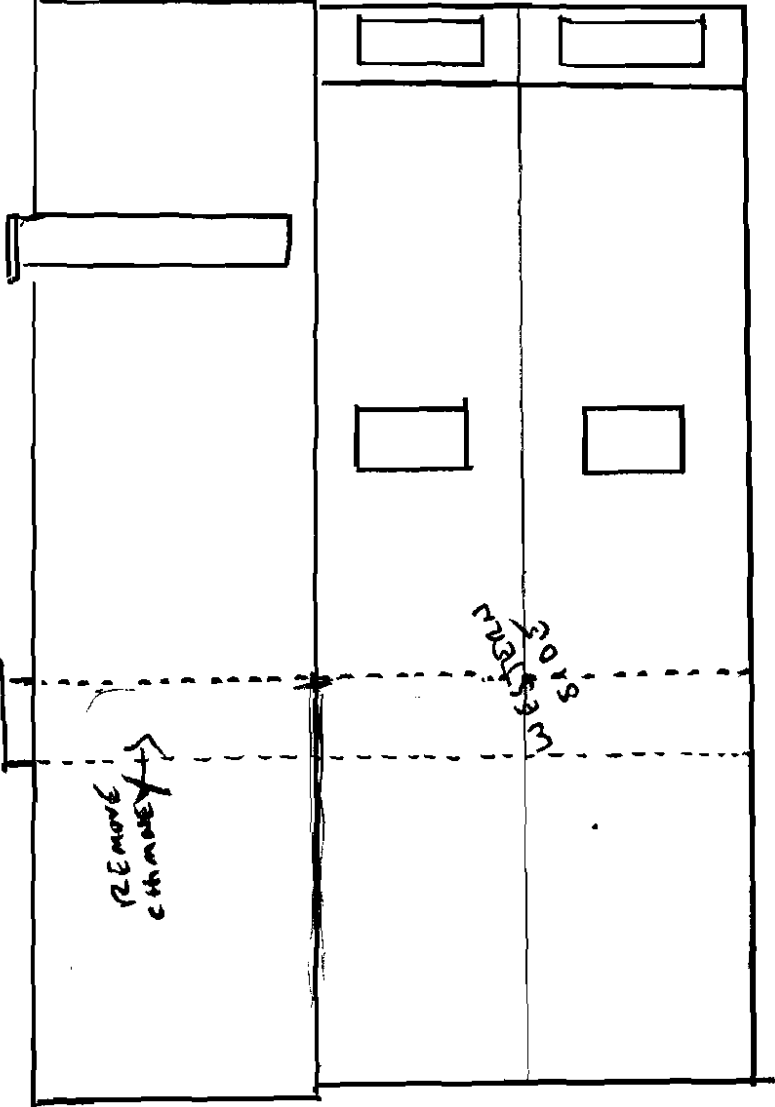
③

REAR VIEW

SCALE 1/8" = 1 FT

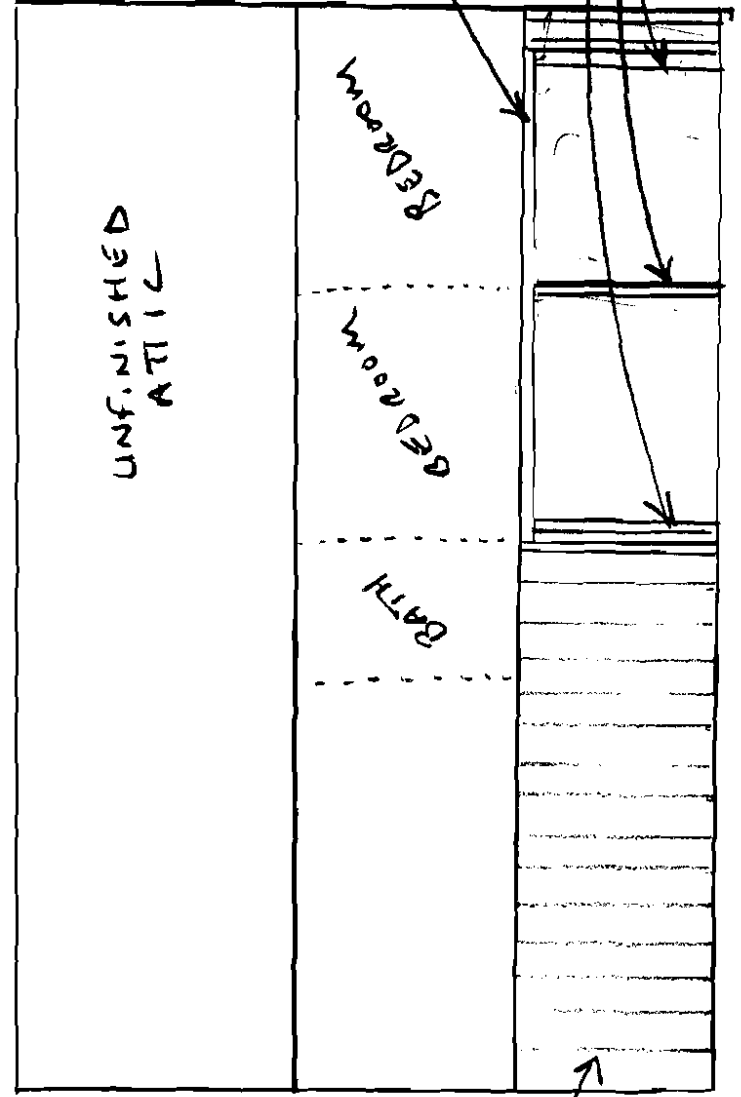
EXISTING

FRONT



BACK
EXTERIOR

NEW



INTERIOR

EXISTING
INTERIOR
2x4
FRAMING

NEW
(2) 2x6 @ 1/2" PLY BRW
HEADER

NEW
(2) 2x6 @ 1/2" PLY BRW

1

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark Adelson
Director



CITY OF PORTLAND
STOP WORK NOTICE

April 8, 2002

Dr. Mark Segerstrom
2001 Congress St
Portland, Maine 04102

RE: 25 Garrison St.
CBL: 213-B-2

Certified Mail Receipt: 7099 3400 0019 5716 4241

Dear Dr. Segerstrom:

An evaluation of the property at 25 Garrison St revealed that the property fails to comply with Section 14-449.3 and Section 14-523 of the Zoning Ordinance of the City of Portland.

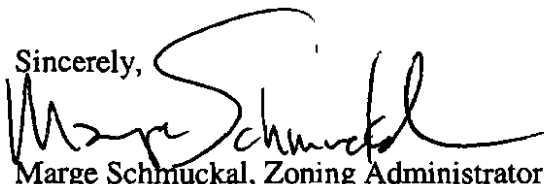
The above lot which is located in a Shoreland Zone has been cut and vegetation removed. This is in violation of the Shoreland Zoning Section of the City of Portland Zoning Ordinance.

This is a STOP WORK ORDER. All exterior work must stop immediately.

You must file a revegetation plan designed by a Forester, licensed by the State of Maine, within 30 days of the date of this notice. The plan must comply with Shoreland Zoning Standards and must be satisfactorily implemented and certified as compliant by said Forester within 90 days of the date of this notice. Any further application for a building permit for this property will not be accepted by the City until compliance is verified.

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. This constitutes an appealable decision pursuant to Section 14-472 of the Code. Please call me if you have any questions at 874-8695.

Sincerely,


Marge Schmuckal, Zoning Administrator

Arthur Rowe, Code Enforcement 

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark Adelson
Director



CITY OF PORTLAND
STOP WORK NOTICE

April 8, 2002

Dr. Mark Segerstrom
2001 Congress St
Portland, Maine 04102

RE: 25 Garrison St.
CBL: 213-B-2

Certified Mail Receipt: 7099 3400 0019 5716 4241

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Sincerely,


Marge Schmuckal, Zoning Administrator
Arthur Rowe, Code Enforcement



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

7099 3400 0019 5716 4241



Housing & Neighborhood Services
Mark Adelson
Director

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

CITY OF PORTLAND
STOP WORK NOTICE

Recipient's Name (Please Print Clearly) (to be completed by mailer)

Street, Apt. No., or PO Box No.

City, State, ZIP+4

Portland, Maine 04102

RE: 25 Garrison St.
CBL: 213-B-2

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Sincerely,

Marge Schmuckal
Marge Schmuckal, Zoning Administrator

Arthur Rowe
Arthur Rowe, Code Enforcement



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.
GOVERNOR

MARTHA KIRKPATRICK
COMMISSIONER

May 21, 2002

Mr. Jay Reynolds
Development Review Coordinator
389 Congress St, 4th Floor
Portland, ME 04101

Re: Segerstrom Property, 25 Garrison St.

- 213-B-2

Dear Jay,

The purpose of this letter is to summarize my findings from our visit to the above mentioned site on May 14, 2002, and the additional information you sent me earlier this week. While on site, I observed several cleared areas both within and outside of the 75' setback distance from the Stroudwater River required by the City of Portland's Zoning Ordinance. I will limit my findings to the clearing within the 75' setback as it pertains to the Shoreland Zone. Since the water in the Stroudwater was running high on the 14th, we estimated the 75' setback distance. Within that estimation I observed 5 trunks of trees approximately 5"-6" in diameter, which appeared to be freshly cut. I was not able to determine the species of trees that were removed. I also observed that ground cover and shrubs were removed farther down the embankment. A sparse hay mulch layer was spread over the disturbed ground, which should be augmented to prevent the erosion of soil material down the embankment. From the remaining species in this area, I assume that the species cleared were raspberry and Japanese knotweed. At the top of the bank, closer to the house, still within the 75' buffer a copse of dogwood was cut approximately 4" off the ground. Vigorous regrowth from the remaining stumps was evident. I have enclosed copies of my site photos for reference.

The cutting of the trees and the clearing of the shrubs within the 75' buffer violated the clearing for development provisions found in the City's Zoning Ordinance. In situations like this, the Department typically suggests that native vegetation be replanted with some sort of survivorship guarantee. Often during the consent agreement process, a replanting/mitigation plan is submitted for approval, and the violators guarantee that either the new plantings will survive or the plantings will be replaced. The Department also suggests a fine be associated with the consent agreement as well.

I have reviewed mitigation plan prepared by Gregory E. Foster of Timberstate G. Inc. that you have forwarded to me. I agree that the raspberries, knotweed, and dogwoods will re-establish themselves quickly. I also agree that the areas of bare soil should be covered with hay mulch, although what is present should be augmented. However, I'm neither certain that the 5 trees I mentioned earlier were dead as the re-vegetation plan

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-1507

TIMBERSTATE G. INC.

LICENSED PROFESSIONAL FORESTERS

Cliff Foster • Greg Foster • P.O. Box 157 • Gray, Maine 04039-0157
Office: (207)657-4441 • Fax: 657-4441 • Cliff: (207)657-4756 • Greg: (207)998-5237

Timber Sales
Timber Appraisals
Conflict Resolution
Management Plans
General Forestry Management
Third Party Scaling & Quality Control

MEMBER: SWOAM
Maine Tree Farm Program
Society of American Foresters
Maine Forest Products Council
Association of Consulting Foresters

Arthur Rowe, Inspections Officer
City of Portland
389 Congress Street
Portland, Maine 04101-3503

May 25, 2002

Inspections Officer Rowe:

I have inspected the shoreland zone site at 25 Garrison Street for compliance with the revegetation plan prepared by myself on April 19, 2002. As per the plan, the home owner, Mark Segerstrom, has covered all exposed soil with hay.

In addition, it has been noted that no evidence of erosion has occurred and that the roots of the Bamboo, Raspberries and shrubby perennials have sprouted new shoots and leaves. I anticipate complete vegetation recovery with no adverse impacts resulting from unstable soils.

The owner is in compliance with the revegetation plan.


Gregory E. Foster
Professional Forester # 595

**Re-vegetation plan for
Mark Segerstrom
for property at 25 Garrison Street
Portland, Maine
April 19, 2001**

Prepared by
Gregory E. Foster
Professional Forester # 595
Timberstate G. Inc.
P. O. Box 157
Gray, Maine 04039
657-4441

**Re-vegetation plan for
Mark Segerstrom
for property at 25 Garrison Street
Portland, Maine
April 19, 2001**

**Prepared by
Gregory E. Foster
Professional Forester # 595
Timberstate G. Inc.
P. O. Box 157
Gray, Maine 04039
657-4441**

I have viewed the site at 25 Garrison Street in Portland for the purpose of evaluating the removal of some of the vegetation near the Stroudwater River. The site is the location of an older home and includes property that abuts the Stroudwater River. The area in question is within 75 feet of the high water mark and subject to the laws of shoreland zoning.

Early this spring, the owner had vegetation removed to restore the site to a condition similar to that of the neighbors and to that which existed approximately 20 years ago, lawn. This activity has been deemed in violation of the Shoreland Zoning Ordinances, by Portland inspections officer Arthur Rowe, under the provisions of vegetation management for development (sec. P).

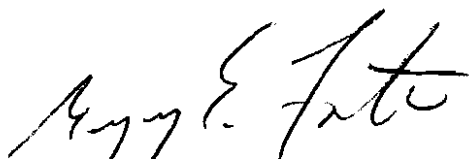
The vegetation removed includes Bamboo, Raspberries (annuals) and other perennial shrubby species. No living trees larger than 2 inches DBH appear to have been removed within 75 feet of the high water mark and thus such cutting of trees has not resulted in a violation under Timber Harvesting (sec. O) or Development (sec. P). The violation has occurred due to the removal of vegetation as regulated under Section P, paragraph c.*

This removal of vegetation has not resulted in disturbance of the soil, as no stumps were removed, and as it does not appear that machinery was driven over the ground. It is therefore my opinion that the threat of soil erosion is minimal to non existent. Although the tops of these plant were removed, the roots are fully in tact and also very much alive, providing for soil stability equal to its ability prior to the cutting of the vegetation.

Both the perennial and annual species removed will regenerate stems from the existing living root, that are likely to be more vigorous than they were prior to the cutting. When this happens, over the next few weeks, they will provide for equal or better above ground site protection than previously existed. In addition, they will essentially duplicate the vegetation condition that existed prior to the cutting.

In the interim, as a precaution, I recommend that hay be put on the site in the areas where little leaf cover currently exists (the owner has been advised to do this). This hay is simply meant to break up rain fall as it hits the ground, thus prevent "splash erosion" or the loosening of surface soil particles. It will also slow surface run off (if any occurs). One bail of hay should contain enough volume to cover those areas.

* Reference, State of Maine Guidelines for Municipal Shoreland Zoning Ordinances, pursuant to 38 M. R. S. A. Section 438-A(1).



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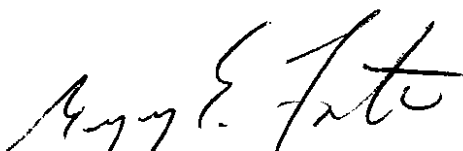
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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.
GOVERNOR

MARTHA KIRKPATRICK
COMMISSIONER

May 21, 2002

Mr. Jay Reynolds
Development Review Coordinator
389 Congress St, 4th Floor
Portland, ME 04101

Re: Segerstrom Property, 25 Garrison St.

Dear Jay,

The purpose of this letter is to summarize my findings from our visit to the above mentioned site on May 14, 2002, and the additional information you sent me earlier this week. While on site, I observed several cleared areas both within and outside of the 75' setback distance from the Stroudwater River required by the City of Portland's Zoning Ordinance. I will limit my findings to the clearing within the 75' setback as it pertains to the Shoreland Zone. Since the water in the Stroudwater was running high on the 14th, we estimated the 75' setback distance. Within that estimation I observed 5 trunks of trees approximately 5"-6" in diameter, which appeared to be freshly cut. I was not able to determine the species of trees that were removed. I also observed that ground cover and shrubs were removed farther down the embankment. A sparse hay mulch layer was spread over the disturbed ground, which should be augmented to prevent the erosion of soil material down the embankment. From the remaining species in this area, I assume that the species cleared were raspberry and Japanese knotweed. At the top of the bank, closer to the house, still within the 75' buffer a copse of dogwood was cut approximately 4" off the ground. Vigorous regrowth from the remaining stumps was evident. I have enclosed copies of my site photos for reference.

The cutting of the trees and the clearing of the shrubs within the 75' buffer violated the clearing for development provisions found in the City's Zoning Ordinance. In situations like this, the Department typically suggests that native vegetation be replanted with some sort of survivorship guarantee. Often during the consent agreement process, a replanting/mitigation plan is submitted for approval, and the violators guarantee that either the new plantings will survive or the plantings will be replaced. The Department also suggests a fine be associated with the consent agreement as well.

I have reviewed mitigation plan prepared by Gregory E. Foster of Timberstate G. Inc. that you have forwarded to me. I agree that the raspberries, knotweed, and dogwoods will re-establish themselves quickly. I also agree that the areas of bare soil should be covered with hay mulch, although what is present should be augmented. However, I'm neither certain that the 5 trees I mentioned earlier were dead as the re-vegetation plan

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

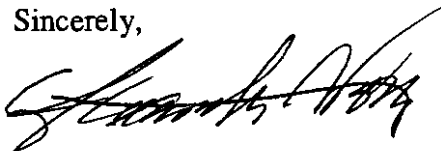
PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-1507

suggests, nor am I certain that those trees will regrow. To that end I suggest that a 1:1 replacement be required. Placement and species should be similar to those removed. The replacement trees should be at least 2" dbh.

Please keep me informed of your progress in this matter. If I can be of any further assistance, feel free to contact me.

Sincerely,

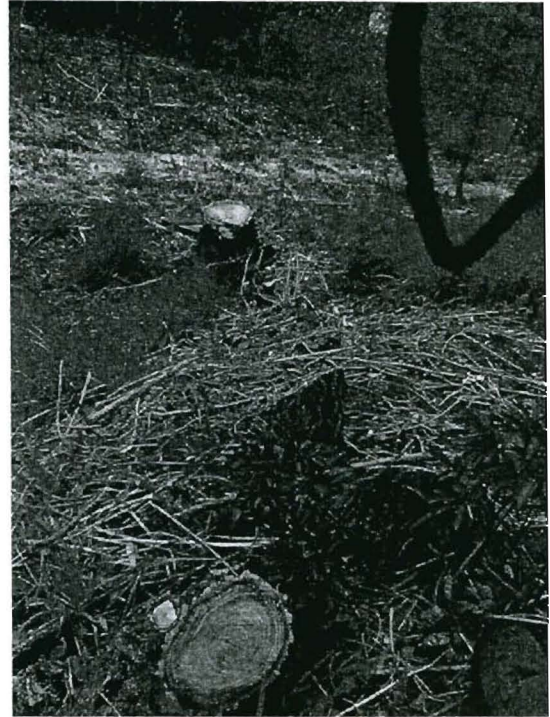


Alexander Wong
Assistant Shoreland Zoning Coordinator
Bureau of Land and Water Quality

cc: Marge Schmukal, Zoning Administrator
file



05/14/2002
View from lot, looking toward the water. Photo by AW 5/14/02



05/14/2002
4 stumps within 75' of NHWL, spp. unknown. Photo by AW 5/14/02



05/14/2002
Stump 1. Photo by AW 5/14/02



05/14/2002
3 of the 4 stumps. Photo by AW 5/14/02



05/14/2002
Stump 4. Photo by AW. 5/14/02



05/14/2002
Dogwoods cleared at top of bank, within 75' of NHWL. Photo by AW 5/14/02



05/14/2002
More dogwoods cleared at top of bank. Photo by AW 5/14/02



05/14/2002
View from bottom of slope. Dist. soil covered w/ thin layer of hay mulch
Knotweed coming up. Photo by AW 5/14/02



05/14/2002
Knotweed coming up. Photo by AW. 5/14/02



05/14/2002
Existing state of vegetation in lot. Beyond 75', but within 250'. Photo by AW 5/14/02



05/14/2002
Contrast in before and after cutting. Beyond 75', but within 250'. Photo by AW 5/14/02



05/14/2002
Another before/after view. Cut side (on right) appears to be Knotweed. Photo by AW 5/14/02