

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.

APL – all documents behind this target sheet pertain to the original application submitted by the Applicant.

REVIEW – all documents behind this target sheet pertain to those documents submitted to and from staff as part of the project review.

PBM1 – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR1 - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

CC1 - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

DRC1 - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

MISC1 - all documents behind this target sheet are those that may not be included in any of the categories above.

APL



June 8, 2006

P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

Jay Reynolds
DEPARTMENT OF PLANNING & DEVELOPMENT
Portland City Hall
389 Congress Street
Portland, ME 04101

Subject: Minor Site Plan "Amended" Application...*Filling Land @ 1700 Westbrook Street*

Jay:


The purpose of this application is to obtain an *Amended* "fill permit" for the referenced property. We have obtained permission from the owners, ONEX Company, to deposit on their property, additional quantities of inert fill obtained from the excavations associated with the City of Portland's Stroudwater Road & Roundabout Lane Sewer Separation Project, in an amount equal to 6,000 cubic yards.

Our submittal packet includes six (6) sets of the following:

- A copy of the Agreement between the owners and A.H. Grover to deposit additional fill
- Check in the amount of \$400 for "Minor Site Plan Review"; \$200 Service Deposit
- A copy of the Minor Site Plan Application
- 11" x 17" plans (*which includes the site plan, topo, etc.*)
- A 24" x 36" copy of the Boundary Survey
- An 11"x17" copy of the Boundary Survey
- An Erosion and Sediment Control Narrative

Please review the materials contained within our application and contact our office with any questions. If you require additional information, please contact our office as soon as possible. The e-mail address to contact is tonylombardo@maine.rr.com.

Sincerely,



Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President

APL



City of Portland Site Plan Application

If you or the property owner owes real estate taxes, personal property taxes or user charges on any property within the City, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 1700 WESTBROOK STREET Zone: R-1		
Total Square Footage of Proposed Structure: N/A - FILL SITE	Square Footage of Lot: 589,576 sq. ft.	
Tax Assessor's Chart, Block & Lot: Chart# 246 Block# A Lot# 496	Property owner's mailing address: ONEX CO. 440 FOREST AVE. PORTLAND, ME 04101	Telephone #: 775-5600
Consultant/Agent, mailing address, phone # & contact person: PHONE: 829-3373 A.H. GROVE, INC. CONTACT: P.O. Box 307 ANTHONY LOMBARDI CUMBERLAND, ME 04021	Applicant's name, mailing address, telephone #/Fax#/Pager#: A.H. GROVE, INC. PH: 829-3373 P.O. Box 307 FAX: 829-5502 CUMBERLAND, ME 04021	Project name: 1700 WESTBROOK ST. FILL SITE "AMENDED"

Fee For Service Deposit (all applications) (\$200.00)

Proposed Development (check all that apply)
 New Building Building Addition Change of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking lot
 Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$_____ + major site plan fee if applicable
 Site Location of Development (\$3,000.00)
 (except for residential projects which shall be \$200.00 per lot _____)
 Traffic Movement (\$1,000.00) Storm water Quality (\$250.00)
 Section 14-403 Review (\$400.00 + \$25.00 per lot)
 Other _____

Major Development (more than 10,000 sq. ft.)
 Under 50,000 sq. ft. (\$500.00)
 50,000 - 100,000 sq. ft. (\$1,000.00)
 Parking Lots over 100 spaces (\$1,000.00)
 100,000 - 200,000 sq. ft. (\$2,000.00)
 200,000 - 300,000 sq. ft. (\$3,000.00)
 Over 300,000 sq. ft. (\$5,000.00)
 After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review
 Less than 10,000 sq. ft. (\$400.00)
 After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments
 Planning Staff Review (\$250.00)
 Planning Board Review (\$500.00)

~ Please see next page ~

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

- SAME AS APPLICANT -

Submittals shall include (9) separate **folded** packets of the following:

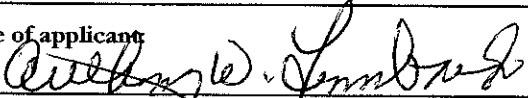
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans checklist
- d. 1 set of 11 x 17 plans

Amendment to Plans: **Amendment applications should include 6 separate packets of the above (a, b, & c)**

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: portlandmaine.gov

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 	Date: 6-6-06
---	-----------------

This application is for site review ONLY; a building Permit application and associated fees will be required prior to construction.



June 22, 2006

P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

Jay Reynolds
DEPARTMENT OF PLANNING & DEVELOPMENT
Portland City Hall
389 Congress Street
Portland, ME 04101

Subject: Minor Site Plan "Amended" Application...*Filling Land @ 1700 Westbrook Street*

Jay:

This letter responds to your June 19, 2006 e-mail review comments. I have itemized responses according to each of your six (6) comments as follows:

Review Comment #1

- The additional fill area falls within the floodplain zone (Zone A). The floodplain limit that is shown on the survey should be transferred to the site plan.

A.H. Grover Response:

- *The floodplain limit has been added to the "revised" site plan.*

Review Comment #2

- It appears this zone follows the 67' to 69' contours (+/-). It is recommended that the limits of work be scaled back to avoid soil disturbances in this area.

A.H. Grover Response:

- *The proposed fill limits have be revised such that filling will not occur within the floodplain zone.*

Review Comment #3

- Erosion control narrative sounds good, please show these measures on the site plan.

A.H. Grover Response:

- *The site plan has been revised to include the referencing of some of the temporary erosion control measures. In addition, a note has been added to the plan that refers to the submitted and detailed erosion control narrative.*

Review Comment #4

- Please add a construction fence or silt fence along the side boundary line to ensure that there is no encroaching onto the neighboring property.

A.H. Grover Response:

- *There is an existing wire fence that runs the entire length of the boundary line. The submitted boundary plan and the site plan identify this fence line as the actual boundary line between both properties. As such, our filling activities will remain approximately five (5) feet away from this fence line to ensure no encroachment or damage to the existing fencing..*

Review Comment #5

- Are there any piped outlets from the existing leach field ? Filling over a daylighting pipe would be detrimental.

A.H. Grover Response:

- *As you will note from the plan, our filling activities are adjacent to the leach field, but not directly downstream so that blockage of any outlet pipe will not occur.*

Review Comment #6

- Proposal now triggers the Maine General Construction Permit (>1 acre). Please forward a copy of your permit, once obtained from the DEP.

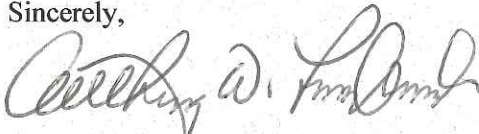
A.H. Grover Response:

- *The "Notice of Intent to Comply with Maine Construction General Permit" has been submitted and received at Maine DEP as of June 21, 2006. These permits are similar to the "Permit-By-Rule", where the permit becomes valid by receipt of an approval letter or the expiration of a fourteen (14) day review period, whichever is less. If we don't receive an approval letter during the interim, our permit becomes valid at 4:27 p.m. on July 5, 2006. Attached you will find a copy of our permit application with the DEP "received" stamp on the back.*

I believe this addresses the comments profiled in your e-mail. Enclosed, as requested, are four (4) copies of the revised site plan and DEP application.

Please review the materials contained within this submittal and contact our office with any questions. If you require additional information, please contact our office as soon as possible. The e-mail address to contact is tonylombardo@maine.rr.com.

Sincerely,



Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President

TEMPORARY EROSION AND SEDIMENT CONTROL PLAN

DESCRIPTION

A.H. Grover, Inc. has prepared the following erosion and sedimentation control plan for implementation on the 1700 Westbrook Street Fill Site. We intend to strictly adhere to the requirements specified and Maine DEP's Best Management Practices for Erosion and Sediment Control (Latest Edition), and all other Federal, State and Local laws, regulations and permits concerning environmental protection and pollution control during the course of this project.

The project is located in Portland, on the property of 1700 Westbrook Street.

Anticipated work Schedule (*pending approval*): Start Work: June 26, 2006
Complete: December 31, 2006

a.) The on-site person responsible for the Plan is Ben Grover, Project Superintendent. The project superintendent will also be responsible for monitoring and maintaining the erosion sediment control measures once they are implemented. If site conditions change or are different than anticipated, we are prepared to add or to revise erosion control measures as necessary during the course of the work.

Emergency Phone #s:

Office	(207) 829-3373	
Cell	(207) 233-6463	Ben Grover
Cell	(207) 650-9617	Tony Lombardo, Project Manager

b.) Slopes: Final stabilization of slopes that appear to be subject to erosion, will be permanently stabilized with erosion control blanket placed on top of a 4 inch layer of loam and seed mix. Permanent grading of slopes will be at a ratio of no greater than 3 feet horizontal to 1 foot vertical.

c.) Weather reports will be consulted on a daily basis, including over the weekends. In the event a rain storm is predicted, the project superintendent will evaluate all erosion and sediment controls and use any necessary materials and work force to effect necessary changes prior to the storm. Appropriate quantities of hay bales silt fence materials and bark mulch will be on site for emergency use. Any newly disturbed areas will be temporarily stabilized in preparation for the storm. Existing BMP's will be inspected in preparation for the storm. During and after the storm, all erosion and sediment controls will be inspected and temporary repairs will be made within 24 hours (see section o). Over the weekend, the project superintendent will be on call and will do the same as above for any storm occurring over the weekend.

d.) Temporary Erosion and Sedimentation Control Measures: A combination of silt fence, hay bales and bark mulch berms will be installed at the toe of the slopes within the entire project limits. These measures will be inspected and maintained on a daily basis. A stabilized construction entrance, constructed as part of the 5-15-06 fill permit, will be maintained and inspected on a daily basis. Temporary measures at the toe of slope will remain in place until the slopes have reached 90% establishment of grass growth.

e.) Permanent seeding and mulching to be done at completion of earthwork and one week from final disturbance

f.) Removal of Sediment: Sediment will be collected and spread back onto the slope. Sediment that has collected against the silt fence will be cleaned when it has attained a height of 4 inches. Controls will be checked for sediment on a weekly basis. If the timing is such that a good growth cannot be attained before winter, then the silt will not be spread on site but will be hauled to an approved disposal area. Excavated silt will not be stockpiled on site.

h.) Inspection and Maintenance: These measures will be inspected after any storm event, and in particular, after each storm event. A written log shall be kept including daily weather and inspection notes for the erosion and sediment control measures. Any deficiencies observed by A.H. Grover, Inc.'s employees will be promptly reported to the project manager and noted in the log. Deficiencies will be reported if there is any visible sheet, rill or gully erosion, discoloration of water by suspended particles, areas of sediment accumulation, slumping of banks, or depositions of soil. Deficiencies will be corrected within 24 hours and corrective measures noted in the log. Temporary erosion and sediment control measures will be maintained in accordance with MDEP BMP's for Erosion and Sedimentation Control (*latest edition*).

i.) Winter Stabilization: In the event that the approved quantity of fill has not been deposited on this fill site before winter arrives, the down slope bark mulch berm, hay bales and silt fence will be maintained and kept in place.

j.) Permanent Measures: The temporary erosion and sediment control measures will be removed after permanent grass growth is established and permanent erosion control measures are functioning. The contractor will contact the City for an inspection. Any disturbance of soil caused by the removal of silt fence will be mulched and seeded. The entire disturbed area will receive 4 inches of loam and be seeded and mulched. The haul road will remain in place at the request of the owner, however all exposed adjacent areas will be loamed and permanently mulched and seeded.



June 8, 2006

P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

Jay Reynolds
DEPARTMENT OF PLANNING & DEVELOPMENT
Portland City Hall
389 Congress Street
Portland, ME 04101

Subject: Minor Site Plan "Amended" Application....Filling Land @ 1700 Westbrook Street

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Please review the materials contained within our application and contact our office with any questions. If you require additional information, please contact our office as soon as possible. The e-mail address to contact is tonylombardo@maine.rr.com.

Sincerely,

Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President

EXHIBIT B

NOTICE OF INTENT TO COMPLY WITH MAINE CONSTRUCTION GENERAL PERMIT

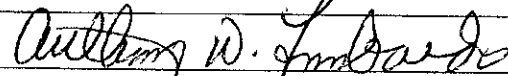
PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant (Owner):		A.H. GARDER, INC.		Applicant Mailing Address:		P.O. Box 307	
Town/City:		COMBERLAND		State:		ME	
Daytime phone: (with area code)		207 829-3373		Email if available:		tonylombardo@maine.rr.com	
Project Location: (Town/City):		1700 WESTBROOK ST. PORTLAND, ME		UTM Northing: (if known)		UTM Easting: (if known)	
Map #:		246		Lot #:		A-4 & 6	
Creating a common plan of development or sale?		Yes No <input checked="" type="checkbox"/>		Part of a larger project?		Yes No <input checked="" type="checkbox"/>	
Name of waterbody(ies) to which the disturbed area drains, or name municipality if drains to an MS4:				STROUDWATER RIVER			
Does site drain to an Impaired Waterbody (C)? If so, give name:				NO			
Detailed directions to site, including address if available:				Site is located to the rear of 1700 Westbrook Street in Portland.			
Description of project and its purpose:							
We have secured the rights to use the referenced land (as depicted on attached site plan) as a fill site for inert fill material excavated from some City of Portland construction projects.							

I am filing notice of my intent to carry out work which meets the requirements of the Construction General Permit (effective 3/10/03). I have a copy of the Construction General Permit. I have read and will comply with all of the standards. I have attached all the required submittals. *Notification forms cannot be accepted without the necessary attachments.*

- ALL: A check for \$100 (non-refundable) made payable to: "Treasurer, State of Maine" if ESC plan is attached for review. Otherwise, check for \$75.
- ALL: A U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- ALL: Drawing of the proposed activity (site plan)
- IF this form is not being signed by the landowner or lessee of the property, attach documentation showing authorization to sign.
- IF disturbed area drains to an Impaired Waterbody (C), attach an ESC plan.
- IF disturbed area drains to any other waterbody and is 3 or more acres, EITHER (1) attach an ESC plan OR (2) include a statement (letter) that an ESC plan has been certified and by whom, from the person who certified the plan.
- IF any construction activity will occur in essential habitat, attach written approval from the Dept. of Inland Fisheries & Wildlife.

I authorize staff of the Departments of Environmental Protection to access the project site for the purpose of determining compliance with the general permit. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

Signature of Applicant:		Date:	6/21/06
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Keep the bottom copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection at the appropriate regional office. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. An approved NOI is valid until 7/1/06. **Work carried out in violation of any standard is subject to enforcement action.**

OFFICE USE ONLY		CK.#			Staff		Staff		
NOI #		FP	Date		Acc. Date		Def. Date		After Photos

RECEIVED DEP - SMRC

2006 JUN 21 PM 4: 27

EXHIBIT B

NOTICE OF INTENT TO COMPLY WITH MAINE CONSTRUCTION GENERAL PERMIT

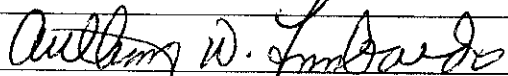
PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant (Owner):		A.H. GARDER, INC.		Applicant Mailing Address:		P.O. Box 307	
Town/City:		CUMBERLAND		State:		ME	
Daytime phone: (with area code)		207 829-3373		Email if available:		+tonylombardo@maine.rr.com	
Project Location: (Town/City):		1700 WESTBROOK ST. PORTLAND, ME		UTM Northing: (if known)		UTM Easting: (if known)	
Map #:		246		Lot #:		A-4 & 6	
Creating a common plan of development or sale?		Yes		No <input checked="" type="checkbox"/>		Part of a larger project?	
						Yes	
						No <input checked="" type="checkbox"/>	
Name of waterbody(ies) to which the disturbed area drains, or name municipality if drains to an MS4:				STROUDWATER RIVER			
Does site drain to an Impaired Waterbody (C)? If so, give name:				NO			
Detailed directions to site, including address if available:				Site is located to the rear of 1700 Westbrook Street in Portland.			
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- ALL: A check for \$100 (non-refundable) made payable to: "Treasurer, State of Maine" if ESC plan is attached for review. Otherwise, check for \$75.
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- ALL: Drawing of the proposed activity (site plan)
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- IF disturbed area drains to any other waterbody and is 3 or more acres, EITHER (1) attach an ESC plan OR (2) include a statement (letter) that an ESC plan has been certified and by whom, from the person who certified the plan.
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Signature of Applicant:		Date:	6/21/06
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OFFICE USE ONLY		Ck.#			Staff		Staff		
NOI #		FP		Date	Acc. Date		Def. Date		After Photos

RECEIVED DEP - SMRO

2006 JUN 21 PM 4: 27

(For Fill Permits Only)

Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto

In the interest of processing your application in the quickest possible manner, please complete the Information below for Site Plan Review

NOTE**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.

Applicant
Onex Co. & Stroudwater Pointe LLC

Application Date
June 15, 2001

Applicant's Mailing Address
440 Forest Avenue, Portland, 04101

Project Name/Description

Gas station closed 2/01

Consultant/Agent
Michael Rogers

Address Of Proposed Site

1559-1563 & 1565-1589 Congress St.

Applicant/Agent Daytime telephone and FAX 775-5600 774-6848 FAX

Assessor's Reference, Chart#, Block Lot# 220-E-1,5,7

Proposed Development (Check all that apply) New Building Building Addition Change of Use Residential Office Retail Manufacturing Warehouse/Distribution Other(Specify) Fill permit

1559-1563 Congress: R-5
1565-1589 Congress: RP

Vacant land - no immediate plans 1.6 acres

Proposed Building Square Footage and /or # of Units

Acres of Site

Zoning

You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) 7 sets of Site Plan packages containing the information found in the attached sample plans and checklist. 2 extra Site Plans

(Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

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/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: [Signature]

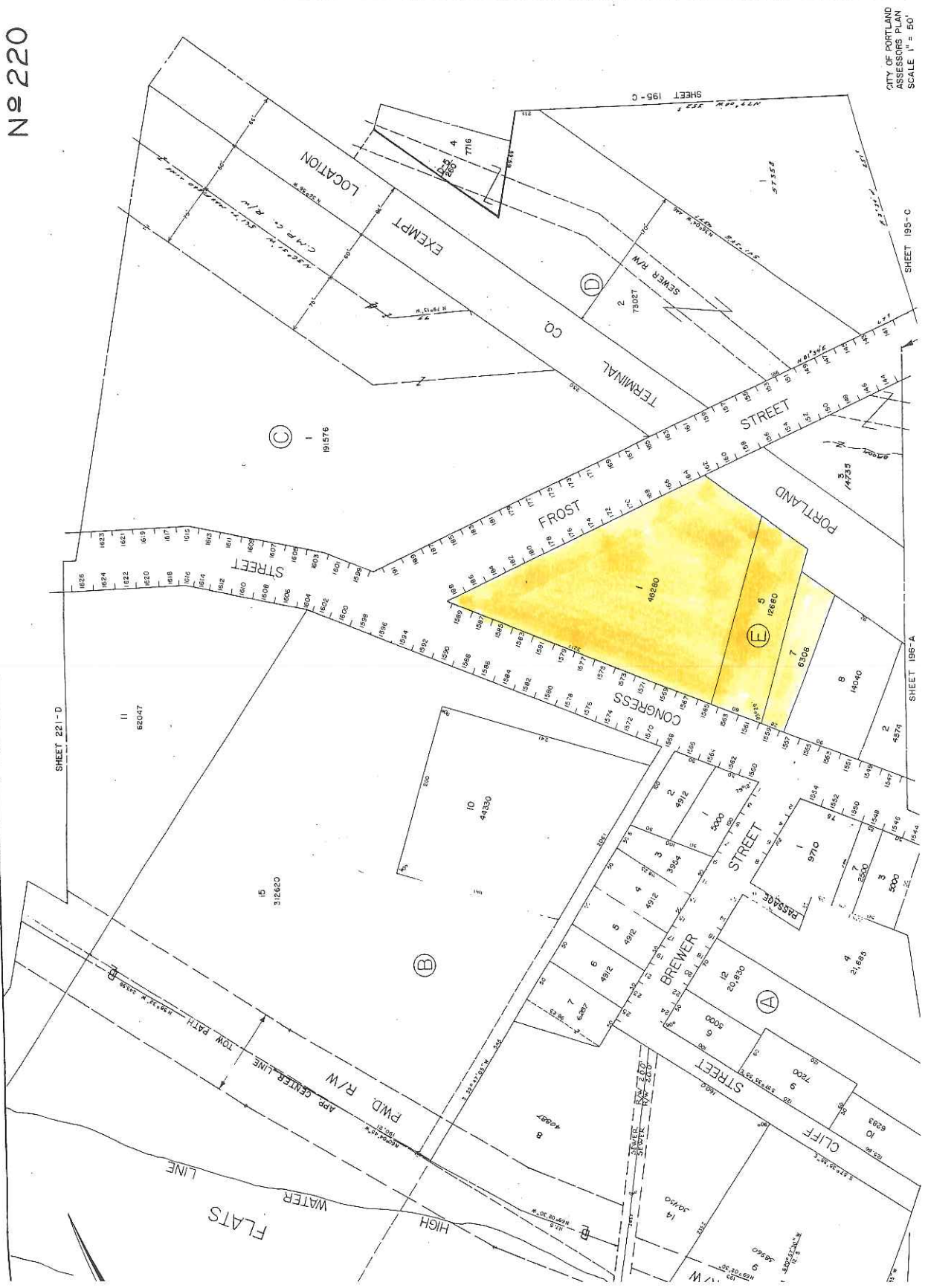
Date: 6/15/01

Site Review Fee: Major \$500.00 Minor 400.00

This application is for site review ONLY, a Building Permit application and associated fees will be required prior to construction.

500 sq or less - \$ 50.00
✓ 500 sq or more - \$ 100.00 → ENCLOSED

6/15
C.H.



SHEET 221-D

SHEET 195-C

SHEET 196-A

SHEET 195-C

Plan Depicting The Results Of A Standard Boundary Survey^{fc+} ^{fc}
And Topographic Survey Made For

Onex Company

Congress Street & Frost Street

PORTLAND, MAINE

PREPARED BY:

NADEAU & LODGE, INC.
PROFESSIONAL LAND SURVEYORS

844 STEVENS AVENUE
PORTLAND, ME 04103
(207) 878-7870

232 CLARKS WOODS ROAD
LYMAN, ME 04101
(207) 282-0331

<u>RECORD OWNER:</u> Onex Company 440 Forest Avenue Portland, Maine 04101	<u>DRAWN BY:</u> JDN	<u>PLAN DATE:</u> 03/22/2000
	<u>CHECKED BY:</u> TPB/BRL	<u>SURVEY DATE:</u> Feb. 2000
	<u>INSTR.</u> Topcon GTS-3B	<u>SCALE:</u> 1" = 30'
<u>FIELD BOOK:</u> FB 126 & Topcon FSG	<u>JOB No:</u> 200516	<u>SHEET No:</u> 1 of 1

1585 Congress

9-20-01



1585 606055

6-11-01





750-3232
* left message
for owner * 774-7811 - 1565 Congress St.

1975 Courtesy

S-24-01





6-3-02



6-3-02

2001-0181

City of Portland, Maine - Building or Use Permit Application


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

Permit No: 01-0714	Issue Date:	CBL: 220 E001001
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Location of Construction: 1565 Congress St	Owner Name: Onex Co & Sylvia Greenberg	Owner Address: 440 Forest Ave Portland, Me 04101	Phone: 207-775-5600
Business Name: n/a	Contractor Name: no contractor/self	Contractor Address: n/a n/a	Phone
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Building Miscellaneous	Zone:

Past Use: Vacant Lot	Proposed Use: Same: Fill Permit: Over 500 cy	Permit Fee:	Cost of Work: \$0.00	CEO District: 3
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Proposed Project Description:
Fill Permit: Over 500 Cubic Yards

Signature: 

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action: Approved Approved w/Conditions Denied

Signature: Date:

Permit Taken By: cjh	Date Applied For: 06/15/2001	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> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	<p>Zoning Appeal</p> <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 Date:	<p>Historic Preservation</p> <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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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
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



Approved
5-10-06
P.R.

May 8, 2006

P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

Jay Reynolds
DEPARTMENT OF PLANNING & DEVELOPMENT
Portland City Hall
389 Congress Street
Portland, ME 04101

Subject: Minor Site Plan Application....Filling Land @ 1700 Westbrook Street

Jay:

The purpose of this application is to obtain a "fill permit" for the referenced property. We have obtained permission from the owners, ONEX Company, to deposit on their property, the inert fill obtained from the excavations associated with the City of Portland's Stroudwater Road & Roundabout Lane Sewer Separation Project.

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- 11" x 17" plans

As you indicated to me over the phone on Friday, May 5, 2006, the original permit information submitted by MCR Real Estate was approved by you almost two (2) years ago. The filling of a portion of the land at 1700 Westbrook Street, however, never occurred. A.H. Grover is seeking approval to use this same site and application submittal materials to obtain City permitting to deposit fill.

Please review the materials contained within our application and contact our office with any questions. The e-mail address to contact is tonylombardo@maine.rr.com.

Sincerely,

Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President



City of Portland Site Plan Application

If you or the property owner owes real estate taxes, personal property taxes or user charges on any property within the City, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 1700 WESTBROOK STREET		Zone: R-1
Total Square Footage of Proposed Structure: N/A - FULL SITE		Square Footage of Lot: 589,576 sq. ft.
Tax Assessor's Chart, Block & Lot: Chart# 246 Block# A Lot# 4 & 6	Property owner's mailing address: ONEX CO. 446 FOREST AVE. PORTLAND, ME 04101	Telephone #: 775-5600
Consultant/Agent, mailing address, phone # & contact person: ANTHONY LOMBARDO P.O. BOX 307 CUMBERLAND, ME 04021 PH: 829-3373	Applicant's name, mailing address, telephone #/Fax#/Pager#: A.H. GROWER, INC. P.O. BOX 307 CUMBERLAND, ME 04021 PH: 829-3373 FAX: 829-5502	Project name: WESTBROOK ST. FULL SITE

Fee For Service Deposit (all applications) **PLANNED**

THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND BUILDING INSPECTION PERMIT

Permit Number: 010714

By **Sylvia Greenberg**/no contractor/self
Permit: Over 500 Cubic Yards

CBL 220 E001001

Person or persons, firm or corporation accepting this permit shall comply with all the Statutes of Maine and of the Ordinances of the City of Portland regulating maintenance and use of buildings and structures, and of the application on file in

Notification of inspection must be given and written permission procured before this building or part thereof is lathed or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

for street line work requires

APPROVALS

[Signature]
Director - Building & Inspection Services

next page ~

PENALTY FOR REMOVING THIS CARD

Congress Street ~ Portland, Maine 04101 ~ ph (207)874-8720

ment Name

Tony Lombardo

From: "Sarah Hopkins " <SH@portlandmaine.gov>
To: "Michael Bobinsky" <mbobinsky@portlandmaine.gov>
Cc: "Alex Jaegerman " <AQJ@portlandmaine.gov>; "Jennifer Dorr" <JMY@portlandmaine.gov>
Sent: Tuesday, May 02, 2006 8:25 AM
Subject: Re: Fwd: Stroudwater fill permit

I discussed this with Alex and we agreed that the minor site plan application fee would be waived. We will still charge them for notices sent to neighbors.

-Sarah

SW, wait 10 days

>>> Michael Bobinsky 05/01/2006 12:47:07 PM >>>

CA n you weigh in on this?..I assumed that our contractor spoke to you on this...I would ask that the fee be transferred..if there is an issue later on this, we can charge the Capital Budget for this as needed.

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

SEE ATTACHED DOCUMENT - ALL FEES ARE WAIVED
MAILING FEES TO BE PAID.

BILLING ADDRESS:

SAME AS APPLICATION/CONTACT

Submittals shall include (9) separate **folded** packets of the following:

- a. copy of application
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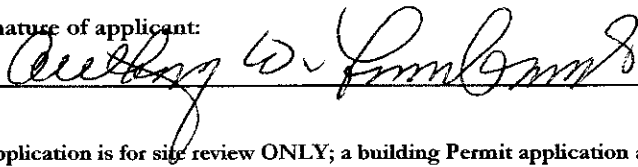
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Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: portlandmaine.gov

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:



Date:

5-8-06

This application is for site review ONLY; a building Permit application and associated fees will be required prior to construction.



P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

June 8, 2006

Michael C. Rogers
c/o Onex Company
440 Forest Avenue
Portland, ME 04101

Subject: Filling Private Property @ 1700 Westbrook Street

Dear Michael:

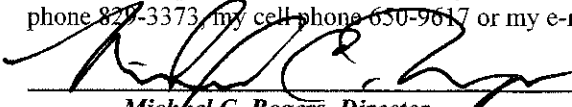
On behalf of A.H. Grover, Inc. I am seeking your permission to expand the area of filling of your property. The material used to fill this land will be excavated soils from Stroudwater Road and Roundabout Lane.

In exchange for your agreement and approval to increase the volume of fill on the agreed upon area of your property, our firm would perform the following scope of work at no cost to you:

- Obtain all necessary permits and approvals to deposit fill
- Install required temporary erosion and sediment control measures
- Maintain a gravel haul road adjacent to your driveway
- Salvage and stockpile as much loam as possible from within the defined "amended" fill limits
- Place, compact and grade fill
- Place min. 4" of loam, seed and mulch
- Reseed and mulch as necessary to establish grass growth
- Upon establishing substantial grass growth, remove downstream erosion control measures
- All areas disturbed will be loamed, seeded and mulched

We are also requesting that the use of this fill site would be exclusively maintained and utilized by only A.H. Grover, Inc.

Please review the information contained within this letter. I have provided you with two (2) copies of this letter. Upon your acceptance, please sign on the space provided on each copy. Return one copy to our office and keep one for your records. If you have any questions, please feel free to contact me at our office phone 829-3373, my cell phone 650-9617 or my e-mail address tonylombardo@maine.rr.com.


_____ of 1700 Westbrook Street in Portland,
Michael C. Rogers, Director

Maine agree to allow A.H. Grover, Inc of 82 Doughty Road in North Yarmouth, Maine, temporary access to our property for the purpose of filling and reclaiming a portion of our land, at no cost to us, as specified in this letter.

Sincerely,

Anthony W/ Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President



May 8, 2006

P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

Jay Reynolds
DEPARTMENT OF PLANNING & DEVELOPMENT
Portland City Hall
389 Congress Street
Portland, ME 04101

Subject: Minor Site Plan Application....Filling Land @ 1700 Westbrook Street

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Please review the materials contained within our application and contact our office with any questions. The e-mail address to contact is tonylombardo@maine.rr.com.

Sincerely,

Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President



City of Portland Site Plan Application

If you or the property owner owes real estate taxes, personal property taxes or user charges on any property within the City, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: <u>1700 WESTBROOK STREET</u>		Zone: <u>R-1</u>
Total Square Footage of Proposed Structure: <u>N/A - FILL SITE</u>		Square Footage of Lot: <u>589,576 sq. ft.</u>
Tax Assessor's Chart, Block & Lot: Chart# <u>246</u> Block# <u>A</u> Lot# <u>4 & 6</u>	Property owner's mailing address: <u>ONEX CO.</u> <u>446 FOREST AVE.</u> <u>PORTLAND, ME 04101</u>	Telephone #: <u>775-5600</u>
Consultant/Agent, mailing address, phone # & contact person: <u>PH: 829-3373</u> <u>ANTHONY LOMBARDI</u> <u>P.O. BOX 307</u> <u>CUMBERLAND, ME 04021</u>	Applicant's name, mailing address, telephone #/Fax#/Pager#: <u>A.H. GROVER, INC.</u> <u>PH: 829-3373</u> <u>P.O. BOX 307</u> <u>FAX: 829-5502</u> <u>CUMBERLAND, ME</u> <u>04021</u>	Project name: <u>WESTBROOK ST.</u> <u>FILL SITE</u>

Fee For Service Deposit (all applications) WAIVED (\$200.00)

Proposed Development (check all that apply)

- New Building Building Addition Change of Use Residential Office Retail
- Manufacturing Warehouse/Distribution Parking lot
- Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable
- Site Location of Development (\$3,000.00)
(except for residential projects which shall be \$200.00 per lot _____)
- Traffic Movement (\$1,000.00) Storm water Quality (\$250.00)
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Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
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~ Please see next page ~

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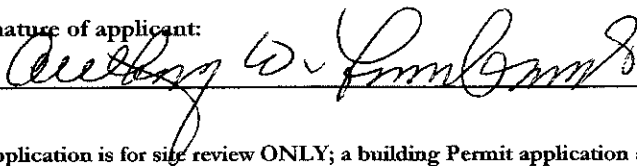
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Signature of applicant:



Date:

5-8-06

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To: "Michael Bobinsky" <mbobinsky@portlandmaine.gov>
Cc: "Alex Jaegerman " <AQJ@portlandmaine.gov>; "Jennifer Dorr" <JMY@portlandmaine.gov>
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May 8, 2006

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TEL. 829-3373 • FAX 829-5502

Jay Reynolds
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Portland City Hall
389 Congress Street
Portland, ME 04101

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Estimator/Project Manager

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Tax Assessor's Chart, Block & Lot: Chart# <u>246</u> Block# <u>A</u> Lot# <u>4 & 6</u>		Property owner's mailing address: <u>ONEX CO.</u> <u>446 FOREST AVE.</u> <u>PORTLAND, ME 04101</u>
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Fee For Service Deposit (all applications) WAIVED (\$200.00)

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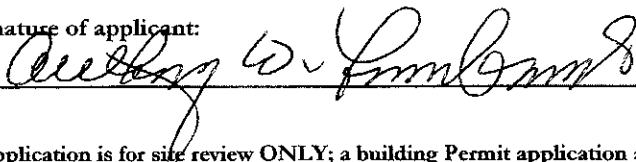
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DLM Corp.

440 Forest Ave., Portland, ME 04101

Email: DLMCorp1@aol.com

December 19, 2002

Ms. Sarah Hopkins
Department of Planning & Development
City of Portland
389 Congress St.
Portland, ME 04101

RE: Application for 1559-1589 Congress St. minor site plan review

Dear Sarah:

Attached is the minor site plan application for the above referenced project. Currently, the site contains excessive fill from previous work resulting in a non-compliant property for future development. Our firm has been hired to remove approximately 2,500+/- cu/yds of the fill. Upon approval, the following shall be completed:

- Silt fencing shall be installed in accordance to the Pinkham & Greer Civil Engineers' site plan (contract document).
- 2,500+/- yards of fill shall be relocated to a new proposed site at the Rogers' homestead at 1700 Westbrook Street, Portland, as shown on the enclosed site plan. Silt fencing will be properly installed and drainage and/or water run off shall not change.
- Elevation shall be the slope requirement in accordance to the contract document.
- Loam, lime fertilizer and a thin layer of mulch shall be installed at excavated areas.
- Erosion control mesh shall be installed equally through the excavated slope in accordance to the contract document.
- Drainage or water run off shall not change for the existing site. Majority of the water run off drains to a large drainage ditch that runs parallel to the railroad tracks.
- Public street access shall have a debris grid (mat) located on the property to eliminate gravel debris from truck tires exiting.
- Street shall be cleaned at the property entrance/exit upon completion of work.

In conclusion, the work shall be completed in accordance with the contract documents. Estimated time frame for the work shall be approximately one week excluding seeding which shall be installed in the spring. We anticipate commencing work in January 2003.

If you have any further questions, please do not hesitate to call me at 207-838-9271 or the above address.

Very truly yours,



David McDonald
President

c: Michael Rogers, Stroudwater Pointe LLC
Joe Delaney, Whipple-Calendar Architects

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: 1559-1589 Congress St.		Zone: RP
Total Square Footage of Proposed Structure N/A for application		Square Footage of Lot 69,000 +/- ft.
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 220 E 1,5,7	Property owner, mailing address: Stroudwater Pointe 440 Forest Ave. Portland, Portland, ME 04101	Telephone: 207-775-5600
Consultant/Agent, mailing address, phone & contact person DLM Corp. 207-838-9271 440 Forest Ave. Suite 1 Portland, ME 04101	Applicant name, mailing address, telephone #/Fax#/Pager#: Stroudwater Pointe 775-5600/774-6848	Project name: Stroudwater Pointe
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision, amount of lots \$25.00 per lot \$ _____ <input type="checkbox"/> Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____ <input type="checkbox"/> Traffic Movement \$1,000 <input type="checkbox"/> Stormwater Quality \$250.00 <input type="checkbox"/> Other* <input type="checkbox"/> Removal of excess fill <input type="checkbox"/> After the fact review - Major project \$1,500.00 <input type="checkbox"/> After the fact review - Minor project \$1,200.00 Major Development _____ \$500.00 Minor Development _____ \$400.00 Plan Amendments: <input type="checkbox"/> Board review \$200.00 <input type="checkbox"/> Staff review \$100.00		
Who billing will be sent to: Stroudwater Pointe Mailing address: 440 Forest Ave. State and Zip: Portland, Maine Contact person: Mike Rogerson 775-5600		

Submittals shall include (9) separate folded packets of the following:

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Signature of applicant: 	Date: 12/19/02
---	----------------

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DLM Corp.

440 Forest Ave., Portland, ME 04101
Email: DLMCorp1@aol.com

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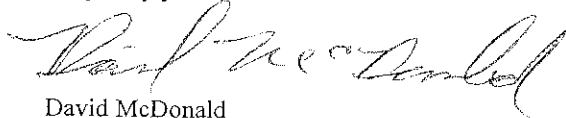
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- Elevation shall be the slope requirement in accordance to the contract document.
- Loam, lime fertilizer and a thin layer of mulch shall be installed at excavated areas.
- Erosion control mesh shall be installed equally through the excavated slope in accordance to the contract document.
- Drainage or water run off shall not change for the existing site. Majority of the water run off drains to a large drainage ditch that runs parallel to the railroad tracks.
- Public street access shall have a debris grid (mat) located on the property to eliminate gravel debris from truck tires exiting.
- Street shall be cleaned at the property entrance/exit upon completion of work.

In conclusion, the work shall be completed in accordance with the contract documents. Estimated time frame for the work shall be approximately one week excluding seeding which shall be installed in the spring. We anticipate commencing work in January 2003.

If you have any further questions, please do not hesitate to call me at 207-838-9271 or the above address.

Very truly yours,



David McDonald
President

c: Michael Rogers, Stroudwater Pointe LLC
Joe Delaney, Whipple-Calendar Architects

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: 1559-1589 Congress St.		Zone: RP	
Total Square Footage of Proposed Structure N/A for application		Square Footage of Lot 69,000 +/- ft.	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 220 E 1,5,7		Property owner, mailing address: Stroudwater Pointe 440 Forest Ave. Portland, Portland, ME 04101	Telephone: 207-775-5600
Consultant/Agent, mailing address, phone & contact person DLM Corp. 207-838-9271 440 Forest Ave. Suite 1 Portland, ME 04101		Applicant name, mailing address, telephone #/Fax#/Pager#: Stroudwater Pointe 775-5600/774-6848	Project name: Stroudwater Pointe
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision, amount of lots _____ \$25.00 per lot \$ _____ <input type="checkbox"/> Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____ <input type="checkbox"/> Traffic Movement \$1,000 <input type="checkbox"/> Stormwater Quality \$250.00 <input type="checkbox"/> Other* *Removal of excess fill <input type="checkbox"/> After the fact review - Major project \$1,500.00 <input type="checkbox"/> After the fact review - Minor project \$1,200.00 Major Development _____ \$500.00 Minor Development _____ \$400.00 Plan Amendments: <input type="checkbox"/> Board review \$200.00 <input type="checkbox"/> Staff review \$100.00			
Who billing will be sent to: Stroudwater Pointe Mailing address: 440 Forest Ave. State and Zip: Portland, Maine Contact person: Mike Rogerson 775-5600			

Submittals shall include (9) separate folded packets of the following:

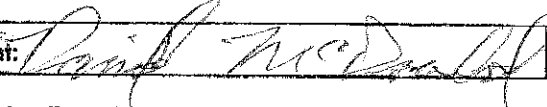
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, and c)

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x 11) you may also visit the web site: ci.portland.me.us/chapter14

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: 

Date: 

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

MINOR SITE PLAN

Of
"Amended" Fill Permit for 1700
Westbrook Street

By: A.H. GROVER, INC.
P.O. Box 307
Cumberland, ME 04021

Date: June 6, 2006
Scale: 1 inch = 100 feet



Land of
State Of Maine
Plan Reference 1

Street

Angle Point In
Right-Of-Way

Iron Pipe
(typical)

REVIEW

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

March 14, 2003

Mr. Michael C. Rogers
Stroudwater Pointe Llc
440 Forest Avenue
Portland, ME 04101

RE: 1559 Congress Street/1700 Westbrook Street
(CBL# 220E001) (ID# 2002-0253)

Dear Mr. Rogers:

On March 13, 2003, the Portland Planning Authority granted minor site plan approval for the regrading of 1559 Congress Street and the Filling at 1700 Westbrook Street with the following conditions:

- 1. Four Inches of loam and seed shall be placed over all fill areas at the 1700 Westbrook Street location.*

The approval is based on the submitted site plan. If you need to make any modifications to the approved 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.
2. An inspection fee equal of \$300.00 must be submitted before beginning any site construction or issuance of a building permit.
3. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

- 4: If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)

If there are any questions, please contact Jay Reynolds at 874-8632.

Sincerely,



Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Sarah Hopkins, Development Review Services Manager
✓ Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Karen Dunfey, Inspections
Larry Ash, Traffic Engineer
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Don Hall, Appraiser, Assessor's Office
Approval Letter File

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

March 14, 2003

Mr. Michael C. Rogers
Stroudwater Pointe LLC
440 Forest Avenue
Portland, ME 04101

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(CBL# 220E001) (ID# 2002-0253)

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The approval is based on the submitted site plan. If you need to make any modifications to the approved 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.
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Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

February 13, 2003

Mr. Michael C. Rogers
Stroudwater Pointe Llc
440 Forest Avenue
Portland, ME 04101

Dear Mr. Rogers:

Thank you for meeting with James Seymour and myself this morning to look at some of the criteria concerning your minor site plan application.

To summarize,

1. More detail will be added to the 1700 Westbrook Street site plan, which involves defining the fill area with proposed contours, erosion control, and showing the resource protection/shoreland zoning lines.
2. The site plan at 1559 Congress Street will be expanded to show the entrance/exits to the site, and incorporate some measures to limit tracking of materials onto Congress Street.
3. Many other items of concern that were stated in previous correspondence have been addressed.

Please contact me if there are any errors or omissions.
We look forward to receiving the requested revisions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Reynolds".

Jay Reynolds

Development Review Coordinator

CC: Alex Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
James Seymour, Sebago Technics, Inc.

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

October 31, 2002

Mr. Michael C. Rogers
MCR Real Estate
440 Forest Avenue
Portland, Maine 04101

Dear Michael:

Thank you for your fill permit application for the property located at 1559 Congress Street.

Due to the nature of the application, i.e., the amount of fill, steep topography, and potential drainage impacts, both on Congress Street and at your residence on Westbrook Street, we will need additional information to review the proposal. I am sending along a (minor) Site Plan Application, which would be a more appropriate review, given the potential impacts of such an extensive fill/excavation proposal. Please find enclosed your original submittal package.

We look forward to working with you on your proposal for this site.

Please call if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sarah".

Sarah Hopkins
Development Review Services Manager

CC: Alexander Jaegerman, Planning Division Director
Jack Lufkin, Economic Development Center Director
✓ Jay Reynolds, Development Review Coordinator
file

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

2002-0253
Application I. D. Number

12/19/2002
Application Date

Stroudwater Pointe LLC
Applicant

440 Forest Ave, Portland, ME 04101
Applicant's Mailing Address

Stroudwater Pointe - Removal of Fill
Project Name/Description

Consultant/Agent

Applicant Ph: (207) 775-5600

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

1559 - 1589 Congress St, Portland, Maine

Address of Proposed Site

220 E001001

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 Parking Lot Other (specify) **Removal of Excess Fill**

Proposed Building square Feet or # of Units

Acreage of Site

RP
Zoning

Check Review Required:

- Site Plan (major/minor)
- Flood Hazard
- Zoning Conditional Use (ZBA/PB)
- Subdivision # of lots
- Shoreland
- Zoning Variance
- PAD Review
- Historic Preservation
- 14-403 Streets Review
- DEP Local Certification
- Other

Fees Paid: Site Plan **\$300.00** Subdivision _____ Engineer Review _____ Date **12/23/2002**

DRC Approval Status:

Reviewer _____

- Approved
- Approved w/Conditions See Attached
- Denied

Approval Date _____ Approval Expiration _____ Extension to _____ 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

- Performance Guarantee Accepted _____ date _____ amount _____ expiration date
- Inspection Fee Paid _____ date _____ amount _____
- Building Permit Issue _____ date _____
- Performance Guarantee Reduced _____ date _____ remaining balance _____ signature _____
- Temporary Certificate of Occupancy _____ date _____ Conditions (See Attached) _____ expiration date
- Final Inspection _____ date _____ signature _____
- Certificate Of Occupancy _____ date _____
- Performance Guarantee Released _____ date _____ signature _____
- Defect Guarantee Submitted _____ submitted date _____ amount _____ expiration date
- Defect Guarantee Released _____ date _____ signature _____

12-31-02

Rec'd 12-24

1. Josselyn Tech. Review?
2. Filling/excavation in winter?

3. More detail on proposed location (SBL/Location) (Prop. Contours) (erosion control) (slope stabi. measures) (to be used)

4. Address the issue of warehouse fill material

5. Contours fill outside of work limit line

6. Cross-sections of main road subs (x-section = 3701) (Plan = 415 to 2)

7. Construction estimates should be shown on both plans (+ detail)

8. "Larger" lots should be removed from plans

DLM Corp.

440 Forest Ave., Portland, ME 04101

Email: DLMCorp1@aol.com

December 19, 2002

Ms. Sarah Hopkins
Department of Planning & Development
City of Portland
389 Congress St.
Portland, ME 04101

RE: Application for 1559-1589 Congress St. minor site plan review

Dear Sarah:

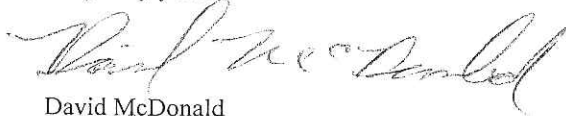
Attached is the minor site plan application for the above referenced project. Currently, the site contains excessive fill from previous work resulting in a non-compliant property for future development. Our firm has been hired to remove approximately 2,500+/- cu/yds of the fill. Upon approval, the following shall be completed:

- Silt fencing shall be installed in accordance to the Pinkham & Greer Civil Engineers' site plan (contract document).
- 2,500+/- yards of fill shall be relocated to a new proposed site at the Rogers' homestead at 1700 Westbrook Street, Portland, as shown on the enclosed site plan. Silt fencing will be properly installed and drainage and/or water run off shall not change.
- Elevation shall be the slope requirement in accordance to the contract document.
- Loam, lime fertilizer and a thin layer of mulch shall be installed at excavated areas.
- Erosion control mesh shall be installed equally through the excavated slope in accordance to the contract document.
- Drainage or water run off shall not change for the existing site. Majority of the water run off drains to a large drainage ditch that runs parallel to the railroad tracks.
- Public street access shall have a debris grid (mat) located on the property to eliminate gravel debris from truck tires exiting.
- Street shall be cleaned at the property entrance/exit upon completion of work.

In conclusion, the work shall be completed in accordance with the contract documents. Estimated time frame for the work shall be approximately one week excluding seeding which shall be installed in the spring. We anticipate commencing work in January 2003.

If you have any further questions, please do not hesitate to call me at 207-838-9271 or the above address.

Very truly yours,



David McDonald
President

c: Michael Rogers, Stroudwater Pointe LLC
Joe Delaney, Whipple-Calendar Architects

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: 1559-1589 Congress St.		Zone: RP
Total Square Footage of Proposed Structure N/A for application		Square Footage of Lot 69,000 +/- ft.
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 220 E 1,5,7	Property owner, mailing address: Stroudwater Pointe 440 Forest Ave. Portland, Portland, ME 04101	Telephone: 207-775-5600
Consultant/Agent, mailing address, phone & contact person DLM Corp. 207-838-9271 440 Forest Ave. Suite 1 Portland, ME 04101	Applicant name, mailing address, telephone #/Fax#/Pager#: Stroudwater Pointe 775-5600/774-6848	Project name: Stroudwater Pointe
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision, amount of lots \$25.00 per lot \$ _____ <input type="checkbox"/> Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____ <input type="checkbox"/> Traffic Movement \$1,000 <input type="checkbox"/> Stormwater Quality \$250.00 <input type="checkbox"/> Other* Removal of excess fill 11 <input type="checkbox"/> After the fact review - Major project \$1,500.00 <input type="checkbox"/> After the fact review - Minor project \$1,200.00 Major Development _____ \$500.00 Minor Development _____ \$400.00 Plan Amendments: <input type="checkbox"/> Board review \$200.00 <input type="checkbox"/> Staff review \$100.00		
Who billing will be sent to: Stroudwater Pointe Mailing address: 440 Forest Ave. State and Zip: Portland, Maine Contact person: Mike Rogerson: 775-5600		

Submittals shall include (9) separate folded packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, and c)

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x 11) you may also visit the web site: ci.portland.me.us chapter 14

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.

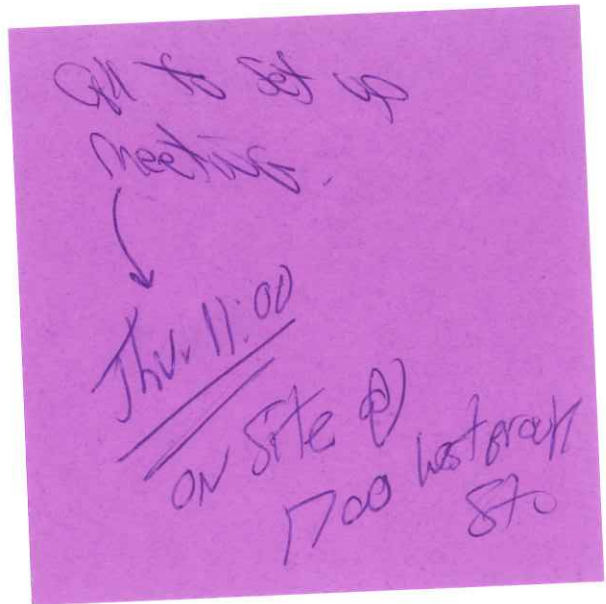
Signature of applicant:	Date: 12/19/02
-------------------------	----------------

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

440 Forest Avenue
Portland, ME 04101
775-5600
774-6848 FAX

January 30, 2003

Mr. Jay Reynolds
Development Review Coordinator
Portland Planning Department
389 Congress Street
Portland, ME 04101



RE: 1559-1589 Congress Street & 1700 Westbrook Street Minor Site Plan

Dear Jay:

I am responding to your January 24, 2003, letter I received January 28, 2003. Specifically, I want to address all of the issues raised by Jim Seymour, Sebago Technics, in the attached letter he sent to you on January 22, 2003, pertaining to the minor site plan application for 1559-1589 Congress Street and 1700 Westbrook Street submitted December 19, 2002. I will address them in the order he listed them. I will start with Item #2 since there is no Item #1 listed in his letter:

2. Road Access/Circulation:

A. DLM Corp.'s December 19, 2002, letter stated that debris grid mats shall be deployed. Trucks will enter and exit the property from the curb cut in front of the closed gas station building on Congress Street. We estimate 150 +/- trips for the entire week long project so I don't anticipate traffic safety being an issue as Jim alluded to. Especially since this site operated as a gas station for over 70 years and had daily traffic counts exceeding 250 vehicles. All equipment will be located on the property. The hauling route is simple: travel west on Congress for 0.4 miles, turn right on Westbrook and travel 0.9 miles to 1700 Westbrook.

3. Grading/Erosion Control:

A. Jim wants the following note added to the plans: "any alteration or grading or disturbance or filling other than shown on the plan must be reviewed by the City's Planning Staff". I believe it is a moot point but it can be attached to the Permit.

B. This was addressed in Pinkham & Greer's September 16, 2002, Slope Stabilization Plan.

C. As mentioned in DLM Corp.'s December 19, 2002, letter, we wanted to commence in January. We will commence work shortly after receiving minor site plan approval.

4. Utility Installation/Location:

It is required by state law and Portland that we give Dig Safe Systems, Inc. 72 hours notice.

5. General:

A. Jim wants the Offsite Plan (1700 Westbrook) "to meet the same requirements as the stabilization plan". We are not proposing an office building. The land is used for cattle grazing. This is a simple project that does not merit an engineering study. We simply want to fill a depression and cover it with loam and seed.

Right title & Interest: 1700 Westbrook Street is owned by Onex Company which is our family real estate company. We have owned the property since 1960.

Erosion Control measures and plan: As mentioned in DLM Corp.'s December 19, 2002, letter: "Silt fencing will be properly installed and drainage and/or water run off shall not change". If needed, we will add hay.

Existing vegetation and drainage courses need to be shown: Vegetation consists of meadow grass. Pinkham & Greer's September 16, 2002, Slope Stabilization Plan shows the elevations and natural drainage patterns.

Proposed grading: The area will be graded for a slightly gradual slope consistent with the immediate area. Its exact grade will be determined on site and is dependent upon the volume of fill deposited.

Access Routes/stabilized entrance: Our driveway with entrance to the right of the stable.

Impacts to Septic System (if any): Not applicable.


Area extent of overall impact: Estimated area is 8,400 square foot (70' +/- X 120' +/-) of the 45 acre parcel.

Maintain tree/vegetation buffers along property line. This area will not be disturbed.

Jay, enclosed are pictures I took this morning of the proposed off site area. I am anxious to complete this project as soon as possible. If you think it would be helpful, I would like to schedule a meeting at City Hall next week with you, Sarah Hopkins, Jim Seymour and David McDonald, DLM Corp.(by conference telephone), and me to resolve all remaining issues.

I appreciate your assistance and look forward to your response. Thank you.

Very truly yours,

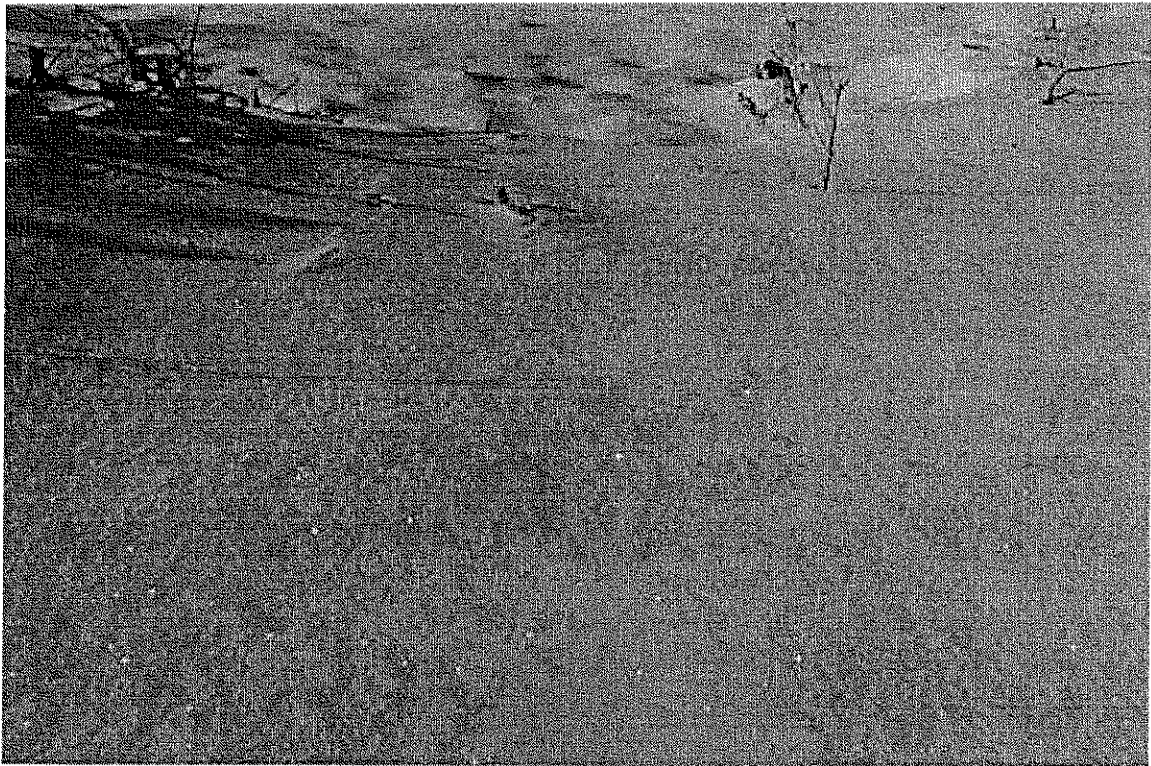


Michael C. Rogers
Managing Member
Stroudwater Pointe LLC

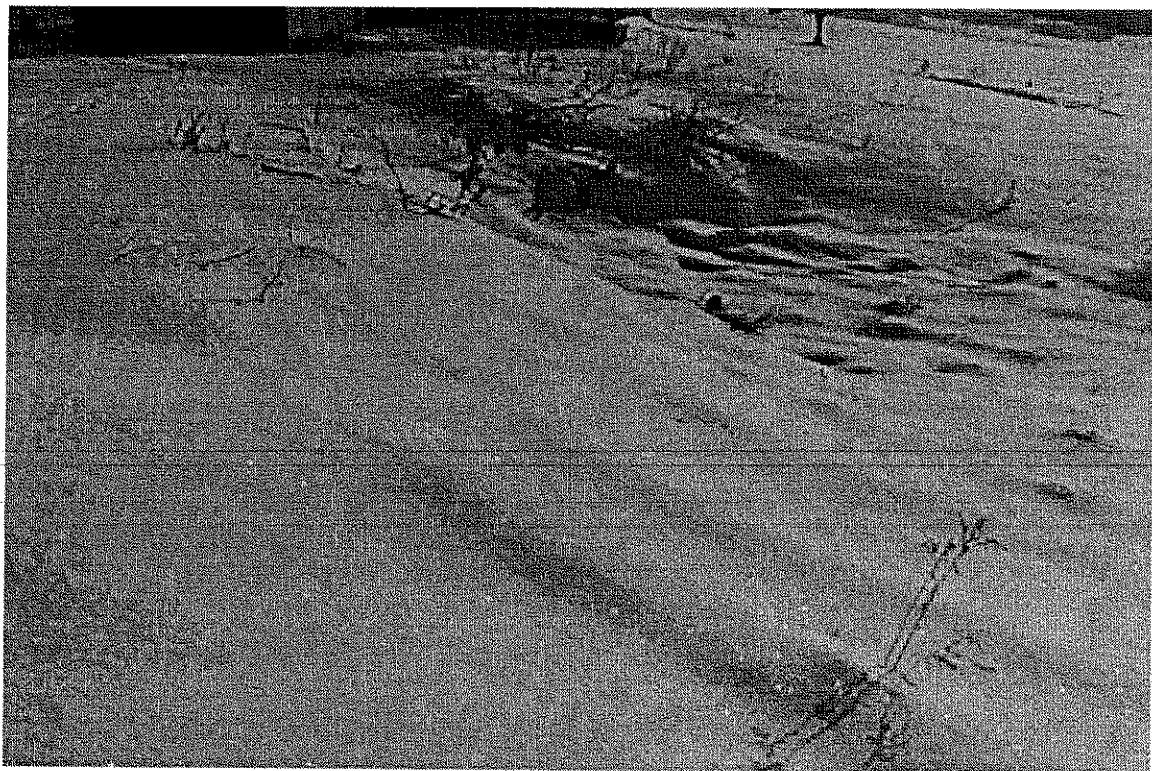
Enclosures

c: D. McDonald, DLM Corp.
T. Greer, Pinkham & Greer
S. Hopkins, Portland Planning

Front



Side



Jay Reynolds - Re: Amended site plan for 1700 Westbrook Street

From: "Tony Lombardo" <tonylombardo@maine.rr.com>
To: "Jay Reynolds" <JAYJR@portlandmaine.gov>
Date: 6/20/2006 4:53 PM
Subject: Re: Amended site plan for 1700 Westbrook Street

Jay,

Note 35 on the boundary plan states the following relative to comments 1 & 2:

"35. The location of the depicted Special Flood Hazard Zone is based solely on scaling from the above referenced flood map. Based on existing contours, this office believes that ambiguities exist in said flood map. Additional vertical data is needed to accurately determine the location of the flood boundary."

Typically, flood hazard maps utilized USGS mapping to compile their boundaries. Those maps use a much greater contour interval. This results in Flood Hazard Zone lines that don't accurately follow the contours of an "on-the-ground instrument survey" as produced by Jim Nadeau, PLS.

We will, however, modify our plan to be outside the boundary of this line.

The Notice of Intent to Comply with Maine Construction General Permit (MDEP) will be submitted tomorrow and copy will be provided to you. This permit is similar to a Permit by Rule, which results in a written acceptance from MDEP or the expiration of a 14 day waiting period.

We will not be filling directly behind the leach field and will not affect any outlets.

Thanks.

Tony

----- Original Message -----

From: Jay Reynolds
To: tonylombardo@maine.rr.com
Sent: Monday, June 19, 2006 11:50 AM
Subject: Amended site plan for 1700 Westbrook Street

Tony,

The following are my review comments:

1. The additional fill area falls within the floodplain zone (zone A). The floodplain limit that is shown on the survey should be transferred to the site plan.
2. It appears this zone follows the 67' to 69' contours (+/-). It is recommended that the limits of work be scaled back to avoid soil disturbance in this area.
3. Erosion control narrative sounds good, please show these measures on the site plan.
4. Please add a construction fence or silt fence along the side boundary line to ensure that there is no encroaching onto the neighboring property.
5. Are there any piped outlets from the existing leach field? Filling over a daylighting pipe would be detrimental.
6. Proposal now triggers the Maine General Construction permit (>1 acre). Please forward a copy of your permit, once obtained from the DEP.

Jay Reynolds - Amended site plan for 1700 Westbrook Street

From: Jay Reynolds
To: Tony Lombardo
Date: 6/19/2006 11:50 AM
Subject: Amended site plan for 1700 Westbrook Street

Tony,
The following are my review comments:

1. The additional fill area falls within the floodplain zone (zone A). The floodplain limit that is shown on the survey should be transferred to the site plan.
2. It appears this zone follows the 67' to 69' contours (+/-). It is recommended that the limits of work be scaled back to avoid soil disturbance in this area.
3. Erosion control narrative sounds good, please show these measures on the site plan.
4. Please add a construction fence or silt fence along the side boundary line to ensure that there is no encroaching onto the neighboring property.
5. Are there any piped outlets from the existing leach field? Filling over a daylighting pipe would be detrimental.
6. Proposal now triggers the Maine General Construction permit (>1 acre). Please forward a copy of your permit, once obtained from the DEP.

Please resubmit 4 copies to my attention.

Jay Reynolds
Development Review Coordinator
City of Portland Planning Division
(207) 874-8632
jayjr@portlandmaine.gov

April 25, 2002

Mr. Jay Reynolds
Development Review Coordinator
City of Portland
389 Congress Street
Portland, ME 04101

RE: 1559-1589 Congress Street, Portland

Dear Jay:

I am responding to a number of statements you made in our April 4, 2002, telephone conversation. I responded then to your statements, but this letter is more detailed and provides additional information explaining the reason for the delay in completing the fill permit you requested last August 2001. As you may recall, we had exchanged telephone voice mail messages for about ten days since I first called you in late March 2002, to inform you of the status of the fill permit application for 1559-1585 Congress Street and to seek information relating to a paper street adjacent to a property our family real estate, Onex Company, owns on Lassell Street.

For background purposes, 1559-1589 Congress Street comprises two parcels: 1559-1563 Congress is improved with a single family cape while 1565-1589 Congress Street consists of a small vacant gas station and an undeveloped lot.

Your statement is in italics followed by my response.

1) ***“You have been stockpiling fill since last summer.”***

Incorrect. I ordered an immediate cease and desist order to Chris Wilson, Les Wilson & Sons last June 2001, when I was first notified by the Building Code Department that I needed a fill permit. Until then, I didn't know a fill permit was needed. Last spring, I had allowed Chris Wilson's company and the Paint Pot (one time occurrence during their spring 2001 excavation) to dump clean fill. I told Chris not to deliver any more fill until further notice.

2) ***“You bulldozed the fill several times this past fall.”***

Incorrect. I did not order anyone to bulldoze any fill since the Building Code Department first notified me last June 2001, that I needed a permit. However, I am aware that the fill was

bulldozed once last November or early December 2001. I called Chris Wilson the same day I noticed it was bulldozed and asked him if he did it. He said he leveled the area for snow he planned to dump there from the upcoming winter. I told him he could not touch the fill or add to it. He apologized and said there was a misunderstanding since he was under the impression only that I didn't want any fill added to the lot.

3) "You are in violation of zoning for not getting a fill permit."

I went to the Building Code Department and applied for a fill permit and paid \$100.00 on June 15, 2001, one day after I first spoke to you on June 14, 2001. You called me on August 2, 2001, and said I needed to complete the following in order to receive a fill permit: 1) Submit a topography plan; 2) Estimate projected amount of fill deposited; and 3) Install a silt fence around the perimeter.

After meeting last October 2001, with Jim Nadeau, Surveyor, and Joseph Delaney, Architect, the three of us decided we could not complete the fill permit until the following were completed:

1) Install a silt fence around the perimeter:

My brother, Kevin Rogers, and I installed the silt fence on October 21, 2001.

2) Determine feasibility of converting the vacant gas station in to a drive-thru coffee shop:

Sam Lambert (prospective tenant of the coffee shop), Joe Delaney, Architect, and I met with Candace Talbot, Planning Department, Larry Ashe, Traffic Engineer, and Marge Schmuckal, Zoning Director, on October 24, 2002, for a preliminary meeting to discuss our proposed plan. Larry Ashe said he needed to see a traffic study before commenting. Joe Delaney said he would complete site development options after receiving the traffic study.

3) Remove 15,000 gallon underground tank and test the soil for contamination and determine whether soil needs to be removed if found to be contaminated:

Mark Winslow, Marwin Construction, removed the tank on December 18, 2001. Mike White, Geologist, determined there was some contaminated soil. He notified Maine DEP and it was decided to note the area of contamination and leave it undisturbed.

4) Conduct soil borings test for the proposed office building:

Completed soil borings test on December 3, 2001, and received the results on January 7, 2002. Without this test, we had no idea what size of building the soil could accommodate or where we could construct the building.

5) Conduct traffic study for the proposed drive-thru coffee shop:

Thomas Errico, Wilbur Smith Associates, completed the traffic study in early January 2002, and I received his report on February 6, 2002.

6) Complete site development options for the proposed drive-thru coffee shop:

Received site development study from Joe Delaney on February 13, 2002, and met with him and Sam and Marie Lambert on February 20, 2002, to discuss Joe's plan and egress issues.

DEPARTMENT DIRECTOR
Lee D. Urban



DIVISION DIRECTORS
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman
Planning

John N. Lufkin
Economic Development

PLANNING AND DEVELOPMENT DEPARTMENT

May 1, 2002

Mr. Michael C. Rogers
MCR Real Estate
440 Forest Avenue
Portland, Maine 04101

RE: Unauthorized filling at 1559 Congress Street

Dear Mr. Rogers:

In response to your April 25, 2002 letter I have the following comments:

1. I would like to re-confirm the city's position with more accurate statements:

Statement 1, "You have been stockpiling fill since last summer", should read:
"Fill has been stockpiled on your property since last summer".

Statement 2, "you bulldozed the fill several times this past fall", should read:
"Fill has been bulldozed on you property several times this past fall".

2. As stated in your memo, you had applied for a fill permit in June, 2001, and additional information was requested in August of 2001. It is now May 1st 2002, and I am still awaiting that information.
3. **Thus, an APPROVED fill permit has not been issued to date.** The city has documented information and photographs clearly showing the filling occurring on your property(s) through the course of 2001. The city also has documented information that shows new fill piles placed on your property in 2002.
4. It is also stated that you could not complete the fill permit until numerous items were completed.

What all this equates to is that **filling is not allowed without an approved fill permit, which has not been achieved.**

I will be forwarding this memo to all the appropriate peoples within the city of Portland, and I am also in the process of coordinating with the Maine Department of Environmental Protection to ensure that the fill on your property is not in violation of their waste disposal laws.

7) Review storm water management plan options, building plans for the proposed drive-thru coffee shop and office building and fill permit application:

Met with Joe Delaney and Anthony Muench, Landscape Architect, to review storm water management plan options and building plans and discuss feasibility of a drive-thru coffee shop on April 18, 2002. Anthony and Joe will collaborate to complete the first two requirements of the fill permit application.

Jay, it is apparent my initial eagerness to quickly complete the fill permit last June 15, 2001, was premature. The abbreviated activity list above underscores this. I was not ready then. However, that is not the case now. I will submit a completed fill permit application shortly after receiving Anthony's and Joe's material.

It was only a week ago, April 11, 2002, that we decided not to split the lot in to two parcels: convert the gas station in to a drive-thru coffee shop and construct a small office building. I met with Sam Lambert, the prospective tenant, yesterday, April 24, 2002, and informed him of our decision. Absent the drive-thru coffee shop and given the additional information I've received since last summer, we now know where we want and are able to construct an esthetically pleasing two story office building.

Our proposed office building will be a welcome addition over the vacant gas station and blend in nicely with its neighboring office buildings. My family has owned 1565-1589 Congress Street since 1950, and want to own it for another fifty years. We are committed to Portland and this site in particular for the long term and as such want to remain as a landowner in good standing with the City and our neighbors.

It has always been my intent to adhere to all known city ordinances and state and federal laws. I have nothing to gain by disregarding any of them. I've complied with a myriad of DEP regulations and certainly want to do the same with municipal ordinances. I had a ("No Unauthorized Dumping") sign installed last July 21, 2001, but apparently it did not deter some people from dumping a small amount of debris. Two days after talking to you, a friend, Scott Chadwick, and I installed 190' of orange warning fencing on April 6, 2002, to better prevent rogue dumpers.

Jay, in hindsight, I should have kept you better informed over the past year. I apologize. I hope this letter goes a long way in informing you about our plans. I will keep you better informed from now on. Please call should you have any questions or would like to meet.

Very truly yours,



Michael C. Rogers

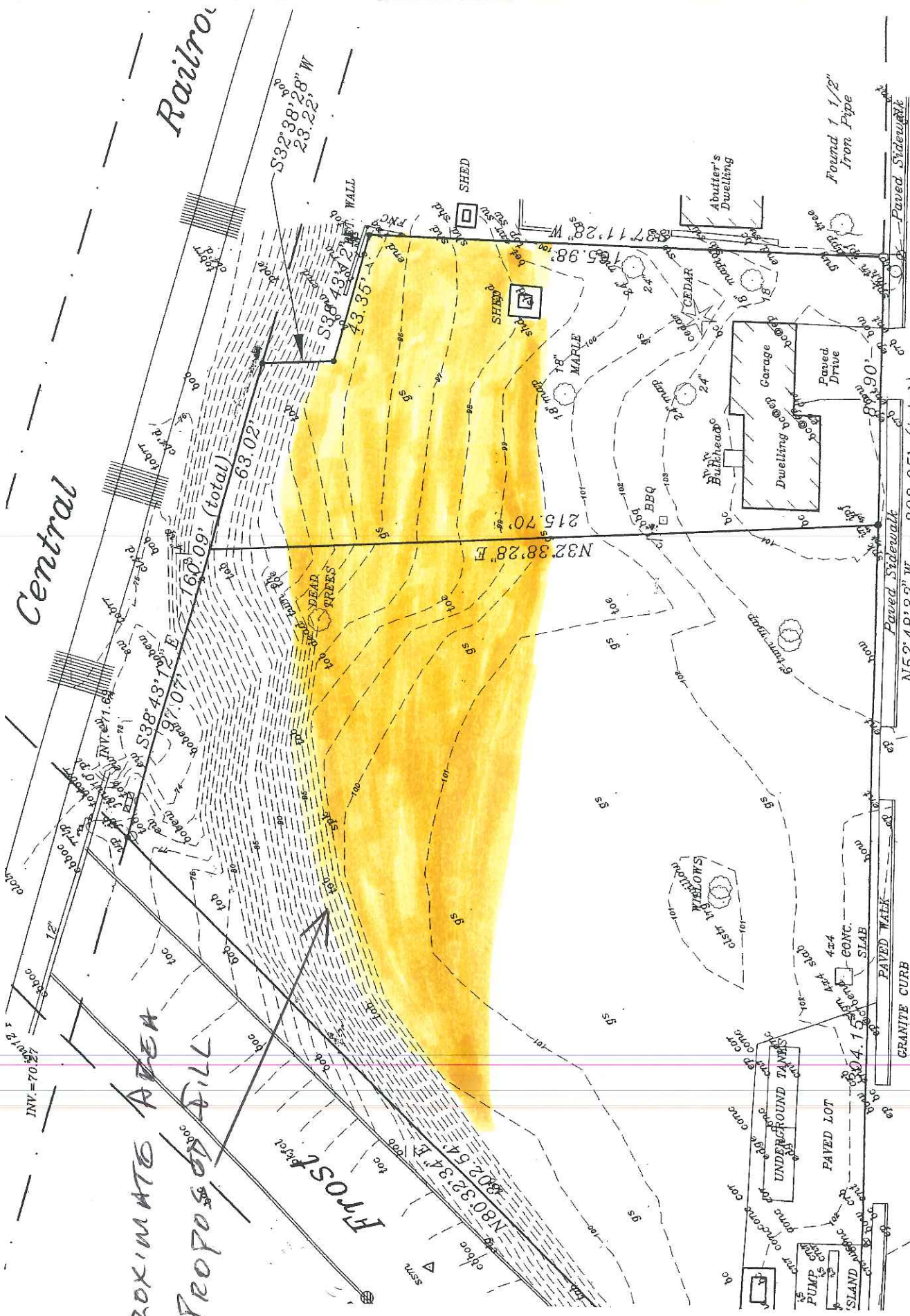
1559-1563 + 1565-1589 CONGRESS ST

Central

Railroad

APPROXIMATE AREA OF PROPOSED FILL

Frost



N52°48'32" W - 392.05' (total)

1565-1589 CONGRESS

1559-1563

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

January 24, 2003

Mr. Michael C. Rogers
Stroudwater Pointe Llc
440 Forest Avenue
Portland, ME 04101

Dear Mr. Rogers:

Thank you for your minor site plan application for the property located at 1559 Congress Street and Westbrook Street

Upon review, the City requests the following:

1. Please see attached memorandum from Jim Seymour at Sebago Technics.
 - a. This memo lists a few minor items that need attention for the site plan at 1559 Congress Street.
 - b. It also states that the level of detail for the site plan at the Westbrook Street location shall be consistent with the Congress Street plan.

Once these items are adequately addressed, the City will be in a position to approve your application.

Please call if you have any questions.

Sincerely,

Jay Reynolds
Development Review Coordinator

CC: Sarah Hopkins, Development Review Services Manager
✓ file



02P253

TO: Jay Reynolds – DRC, City of Portland
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: 1559-1589 Congress Street - Slope Stabilization/Offsite Filing
DATE: January 22, 2003

Sebago Technics has reviewed the revised Grading/ Stabilization Plan sheets and filling application dated 12/20/03 for the proposed development ~~on Lots 1 and 2 within the existing Maggie Lane Subdivision.~~ ~~The following comments are our responses to the submitted revisions.~~

2. Road Access/Circulation

- A. As part of a development we feel that a trucking access/hauling route should be provided to the plan, showing the point where equipment will be loading along Congress Street. The proposed stabilization will require several trips and the concern is traffic safety due to the location adjacent to an intersection and with the potential for tracking soils into the City Streets.

3. Grading/Erosion Control

- A. Both existing and proposed grades have been provided on the plans. A note shall be added stating “any alteration of grading or disturbance or filling other than shown on the plan must be reviewed by the City’s Planning Staff.”
- B. The site has a substantial slope and appears to be concentrating some flows along the interface grading of the Frost Street shoulder. We recommend that either some stone check dams or a wood chip/compost berm be doubled with the silt fence installation. Our concern is that if failure occurs with the silt fence then the silt will enter the culvert parallel to the railroad tracks and eventually in the estuary of the Fore/Stroudwater River.
- C. A schedule is needed for the time of year and dateline that this project proposes.

4. Utility Installation/Location

All of the utility questions appear to have been adequately addressed. However a note shall be added to the plan indicating that Dig Safe be notified 72 hours before construction begins.

5. General

- A. The offsite plan is incomplete. The Plan shall be required to meet the same requirements as the stabilization plan. Several questions need to be answered for the offsite filling:

- Right Title and Interest
- Erosion Control measures and plan.
- Existing vegetation and drainage courses need to be shown
- Proposed grading
- Access routes/stabilized entrance
- Impacts to Septic System (if any)
- Area extent of overall impact
- Maintain tree/vegetation buffers along property line.

As shown in our memo we feel that at a minimum more information with regards to the final trucking haul route issue and erosion controls for the stabilization plan. A lot more information is needed prior to beginning a review of the offsite fill location. Please contact our office with any questions or if additional discussion is needed on the remaining issues.

JS:



02P253

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JS:

PBR1



PORTLAND MAINE

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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

June 28, 2006

Mr. Anthony Lombardo
A.H. Grover, Inc.
PO Box 307
Cumberland, ME 04021

RE: Amended Site Plan: 1700 Westbrook Street
(CBL# 246A004) (ID# 2006-0108)

Dear Mr. Lombardo:

This letter is to confirm the revision to the approved site plan for the additional filling at 1700 Westbrook Street. The approved revision is to expand the fill area to approximately 6,000 yards as shown on your June 22nd submittal.

If you have any questions regarding the revision please contact Jay Reynolds, Development Review Coordinator, at 874-8632 or by e-mail at jayjr@portlandmaine.gov.

Sincerely,

Alexander Jaegerman
Planning Division Director

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

March 14, 2003

Mr. Michael C. Rogers
Stroudwater Pointe Llc
440 Forest Avenue
Portland, ME 04101

RE: 1559 Congress Street/1700 Westbrook Street
(CBL# 220E001) (ID# 2002-0253)

Dear Mr. Rogers:

On March 13, 2003, the Portland Planning Authority granted minor site plan approval for the regrading of 1559 Congress Street and the Filling at 1700 Westbrook Street with the following conditions:

1. *Four Inches of loam and seed shall be placed over all fill areas at the 1700 Westbrook Street location.*

The approval is based on the submitted site plan. If you need to make any modifications to the approved 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.
2. An inspection fee equal of \$300.00 must be submitted before beginning any site construction or issuance of a building permit.
3. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

- 4: If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)

If there are any questions, please contact Jay Reynolds at 874-8632.

Sincerely,



Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Sarah Hopkins, Development Review Services Manager
✓ Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Karen Dunfey, Inspections
Larry Ash, Traffic Engineer
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Don Hall, Appraiser, Assessor's Office
Approval Letter File



PORTLAND MAINE

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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

May 15, 2006

Mr. Anthony Lombardo
A.H. Grover, Inc.
PO Box 307
Cumberland, ME 04021

RE: 1700 Westbrook Street
(CBL# 220E001) (ID# 2002-0253)

Dear Mr. Lombardo:

On May 15, 2006, the Portland Planning Authority granted minor site plan approval for the Filling of approximately 2,500 cubic yards of material at 1700 Westbrook Street with the following conditions:

- 1. Four Inches of loam and seed shall be placed over all fill areas, as recommended by the Maine Department of Environmental Protection.*

Where submission drawings are available in electronic form, the applicant shall submit any available electronic cad (*.dwg) files.

The approval is based on the submitted site plan. If you need to make any modifications to the approved 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.
2. A performance guarantee will not be required, however, an inspection fee in the amount of \$300.00 will have to be posted before beginning any site construction or issuance of a building permit.



P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

May 9, 2006

Michael C. Rogers
c/o Onex Company
440 Forest Avenue
Portland, ME 04101

Subject: Filling Private Property @ 1700 Westbrook Street

Dear Michael:

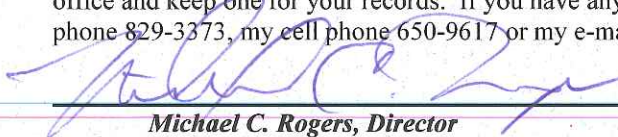
On behalf of A.H. Grover, Inc. I am seeking your permission to fill a section of your property. The material used to fill this land will be excavated soils from Stroudwater Road and Runabout Lane.

In exchange for your agreement and approval to fill an agreed upon area of your property, as previously approved by the City of Portland, our firm would perform the following scope of work at no cost to you:

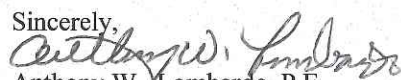
- Obtain all necessary permits and approvals to deposit fill
- Install required temporary erosion and sediment control measures
- Build a gravel haul road adjacent to your driveway
- Place, compact and grade fill
- Place min. 4" of loam, seed and mulch
- Reseed and mulch as necessary to establish grass growth
- Upon establishing substantial grass growth, remove downstream erosion control measures
- All areas disturbed will be loamed, seeded and mulched

We are also requesting that the use of this fill site would be exclusively maintained and utilized by only A.H. Grover, Inc.

Please review the information contained within this letter. I have provided you with two (2) copies of this letter. Upon your acceptance, please sign on the space provided on each copy. Return one copy to our office and keep one for your records. If you have any questions, please feel free to contact me at our office phone 829-3373, my cell phone 650-9617 or my e-mail address tonylombardo@maine.rr.com.


_____ of 1700 Westbrook Street in Portland,
Michael C. Rogers, Director

Maine agree to allow A.H. Grover, Inc of 82 Doughty Road in North Yarmouth, Maine, temporary access to our property for the purpose of filling and reclaiming a portion of our land, at no cost to us, as specified in this letter.

Sincerely,

Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President



P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

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440 Forest Avenue
Portland, ME 04101

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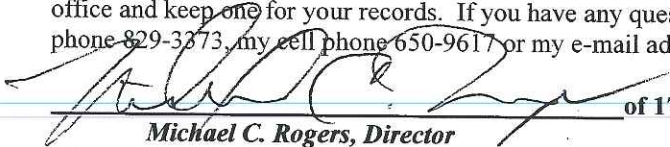
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- Obtain all necessary permits and approvals to deposit fill
- Install required temporary erosion and sediment control measures
- Build a gravel haul road adjacent to your driveway
- Place, compact and grade fill
- Place min. 4" of loam, seed and mulch
- Reseed and mulch as necessary to establish grass growth
- Upon establishing substantial grass growth, remove downstream erosion control measures
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We are also requesting that the use of this fill site would be exclusively maintained and utilized by only A.H. Grover, Inc.

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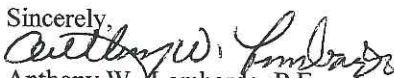


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Anthony W. Lombardo, P.E.
Estimator/Project Manager

CC: Benjamin C. Grover, Vice-President



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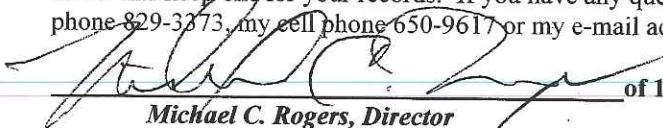
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