



Ann Machado <amachado@portlandmaine.gov>

Riverview

14 messages

James Wolf <jmw1@maine.rr.com>
To: Ann Machado <amachado@portlandmaine.gov>

Thu, Oct 27, 2016 at 10:44 AM

Good Morning. I have not reviewed.

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

207-773-4988

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From: Doug Reynolds [mailto:DReynolds@gorrillpalmer.com]
Sent: Thursday, October 27, 2016 10:21 AM
To: James Wolf
Subject: RE: reminder on overlay plan

[Here you go](#)

From: James Wolf [mailto:jmw1@maine.rr.com]
Sent: Wednesday, October 26, 2016 2:48 PM
To: Doug Reynolds <DReynolds@gorrillpalmer.com>
Subject: reminder on overlay plan

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

[207-773-4988](tel:207-773-4988)

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 **3085-pbase-2016OCT27.pdf**
738K

Ann Machado <amachado@portlandmaine.gov>
To: James Wolf <jmw1@maine.rr.com>

Thu, Oct 27, 2016 at 4:23 PM

Jim -

Following up on my phone call.

Thanks for the plan from Doug Reynolds. Besides just the rip rap area, there was more area that was disturbed beyond what was shown on the original site plan. I would like to have Doug locate the original line for disturbed area to show all the parts that were cleared beyond just the rip rap.

Once that is determined, you need to submit a replanting plan for all the area that was disturbed beyond the original line for disturbed area. The replanting plan should include the species that are being planted and the number of plants.

Let me know if you have any questions.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
[\(207\) 874-8709](tel:207-874-8709)

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James Wolf <jmw1@maine.rr.com>
To: Ann Machado <amachado@portlandmaine.gov>
Cc: Christina Stacey <cstacey@portlandmaine.gov>

Wed, Nov 2, 2016 at 9:08 AM

Would it be possible to meet someone at the site to determine what to plant and than put it on a plan? I need to look at Dougs plan to see what else increased as on the face of the earth it appears to be according to plan and the house sits exactly where it was shown for the permit.

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

[207-773-4988](tel:207-773-4988)

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From: Ann Machado [mailto:amachado@portlandmaine.gov]
Sent: Thursday, October 27, 2016 4:23 PM
To: James Wolf
Subject: Re: Riverview

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Ann Machado <amachado@portlandmaine.gov>
To: James Wolf <jmw1@maine.rr.com>
Cc: Christina Stacey <cstacey@portlandmaine.gov>

Fri, Nov 4, 2016 at 8:49 AM

Jim-

Chris will try to reach out to you today to give you suggestions about what to plant. She is leaving at noon so she might not be able to get back to you until Monday. It might make sense to reach out to a landscaper to help you with this.

As far as the area that you need to replant beyond just the rip rap, have Doug Reynolds overlay the original line of disturbance with the actual line of what was disturbed.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709

[Quoted text hidden]

James Wolf <jmw1@maine.rr.com>
To: Ann Machado <amachado@portlandmaine.gov>
Cc: Christina Stacey <cstacey@portlandmaine.gov>

Fri, Nov 4, 2016 at 1:15 PM

Doug will get you a plan. My understanding is the rip rap is the only change from the original plan. I was hoping to meet Chris at the site and determine how many plantings are needed and then I can check on availability of those on the list she sent me.

James Wolf
Diversified Properties, Inc
PO Box 10127

Portland, Maine 04104

207-773-4988

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From: Ann Machado [mailto:amachado@portlandmaine.gov]
Sent: Friday, November 04, 2016 8:49 AM
To: James Wolf
Cc: Christina Stacey
Subject: Re: Riverview

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James Wolf <jmw1@maine.rr.com>
To: Ann Machado <amachado@portlandmaine.gov>
Cc: Christina Stacey <cstacey@portlandmaine.gov>

Thu, May 18, 2017 at 11:37 AM

Hello

Now that we have weather that does not include rain and snow we are focusing on this issue. Can you please forward again what plants are allowable. We will recalculate the disturbed area on lot 2 to determine the actual impact. Does anyone know off hand what amount of area can be disturbed without replanting. Thank you

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

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From: James Wolf [mailto:jmw1@maine.rr.com]
Sent: Wednesday, November 02, 2016 9:09 AM
To: 'Ann Machado'
Cc: 'Christina Stacey'
Subject: RE: Riverview

Would it be possible to meet someone at the site to determine what to plant and than put it on a plan? I need to look at Dougs plan to see what else increased as on the face of the earth it appears to be according to plan and the house sits exactly where it was shown for the permit.

James Wolf

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Portland, Maine 04104

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From: Ann Machado [mailto:amachado@portlandmaine.gov]
Sent: Thursday, October 27, 2016 4:23 PM
To: James Wolf
Subject: Re: Riverview

Jim -

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Christina Stacey <cstacey@portlandmaine.gov>
To: James Wolf <jmw1@maine.rr.com>
Cc: Ann Machado <amachado@portlandmaine.gov>

Thu, May 18, 2017 at 12:35 PM

Jim,

Below please find the links to the DEP/PWD native plant suggestions. You are not limited to just these lists, although they do give a lot of options. As I mentioned previously, you can also talk to a local nursery about other native options that might work at your site.

Sun - Dry
Sun - Wet

Part Sun - Dry
Part Sun - Wet

Shade - Dry
Shade - Wet

Be sure to provide us with a planting plan for approval before you start work on the site.

I am not sure what you meant when you asked "Does anyone know off hand what amount of area can be disturbed without replanting." Are you asking about the shoreland zone clearing limitations?

Chris

[Quoted text hidden]

--

Chris Stacey - Zoning Specialist
Permitting & Inspections Department
City of Portland
389 Congress St.
Portland, ME 04101
(207) 874-8695
cstacey@portlandmaine.gov

James Wolf <jmw1@maine.rr.com>
To: Christina Stacey <cstacey@portlandmaine.gov>
Cc: Ann Machado <amachado@portlandmaine.gov>

Thu, May 18, 2017 at 1:00 PM

Thank you. Yes, I was asking about the shoreland area. I want to understand how much are actually needs to be planted. The owner has not realized the weather just went from snow and rain to sun ye4sterday.and is being a bit of a pain

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

[207-773-4988](tel:207-773-4988)

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From: Christina Stacey [<mailto:cstacey@portlandmaine.gov>]
Sent: Thursday, May 18, 2017 12:36 PM
To: James Wolf
Cc: Ann Machado
Subject: Re: Riverview

[Quoted text hidden]

Christina Stacey <cstacey@portlandmaine.gov>
To: James Wolf <jmw1@maine.rr.com>, Ann Machado <amachado@portlandmaine.gov>

Tue, May 23, 2017 at 11:51 AM

Hi Jim,

First, the shoreland zone clearing standards can be found in Sec 14-449(c), which I've attached. Please review so that you understand the details. There are different standards within 75' of the upland edge of the wetland vs. between 75' and 250' from the wetland. Within 75' there is not supposed to be any cleared opening greater than 250 square feet in

size, and concurrently a "well-distributed" stand of vegetation should be maintained, using a point system. There is also a limitation that no more than 25% of the total lot area located within shoreland zone (i.e., all land within 250' of the wetland) may be cleared.

You never submitted a plan that shows the exact area of the lot that has been cleared, so it is difficult to provide any firmer guidance. You submitted one that shows the rip-rap extent, but it appears that there was clearing beyond the rip-rap. We need a plan that shows exactly what is currently cleared. Ann requested this from you back in October and it does not appear that you ever submitted it.

As far as the re-planting plan, we do not want you to plant all one species. Sweet fern is a fairly low-growing plant (usually 2' tall or less). We want you to plant a mix of shrubs and trees so that there is a diverse and natural buffer to replace what was removed.

Spacing of 4' to 6' is generally recommended based on the full spread of the grown plants and to ensure adequate coverage. You should probably start your plantings within a couple feet of the cleared edge (wherever the "unapproved" edge of clearing starts), to account for the fact that only half of the plant's circumference will cover that direction.

We will be preparing a notice of violation on this and sending it to you soon.

Sincerely,
Chris

On Mon, May 22, 2017 at 11:34 AM, James Wolf <jmw1@maine.rr.com> wrote:

Good Morning

I went to Allen Sterling over the weekend. They recommended either the sweet fern or the fragrant sumac. Both are good in dry soil. They do not stock these plants, thus we would like to use one or the other.

Once we agree on which one I can send you over a spacing plan. We plan to start from the existing vegetation and measure six feet in and start plantings at those locations. Please advise if either plant and our spacing works. Thank you.

Jim

[Quoted text hidden]

[Quoted text hidden]



Sec 14-449(c) Clearing Standards.pdf

112K

James Wolf <jmw1@maine.rr.com>

Tue, May 23, 2017 at 12:11 PM

To: Christina Stacey <cstacey@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>

Lets get together after the holiday weekend and get this resolved. My understanding was the only clearing of scrub brush was in the area that they used rip rap. We did not remove any trees from that area. The plan submitted shows they entire area cleared was 1000 feet more than approved, however, that includes what was completed on the abutting lot.

Thank you for the advise on where to start the plantings.

Look forward to getting together.

Jim

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

207-773-4988

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From: Christina Stacey [mailto:cstacey@portlandmaine.gov]
Sent: Tuesday, May 23, 2017 11:51 AM
To: James Wolf; Ann Machado
Subject: Re: Riverview

Hi Jim,

[Quoted text hidden]

[Quoted text hidden]

James Wolf <jmw1@maine.rr.com>

Wed, Jun 14, 2017 at 10:45 AM

To: Christina Stacey <cstacey@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>

Following up as I know you are all busy. To the best of my knowledge the only area we cleared was rip rapped. Looking forward to having this resolved.

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

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From: James Wolf [mailto:jmw1@maine.rr.com]
Sent: Tuesday, May 23, 2017 12:12 PM
To: 'Christina Stacey'; 'Ann Machado'
Subject: RE: Riverview

Lets get together after the holiday weekend and get this resolved. My understanding was the only clearing of scrub brush was in the area that they used rip rap. We did not remove any trees from that area. The plan submitted shows they entire area cleared was 1000 feet more than approved, however, that includes what was completed on the abutting lot.

Thank you for the advise on where to start the plantings.

Look forward to getting together.

Jim

James Wolf

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Portland, Maine 04104

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From: Christina Stacey [mailto:cstacey@portlandmaine.gov]

Sent: Tuesday, May 23, 2017 11:51 AM

To: James Wolf; Ann Machado

Subject: Re: Riverview

Hi Jim,

[Quoted text hidden]

[Quoted text hidden]

Ann Machado <amachado@portlandmaine.gov>

To: James Wolf <jmw1@maine.rr.com>

Wed, Jun 21, 2017 at 10:31 AM

Jim -

I am working with our Corporation Counsel on the Notice of Violation. Hopefully it will be completed by the end of the week. Once you have received it, you can schedule a meeting to discuss any questions that you have.

Ann

Ann Machado

Zoning Administrator

Permitting and Inspections Department

City of Portland, Maine
(207) 874-8709

[Quoted text hidden]

James Wolf <jmw1@maine.rr.com>
To: Ann Machado <amachado@portlandmaine.gov>

Wed, Jun 21, 2017 at 10:33 AM

I am confused, we are trying to get this done. Why send the letter?

James Wolf

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PO Box 10127

Portland, Maine 04104

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From: Ann Machado [mailto:amachado@portlandmaine.gov]
Sent: Wednesday, June 21, 2017 10:32 AM
To: James Wolf
Subject: Re: Riverview

[Quoted text hidden]

James Wolf <jmw1@maine.rr.com>
To: Christina Stacey <cstacey@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>
Cc: dreynolds@gorrillpalmer.com

Wed, Jun 21, 2017 at 11:57 AM

Hi Christina

I am going to take a shot at resolving this without the benefit of a meeting.

Thank you for sending me the code. It has been very helpful, although the section is confusing to say the least.

The property in question is not within the 75 foot setback from the highest annual tide. In addition, there was no forest canopy that was cleared.

I have attached for your reference a copy of the survey prior to the house construction. Please note the survey shows a flat vacant lawn/garden area where the house now sits. Furthermore, when this issue began Diversified owned the

parcel abutting lot in question. No disturbance took place on that property except on the area shown on the GP plan riprapped. That parcel of property does have a canopy cover.

Because the code is confusing I do not understand what the violation is besides deviating from the permit plan when disturbing what is now rip rapped.

Please guide me on how to get whatever the issue is resolved.

Thank you

Jim

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

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From: Christina Stacey [mailto:cstacey@portlandmaine.gov]

Sent: Tuesday, May 23, 2017 11:51 AM

To: James Wolf; Ann Machado

Subject: Re: Riverview

Hi Jim,

[Quoted text hidden]

[Quoted text hidden]

 **survey final for donation.pdf**
214K