

PORTLAND, MAINE

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Planning and Urban Development Penny St. Louis Littell, Director

Planning DivisionAlexander Jaegerman, Director

September 4, 2008

Stroudwater Farm Associates, Mr. Peter Kennedy 91 Johnson Road Falmouth, ME 04105

RE: Fill Permit – Lot 27 Captains Landing, Rivers Edge Subdivision (ID # 2008-0119) (CBL#218 B 057001)

Dear Mr. Kennedy:

On September 4, 2008, the Portland Planning Authority granted approval for a fill permit based on the submitted revised site plan dated 8/26/08 for Lot 27 Captains Landing, Rivers Edge Subdivision.

The City's approval is granted subject to the following conditions:

- 1. Applicant shall establish boundary lines around the perimeter of the property prior to commencement of filling the area.
- 2. Erosion and Sedimentation control shall be established <u>prior</u> to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.
- 3. All guidelines listed in the Fill Permit Application shall be followed.
- 4. All fill areas must be stabilized for winter by October 31, 2008.
- 5. Embankments and sloped areas created by fill construction shall not exceed a 3:1 side slope or 33% grade.
- 6. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
- 7. The expiration date of this approval is October 31, 2008.
- 8. It is the applicant's responsibility to follow all conditions listed in the approved final subdivision plan signed October 1, 2001, and recorded in Book 210, Page 494.
- 9. All Site Work will conform to the City of Portland ordinance on Shoreland Regulations (Division 26).
- 10. The limits of work shall be clearly marked with flagging or temporary fencing. Absolutely no clearing or disturbance is to take place within, or encroach into the "do not disturb/no cut" zone.



DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF LAND AND WATER OUALITY

5/5/2010

CONTACT ID

8523

FIELD DETERMINATION FORM

CONTACT

JOE LUONG 7 LAUREL RIDGE ROAD

SCARBOROUGH

ME

04074

2073101133

PROPERTY OWNER

LUONG, JOE

RIVERS EDGE DRIVE

PORTLAND

ME

STAFF

MACLAINE, JOHN

RESOURCE FW

DIRECTIONS

Lot 27, River's Edge Subdivision, off outer Congess Street, Portland

RECEIVED

MAY 1 1 2010

City of Portland Planning Division

SITE TOWN PORTLAND

MAP

LOT

MEMO

On April 29, 2010 I inspected the property currently identified as Lot 29 of River's Edge Subdivision. The property is at the corner of Captain's Landing and Rivers Edge Drive. The subdivision has an NRPA (Natural Resources Protection Act) Tier permit associated with it (#L-T01158-TC-A-N & L-T01158-TA-B-N) for wetland impacts associated with the two phases of the project. In the plans approved by The City of Portland under Chapter 500, Stormwater designated capacity, a retaining wall is to be placed approximately 10 feet from the wetland edge in order to fill for the structures on the lot. Under NRPA, no permits will be required in order to move the location of the wall back, provided it does not result in additional, unpermitted wetland filling or the wall being placed in the wetland. If wetland fill is required beyond the approved amount, an additional Tier permit will be required by the Department. Wetland filling in subdivisions is cumulative, so the permitted impact will be the amount already permitted for the subdivision plus the amount proposed.

Erosion control devices must be installed and maintained on the project site during any soil disturbance activity.

NAME:

RECEIVED

4/15/2010

SITE VISIT

4/27/2010

COMPLETED

5/5/2010

MODE = MEMORY TRANSMISSION

START=MAY-07 10:51

END=MAY-07 10:56

FILE NO.=156

STN NO. COMM. ABBR NO.

STATION NAME/TEL NO.

PAGES DURATION

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-CITY OF PORTLAND

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City of Portland Department of Planning and Development Planning Division

389 Congress Street, 4th Floor Portland ME 04101 (207)874-8721 or (207)874-8719 Fax: (207)756-8258



FAX

To:	Joe Long	
Company:		
Fax#:	510-1133	
Date:	5/7/10	
From:	Phil DiPierro	
You should receiv	ve page(s) including this cover sheet.	

Comments:

Toe, following is the letter your requested explaining the process a Previous applicant had to follow in order to amend the approved Subdivision Plan.



Philip DiPierro - Kennedy Fill Permit

From:

Philip DiPierro

To:

smohr@mohrseredin.com

Date:

9/17/2008 12:16 PM

Subject: Kennedy Fill Permit

Hi Steve, in response to our telephone conversation earlier today, the expiration date for Fill Permit #2008-0119 for Peter Kennedy listed in Condition #7 is incorrect. This message is to confirm that Fill Permit #2008-0119 issued to Peter Kennedy on September 4, 2008 is valid until October 31, 2009.

Please contact me with any questions.

Thanks.

Philip DiPierro **Development Review Coordinator** City of Portland Planning Division 389 Congress Street Portland, Maine 04101

Phone 207 874-8632 Fax 207 756-8258

The approval is based on the submitted site plan. If you need to make any modifications to the site plan, you must submit a revised site plan for staff review and approval.

This letter serves as your Fill Permit. We look forward to working with you on future projects. If there are any questions, please contact the Development Review Coordinator, Philip DiPierro.

Sincerely,

Philip DiPierro

Development Review Coordinator

cc: For Electronic Distribution
Inspections Department
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
Philip DiPierro, Development Review Coordinator
Penny Littell, Corporation Counsel

Approval Letter File

City of Portland Department of Planning and Development Planning Division 389 Congress Street, 4th Floor Portland ME 04101 (207)874-8721 or (207)874-8719 Fax: (207)756-8258



FAX

To:	Tanya Seridan	
Company:	Mohr & Seridan	
Fax #:	871-1419	
Date:	9/16/08	
From:	Pul DiPierro	
You should rece	eive page(s) including this cover sheet.	
Comments:		
Follow	ing is the approval letter for	
	Kennody's Fill Site.	
Pleas	e contact me with any questions	
*	NS J	
/		

September 4, 2008

Stroudwater Farm Associates, Mr. Peter Kennedy 91 Johnson Road Falmouth, ME 04105

RE: Fill Permit – Lot 27 Captains Landing, Rivers Edge Subdivision (ID # 2008-074) (CBL#218 B 057001)

Dear Mr. Kennedy:

On September 4, 2008, the Portland Planning Authority granted approval for a fill permit at Lot 27 Captains Landing, Rivers Edge Subdivision.

The City's approval is granted subject to the following conditions:

- 1. Applicant shall establish boundary lines around the perimeter of the property prior to commencement of filling the area.
- 2. Erosion and Sedimentation control shall be established prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.
- 3. All guidelines listed in the Fill Permit Application shall be followed.
- 4. All fill areas must be stabilized for winter by October 31, 2008.
- 5. Embankments and sloped areas created by fill construction shall not exceed a 3:1 side slope or 33% grade.
- 6. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
- 7. The expiration date of this approval is October 31, 2008.
- 8. It is the applicant's responsibility to follow all conditions listed in the approved final subdivision plan signed October 1, 2001, and recorded in Book 210, Page 494.
- 9. All Site Work will conform to the City of Portland ordinance on Shoreland Regulations (Division 26).
- 10. The limits of work shall be clearly marked with flagging or temporary fencing. Absolutely no clearing or disturbance is to take place within, or encroach into the "do not disturb/no cut" zone.

The approval is based on the submitted site plan. If you need to make any modifications to the site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.

This letter serves as your Fill Permit. We look forward to working with you on future projects. If there are any questions, please contact the Development Review Coordinator, Philip DiPierro.

Sincerely,

Philip DiPierro Development Review Coordinator

ce: For Electronic Distribution
Inspections Department
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
Philip DiPierro, Development Review Coordinator
Penny Littell, Corporation Counsel
Approval Letter File



August 4, 2008

Mr. Phil DiPierro City of Portland – Development Review Coordinator Portland City Hall 389 Congress Street Portland ME 04101

RE: Stroudwater River's Edge – Fill Permit Lots 26 & 27

Applicant: Stroudwater Farm Associates (Peter D. Kennedy)

Dear Jeanie,

Attached please find nine (9) copies of the plans and supporting information for a Fill Permit Application for a 12,200 square foot area on Lots 26 & 27 of Stroudwater River's Edge Subdivision located off Congress Street. The owner/applicant proposes to construct a 3' to 4' high stone boulder retaining wall at the toe of the fill slope, and construct a fill embankment with related grading within the Shoreland Zone on Lots 26 & 27 in preparation for future sale and home construction on the sites.

A. Existing Conditions and Environmental Issues

The lots are located at the intersection of Captain's Landing and River's Edge Drive. The work area includes parcel is Lots 26 & 27 of the original Stroudwater Estates Subdivision, which was approved by the City of Portland in 2001. The site, currently zoned as R-3 (contract), is a partially developed existing residential subdivision. Site constraints on the lots include a freshwater wetland located over the rear portion of both lots, Shoreland Zoning and a FEMA flood zone. No areas of previous wetland fill are located on or proposed for the two aforementioned lots, and none of the proposed fill or work occur within the FEMA zone or the wetland.

B. Site Improvements

The proposed grading, fill and retaining wall construction is limited to approximately an area of 182' x 67' and will consist of the installation of 4" of loam in all disturbed areas per City requirements. The are will have an average 2:1 slope and will drain toward the river. Because of the size of this development (no additional impervious material), no stormwater treatment measures are proposed. Also, there are no new utilities (sanitary sewer, water, electrical service) work associated with this fill project.

Erosion control measures for the site include silt fencing and hay mulch. A Sedimentation Control Report is attached.

C. Development Issues - Costs and Schedule

The anticipated construction costs for the project shown on these plans is broken down as follows:

1)	Site preparation, clearing, earthwork, stone	\$	3,240
2)	Erosion Controls	\$	300
3)	Loam and Seed	<u>\$</u>	1,120
		\$	4660

The proposed schedule for project implementation is:

1)	Receive permits:	August	2008
2)	Site preparation / erosion controls:	August	2008
3)	Earthwork and Stabilize site	September	2008

Attachments:

- 1) Exhibit A: Assessor's Map 218
- 2) Exhibit B: Reduced Size Subdivision Plat
- 3) Exhibit C: Site Grading Sketch with details

The applicant seeks waivers from the Application submission requirements of a Standard Boundary Survey and Financial Capacity Letter, because of the minor size of the proposed development. Please review this Fill Permit Application submission and notify us of any questions or issues.

Sincerely,

Stephen B. Mohr, ASLA

cc: Stroudwater Farm Associates

· Lots 26\$27 · Rivers Edge subdivision

Fill 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.

CADTA	ains I	indina i F	ill Avea	= 12,200 SF
the state of the s	50岁	Sauare Footage	e of Lots	36,649 SF 27=19,535 SF
Tax Assessor's Chart, Block & Lot Chart# 218 Block# Lot# 51857	Owner: STROUT 91, JOH	WATER FAM	PM ASSOC	+1000
Lessee/Buyer's Name (If Applicable)	Applicant telephone	name, address &	50	00cy-less \$50.00 00cy-more \$100.00 ee: \$ 100.00

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 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 permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: PMMMelly Date: ANS 4 2008

This is not a permit. You may not commence ANY work until the permit is issued.

FILL PERMIT SUBMISSION

- Your submission must include 4 copies of the site plan on 11" x 17" paper or greater.
- A site plan shall include: The shape and dimension of the lot, area and limits of the proposed fill
 area; and the distance from the actual property lines. Any site plan not drawn to scale will not be
 accepted.
- The following items are guidelines to help applicant(s) prepare a site plan for approval of land areas being filled. It is the applicant's responsibility to locate and assess all impacts as a result of the proposed filling and to acquire all applicable permits outside of the City of Portland review. Site plans shall contain the information suggested in the following guidelines:
 - Fill elevations shall match and conform in height with the elevation of an existing road shoulder, an
 existing driveway or land abutting your property line. Embankments and sloped areas created by fill
 construction shall not exceed a 3:1 side slope or 33% grade. Areas steeper than 3:1 shall be stabilized
 using stone riprap, erosion control blankets, or an engineered retaining structure or system.
 - The filled area shall be graded such as to provide positive gravity drainage from a roadside, driveway, and buildings to a ditch line, culvert, wetlands, or a common drainage system located within or adjacent to the applicant's lot.
 - 3. Fill shall not be placed near, within, or block the flow path of an existing drainage course. Any filling or

alteration of a wetland, shoreland, or floodplain must be reviewed as a site plan application and may require additional permitting from the Maine Department of Environmental Protection.

A Site plan application includes, but is not limited to, the submission of a stamped boundary survey, a stamped professional engineered plan, stormwater management calculations, channel sizing, and associated details.

- 4. Siltation fence shall be installed and maintained at all times. The siltation fence shall be located along the entire downstream limits of the filled area or around the perimeter of the filled area to protect the disturbed area from siltation and possible erosion. Installation shall be initially reviewed by the Development Review Coordinator (DRC) prior to filling and must be in accordance with the Best Management Practices for Construction Erosion and Sediment Control. Silt fence may not be removed until the lawn area or disturbed area is 80% re-vegetated or is approved by the DRC.
- 5. The applicant shall disclose the amount, a description of type, and the origin of the proposed fill material. Fill material shall consist of non-contaminated soils free of large debris. Only under special exceptions shall sources of inert construction debris (asphalt, concrete, brick, mortar, ceramics, etc.) be utilized for fill. Special exceptions for fill material shall be reviewed by the Development Review Coordinator prior to actual placement for approval.
- 6. The fill material shall not remain exposed without a temporary erosion and sedimentation control or seeding application for more than 14 days. Temporary erosion control such as hay mulching must also occur on stock piled material if the time of exposure is to be greater than 14 days.
- 7. The filled area must be covered with 3-4" layer of loam material, free of clay, stone, roots, or wood debris. Loamed areas shall be seeded within 7 days following final grading or be covered with hay mulch until the area is ready for final seeding. If the area fails to grow grass within 14 days, the area shall be re-seeded.
- 8. The applicant shall complete all construction, grading, and seeding activities by September 1, or a date agreed to by the Development Review Coordinator. Failure to complete will require the applicant to apply for a permit extension.
- 9. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions. Also, a stamped boundary survey may be required depending on the location of fill areas.

Please take notice that these are only guidelines and that the review of each application is different and is dependent on field conditions and topography. Conditions or requirements requested may exceed these auidelines in certain circumstances.

ABSOLUTELY NO SITE WORK MAY BE DONE UNTIL THE PERMIT HAS BEEN ISSUED. THIS INCLUDES THE FOLLOWING:

BLASTING HAULING IN FILL TO THE SITE TREE CLEARING ANY TYPE OF GRADING OR EARTHWORK

FILL PERMITS ARE VALID FOR ONE (1) YEAR FROM THE APPROVAL DATE. A ONE YEAR EXTENSION MAY BE GRANTED BY THIS DEPARTMENT IF REQUESTED BY THE APPLICANT IN WRITING PRIOR TO THE EXPIRATION DATE OF THE FILL PERMIT.

No Planning Board meeting on August 26, 2008

September 9, 2008 - Tentative agenda: workshop: Rufus Deering Lumber, Ocean Avenue School, Sustainable Portland Report. Public Hearing: Chevurs School parking lot expansion, B-7 text amendment, and R-7 Incentives for Affodable Housing.

- **A. Preliminary Reviews** (Please share preliminary comments on new or revised plans distributed week before)
- 1. 56 Evergreen Drive (IMMUCELL)....jf
- B. Final Written Reviews Major Site Plans (Planning Board Review)
- 1. Walgreens Allen Ave- punchlist for 8.18 mtg.........jf
- 2. Rufus Deering- Zoning comments? Jeff Comments?....mc
- 3. Ocean Avenue School.....bn
- C. Final Written Review Minor Site Plans (Administrative Review)
- 1. 1600 Congress Street Jeff comments? Greg sign off?...bb
- 2. Burger King (132 Riveside St)- Jeff comments? Engineering comments?....mc
- D. Pressing Issues
- 1. Bayside Village Temporary Pedestrian Access along Marginal Way/Preble St.....Jim, are you ok with the temporary access?...rk/bb
- -2. Mercy benches etc.....jf
 - 3. Avenue Auto (landscaping condition of approval)...mc
 - E. Distribution of New Projects and Revised Plans
 - 1. 31 Forest St (duplex) revised plans......jf
 - 2. Florence House- rev plans to meet cond. of approval......jf
 - 3 53 Danforth ST Final plans ...bb

- Stamped Brownered plans for retaining wall
-Filter Fabriz
- Underdrain?
- Migration of undericals ground Ends



August 14, 2008

Mr. Phil DiPierro City of Portland – Development Review Coordinator Portland City Hall 389 Congress Street Portland ME 04101

RE: Stroudwater River's Edge – Fill Permit Lots 26 & 27

Applicant: Stroudwater Farm Associates (Peter D. Kennedy)

Dear Phil,

Attached please find nine (9) copies of the revised plans the Fill Permit Application. The following modifications have been made as you requested:

- 1. The Boulder Wall detail has been modified as follows:
 - a. The silt fence has been noted on the detail, with reference to the Silt Fence detail #1 that is located above the Boulder Wall detail.
 - b. The base stone for the Boulder Wall is shown to be a minimum of 18" below grade.
 - c. Filter fabric is noted to be placed behind the wall to minimize migration of materials through the wall.
 - d. No underdrain is shown as you suggested, however there is a 12" layer of crushed stone behind and under the wall, and there is a ½:1 batter noted for the face of the wall.
- 2. The drawing has been reviewed and stamped by a Maine Licensed Civil Engineer.

Thank you for you assistance with this matter.

Sincerely,

Stephen B. Mohr, ASLA

cc: Stroudwater Farm Associates



August 4, 2008

Mr. Phil DiPierro
City of Portland – Development Review Coordinator
Portland City Hall
389 Congress Street
Portland ME 04101

RE: Stroudwater River's Edge – Fill Permit Lots 26 & 27
Applicant: Stroudwater Farm Associates (Peter D. Kennedy)

Dear Jeanie,

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A. Existing Conditions and Environmental Issues

The lots are located at the intersection of Captain's Landing and River's Edge Drive. The work area includes parcel is Lots 26 & 27 of the original Stroudwater Estates Subdivision, which was approved by the City of Portland in 2001. The site, currently zoned as R-3 (contract), is a partially developed existing residential subdivision. Site constraints on the lots include a freshwater wetland located over the rear portion of both lots, Shoreland Zoning and a FEMA flood zone. No areas of previous wetland fill are located on or proposed for the two aforementioned lots, and none of the proposed fill or work occur within the FEMA zone or the wetland.

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Erosion control measures for the site include silt fencing and hay mulch. A Sedimentation Control Report is attached.

C. Development Issues - Costs and Schedule

The anticipated construction costs for the project shown on these plans is broken down as follows:

1)	Site preparation, clearing, earthwork, stone	\$ 3,240
2)	Erosion Controls	\$ 300
3)	Loam and Seed	\$ 1,120
		\$ 4660

The proposed schedule for project implementation is:

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Attachments:

- 1) Exhibit A: Assessor's Map 218
- 2) Exhibit B: Reduced Size Subdivision Plat
- 3) Exhibit C: Site Grading Sketch with details

The applicant seeks waivers from the Application submission requirements of a Standard Boundary Survey and Financial Capacity Letter, because of the minor size of the proposed development. Please review this Fill Permit Application submission and notify us of any questions or issues.

Sincerely,

Stephen B. Mohr, ASLA

cc: Stroudwater Farm Associates

Lots 26\$ 27 Rivers Edge subdivision



Fill 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 Fill Area: Capta	uns La	nding, Fill	Avea:	= 12,200 SF
Total Cubic Yardage of Proposed Fill 1350 1/2 Square Footage of Lot = 36,649 St Lot 26 = 17,114 St, Lot 27 = 19,535 St				
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 57	Owner: STROUD 91 JOHN	WATER FARMI ISON RDE 04	ASSOC.	Tolombono: (207)
		name, address &	500	Ocy-less \$50.00 Ocy-more \$100.00
N/A	see	above	fe.	e:\$ 100.00

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 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 permit for work described in this application is issued, i.certify that the Code Official's authorized representative shall have the outhority 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: Parallellum Date: AB 4 2008

This is not a permit. You may not commence ANY work until the permit is issued.

FILL PERMIT SUBMISSION

- Your submission must include 4 copies of the site plan on 11" x 17" paper or greater.
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