

Inspector Services
Michael J. Nugent
Manager

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND
STOP WORK NOTICE

July 26, 2000

Robert & Jennifer Hundermark
124 Hicks St.
Portland, ME 04103

RE: 124 Hicks St.
CBL: 297-E-026

HAND DELIVER

Dear Mr. & Mrs. Hundermark:

An evaluation of the property at 124 Hicks St. revealed that it fails to comply with Section 14-523 of the Municipal Code of the City of Portland.

This is a STOP WORK ORDER pursuant to Section 14-528 of the Code. All fill and earth activity must stop immediately.

An application for site development review must be received within 14 days, or the property/land must be re-established.

If and when a permit is issued work may commence at the site.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 14-472 of the Code. Please feel free to contact me at 874-8715, if you wish to discuss the matter or have any questions.

Sincerely,

Jeanie Bourke
Code Enforcement Officer

Cc: Central File
Joseph Gray

LEGAL NOTICE

Date 4/22/02

WHEREAS, violations of { Article ✓, Section 14-523 of the Zoning Ordinance }
Article _____, Section _____ of the Building Code } have been found
Article _____, Section _____ of the _____ Code }

on these premises, IT IS HEREBY ORDERED in accordance with the above Code that all persons cease, desist from, and

STOP WORK

at once pertaining to construction, alterations or repairs on these premises

known as 124 Hicks Street CBL: 297-E-026

ALL PERSONS ACTING CONTRARY TO THIS ORDER OR REMOVING OR MUTILATION THIS NOTICE ARE LIABLE TO ARREST UNLESS SUCH ACTION IS AUTHORIZED BY THE CITY OF PORTLAND DIVISION OF INSPECTION SERVICES.

Jeannie Bourke

CODE ENFORCEMENT OFFICER

Inspection Services
Michael J. Nugent
Manager

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND
STOP WORK NOTICE

July 26, 2000

Robert & Jennifer Hundermark
124 Hicks St.
Portland, ME 04103

RE: 124 Hicks St.
CBL: 297-E-026

HAND DELIVER

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This is a **STOP WORK ORDER** pursuant to Section 14-528 of the Code.
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If and when a permit is issued work may commence at the site.

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Sincerely,

Jeanie Bourke
Code Enforcement Officer

Cc: Central File
Joseph Gray

CBL: 297-E-026

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

July 3, 2002

Mr. Robert Hundertmark
124 Hicks Street
Portland, ME 04101

RE: Fill Permit/124 Hicks Street
(ID#2000-0153, CBL#297E026)

Dear Mr. Hundertmark:

It was observed yesterday that filling has occurred at 124 Hicks Street. This has been done without obtaining a fill permit, and also with a stop work order already in place.

This letter is to inform you that you have until **July 16, 2002**, to remove the fill piles that have been dumped on site.

If you fail to comply, the city will take legal action against you.

Furthermore, the city is denying your current fill permit application. It is my opinion that this fill would be altering a drainage course, negatively impacting the adjacent properties. If you wish to reapply, you must apply for a minor-site plan.

Sincerely,

Jay Reynolds
Development Review Coordinator

cc: Lee Urban, Planning and Development Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
— Marge Schmuckal, Zoning Administrator
File

CBL: 297 E026

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

July 2, 2002

Mr. Robert Hundertmark
124 Hicks Street
Portland, ME 04101

RE: Fill Permit/124 Hicks Street
(ID#2000-0153, CBL#297E026)

Dear Mr. Hundertmark:

Thank you for taking the time to meet with Penny Littell and myself on site to discuss the filling at 124 Hicks Street.

After discussing the issue, it was agreed upon the following:

1. You would stop filling at this time, and will rescind your current fill permit application.
2. The city will reimburse to you the fill permit application fee (\$50).
3. You will stabilize/clean up side slopes with topsoil/loam.
4. You wish to place manure in your garden. This is allowed without a fill permit, granted, you are not raising or changing any elevations to any degree.
5. Any future filling would require a fill permit from the City.

Please feel free to contact me at 874-8632 if you feel there are any errors or omissions.

Thank you for your assistance on this matter.

Sincerely,

Jay Reynolds
Development Review Coordinator

City Of Portland
Inspection Services
RETURN OF SERVICE

297-E-026

On the 27th day of July, 2000, I made service of the Stop Work Notice
upon, Bob Hundertmark, at 124 Hicks St.

X

By delivering a copy in hand.

By leaving copies at the individual's dwelling house or usual place of abode with a person of suitable age or discretion who resides therein and whose name is _____.

By delivering a copy to an agent authorized to receive service of process, and whose name is _____.

By (describe other manner of service) _____.

DATED: 8-3-00

Jaime M. Burke
Signature of Person Making Service

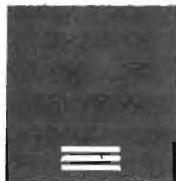
C.E.O

Title

I have received the above referenced documents

Bob Hundertmark
Person Receiving Service

___ Refused to sign



DELUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE #
SOUTH PORTLAND, MAINE 04106
TEL. 207 775 1121
FAX 207 879 0896

- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- TRAFFIC STUDIES AND MANAGEMENT
- PERMITTING
- AIRPORT ENGINEERING
- SITE PLANNING
- CONSTRUCTION ADMINISTRATION

August 21, 2000

Mr. Robert Hundertmark
124 Hicks Street
Portland, ME 04101

297-E-26

RE: Fill Permit – 124 Hicks Street

Dear Mr. Hundertmark:

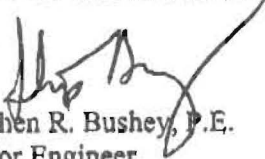
I have received the 8 1/2" x 11" photocopy of the tax map showing your property and the approximate limits of proposed fill. It is my understanding you are requesting to fill an approximately 90' x 100' high area up to 4' high. This will be approximately 1,333 c.y. of fill. Based on the supplied sketch, you are hereby given conditional approval for a fill permit. Besides the attached conditions, the following conditions must be met:

1. The proposed fill limits shall be clearly staked out and delineated prior to any further filling on the lot in order to allow City representatives to review the fill limits.
2. All previous conditions of approval per your 1992 fill permit (now expired) remain applicable.
3. All fill placed this fall shall be graded, topsoiled, seeded and mulched prior to October 1, 2000. No fill placement shall occur between October 1, 2000 and April 15, 2001.

If you have any questions, please call.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.


Stephen R. Bushey, P.E.
Senior Engineer

SRB/ajs/JN1350.10/Hundertmasr8-18

c: Alex Jaegerman
Mike Nugent



DeLUCA-HOFFMAN ASSOCIATES, INC.
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MEMORANDUM

TO: Sarah Hopkins – Planning
Mike Nugent – Codes Enforcement

FROM: Chris Earle, Development Review Coordinator Assistant

DATE: October 5, 2000

RE: Status – Fill at 124 Hicks Street

297 E 026

On October 5, 2000, this office made telephone contact with Jennifer Hundertmark regarding the fill at 124 Hicks Street. Ms. Hundertmark stated that the fill had been graded off and that it would be mulched and seeded by October 15, 2000.

A site visit by our staff has confirmed that the fill has been graded off, that the silt fence is in place, and that there is no organic substance evident.



CITY OF PORTLAND

September 25, 2001

Mr. Robert Hundertmank
124 Hicks Street
Portland, ME 04101

RE: Fill Permit/124 Hicks Street
(ID#2000-0153, CBL#297E026)

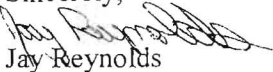
Dear applicant:

This memo is to summarize our conversation last week at 124 Hicks Street. Per City of Portland fill and grade guidelines, you are required to cease filling after September 1st, or request an extension. You had mentioned that filling is to cease at this time, and that the required 'winterization', i.e., loam and seed will be installed promptly. **I anticipate this work could be completed by October 9th, 2001. At this time, you have until this date to stabilize the fill areas for winter.**

We had also discussed the limits and expiration date of your fill permit. It was agreed upon the following: **If you wish to continue filling in 2002, you would need to re-apply for another fill permit, prior to commencing work.**

Please contact me if you have any questions or comments.
Thank You for Your Time.

Sincerely,



Jay Reynolds
Development Review Coordinator

cc: Alexander Jaegerman, Chief Planner
Sarah Hopkins, Development Review Services Manager
✓ Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
Marge Schmuckal, Zoning Administrator
File



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August 21, 2000

Mr. Robert Hundertmark
124 Hicks Street
Portland, ME 04101

297-E-26

RE: Fill Permit – 124 Hicks Street

Dear Mr. Hundertmark:

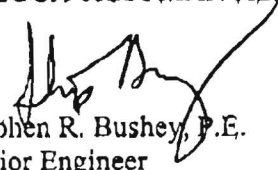
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If you have any questions, please call.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.


Stephen R. Bushey, P.E.
Senior Engineer

SRB/ajs/JN1350.10/Hundertmasr8-18

c: Alex Jaegerman
Mike Nugent



CITY OF PORTLAND

September 25, 2001

Mr. Robert Hundertmank
124 Hicks Street
Portland, ME 04101

RE: Fill Permit/124 Hicks Street
(ID#2000-0153, CBL#297E026)

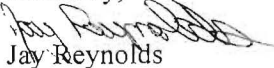
Dear applicant:

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We had also discussed the limits and expiration date of your fill permit. It was agreed upon the following: **If you wish to continue filling in 2002, you would need to re-apply for another fill permit, prior to commencing work.**

Please contact me if you have any questions or comments.
Thank You for Your Time.

Sincerely,



Jay Reynolds

Development Review Coordinator

cc: Alexander Jaegerman, Chief Planner
Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
✓ Marge Schmuckal, Zoning Administrator
File

297-E-26

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

July 3, 2002

Mr. Robert Hundertmark
124 Hicks Street
Portland, ME 04101

RE: Fill Permit/124 Hicks Street
(ID#2000-0153, CBL#297E026)

Dear Mr. Hundertmark:

It was observed yesterday that filling has occurred at 124 Hicks Street. This has been done without obtaining a fill permit, and also with a stop work order already in place.

This letter is to inform you that you have until **July 16, 2002**, to remove the fill piles that have been dumped on site.

If you fail to comply, the city will take legal action against you.

Furthermore, the city is denying your current fill permit application. It is my opinion that this fill would be altering a drainage course, negatively impacting the adjacent properties. If you wish to reapply, you must apply for a minor-site plan.

Sincerely,

Jay Reynolds
Development Review Coordinator

- cc: Lee Urban, Planning and Development Director
- Alexander Jaegerman, Planning Division Director
- Sarah Hopkins, Development Review Services Manager
- Mike Nugent, Inspection Services Manager
- Penny Littell, Corporation Counsel
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August 14, 2000

Ms. Debra Keenan
28 Dorothy Street
Portland, Maine 04103

Re: Hundertmark – 124 Hicks Street

Dear Ms. Keenan:

297-E-086

I would like to provide the following response to your July 24, 2000 letter. First, Robert Hundertmark applied for a fill permit on July 25, 2000. That application has been found incomplete and a request has been made to the applicant to provide additional data meeting the Fill Permit Guidelines, which I attach for your information. Upon receipt of this information, the application processing will continue and disapproval or an approval with conditions will be issued. Any action on the application will include provisions that all past placed fill be restored in compliance with the general fill guidelines. I recognize that the past fill placements have not been in compliance with these guidelines; however, rest assured, this office, as well as the City's Code Enforcement Division, will make best efforts to monitor and enforce long-term compliance by the Applicant.

I note to you that I have visited the site with Alex Jaegerman of the City's Planning Department. He is currently reviewing the fill permit issue and has been made aware of your concerns. Together with Mr. Nugent of Code Enforcement and Mr. Jaegerman, we hope to process the Hundertmark fill applicant and review any historical site activity for regulatory compliance.

If you have any questions, please call.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

Stephen R. Bushey, P.E.
Senior Engineer

SRB/sq/JN1350.10/Keenan8-14

Enclosure

c: Mike Nugent
Alex Jaegerman

28 Dorothy Street
Portland, Maine 04103
July 24, 2000

City Hall
Congress Street
Portland, Maine 04101

RE: HUNDEMART 124 Hicks street

Dear Steve Bushy and Steve Wentworth and others concerned,

Mike Bryant

I just wanted to put in writing a summary of the problem for documentation purposes. Sometimes pieces of oral conversation get forgotten.

Summary of the problem:

On July 5th or 6th I heard noise on my backdoor neighbors property, after about two hours I went to investigate. I saw Blue Rock dump trucks dumping fill. A dump truck had gotten caught up while dumping fill. A large tree remnant was caught half way in the truck and half way out. While trying to free himself the dump truck operator started to get caught up in the electrical wires nearly electrocuting himself. An alert neighbor shouted a warning to him before he hit the wires. A significant amount of fill had already been dumped and a second Blue Rock dump truck full of fill arrived on the scene as the other operator was trying to free himself.

The following day I called Blue Rock to find out what they were dumping. The person who answered the phone immediately knew what I was speaking of. I was told that Mr. Hundemart had requested that he be placed on Blue Rock's dump site list. That the fill consisted of debris from their driveway work and that Blue Rock was not required to have a dump permit but perhaps the owner of the property did.

I then called City hall and was referred to Steve Bushy who told me there was no record of a fill permit, that the City would notify the owner and require him to cease operation until he got a fill permit. I was also told that the purpose of the fill permit was for the City to be able to over see the operation to assure that no illegal type of fill was dumped and that the fill was utilized properly (that abutters were not impacted by new drainage problems, erosion etc, which is the abutters concerns). Steve Bushy said he would notify code enforcement and inspections to look at the site and contact the owner.

I also called code enforcement and visited City Hall and was referred to Steve Wentworth. I left several voice mails for Steve W. and we played telephone tag and I spoke with him in person at my home around July 20th. A neighbor and I spoke with him about our concerns. He saw the site and the fill and determined by observation that the content of the fill was adequate.

Earlier that week I had talked to Steve Bushy, who had contacted the owner's daughter in law who said the owner was gravely ill and out of the country and that they had gotten a permit around 1992/93 and they had thought it was still valid.

Subsequently, Steve Bushy confirmed there was an old permit with conditions.

property legally. As I stated to Mr Went worth I fully expect retaliation from the property owner for voicing my concerns. Neighbors have already been threatened (today) with the property owners saying they have been approved to place 22 Condo's on the property.

It would seem a reasonable compromise that the property owner be required to grade, loam and seed before he's given any other permits. It would seem that two years is long enough to wait for the grading of illegally dumped fill to proceed.

Please send me a copy of the fill permit and conditions., a copy of the letter sent to the property owner, and regulations regarding fill requirements. Please respond in writing to the above questions and concerns and how the City plans to proceed in this complaint. Please add this complaint to the file for 124 Hicks Street.

Sincerely,

Debra A. Keenan

Are you requiring them to grade the fill + what is the
time line for that?

Please notify me when he's applied for a new fill
permit

July 23, 1996

**CITY OF PORTLAND, MAINE
FILL PERMIT GUIDELINES FOR PROPOSED FILLED AREAS
UNDER 500 CUBIC YARDS**

The following items are guidelines to help applicants prepare a plan or sketch for approval of land areas being filled with 500 cubic yards of material or less. It is the applicant's responsibility to locate and assess all impacts as a result of the proposed filling and to acquire all applicable permits outside of the City of Portland review. Should you fail to complete or address these items you may be subject to strict enforcement which may result in costly construction amendments. Plans or sketches shall indicate proposed grades and contain the information suggested in the following guidelines:

1. Fill elevations shall match and conform in height with the elevation of an existing road shoulder, an existing driveway or land abutting your property line. Embankments and sloped areas created by fill construction shall not exceed a 3:1 sideslope or 33% grade. Areas steeper than 3:1 shall be stabilized using stone riprap, erosion control blankets, or an engineered retaining structure or system.
2. The filled area shall be graded such as to provide positive gravity drainage from a roadside, driveway, and buildings to a ditchline, culvert, wetlands, or a common drainage system located within or adjacent to the applicant's lot.
3. Fill shall not be placed near, within, or block the flow path of an existing drainage course. Any filling within the drainage course under the opinion of the Development Review Coordinator shall be removed and restored to its original condition at the owner's expense.
4. Siltation fence shall be installed and maintained at all times. The siltation fence shall be located along the entire downstream limits of the filled area or around the perimeter of the filled area to protect the disturbed area from siltation and possible erosion. Installation shall be initially reviewed by the Development Review Coordinator (DRC) and must be in accordance with the Best Management Practices for Construction Erosion and Sediment Control.
5. Erosion control (silt fence) shall be maintained on a regular basis. Silt fence may not be removed until the lawn area or disturbed area is 80% revegetated or is approved by the DRC.
6. Any alteration of a drainage course, or rerouting will require the plan to be reviewed by the Planning staff as a minor site plan and will require a stamped professional engineered plan and calculations for drainage discharge, channel sizing, and location.

7. The applicant shall disclose the amount, a description of type, and the origin of the proposed fill material. Fill material shall consist of non-contaminated soils free of large debris. Only under special exceptions shall sources of inert construction debris (concrete, brick, mortar, ceramics, etc.) be utilized for fill. Special exception fill material shall be reviewed by the Development Review Coordinator prior to actual placement for approval.
8. The fill material shall not remain exposed without a temporary erosion and sedimentation control or seeding application for more than 14 days. Temporary erosion control such as hay mulching must also occur on stock piled material if the time of exposure is to be greater than 14 days.
9. The filled area must be covered with 3-4" layer of loam material, free of clay, stone, roots, or wood debris. Loamed areas shall be seeded within 7 days following final grading or be covered with a hay mulch until the area is ready for final seeding. If the area fails to grow grass within 14 days, the area shall be re-seeded.
10. A copy of the boundary survey shall be submitted showing the approximate limits of filling. No filling shall be allowed within any public right of way, easement, or on any land other than the lot owned by the applicant.
11. The applicant shall complete all construction, grading, and seeding activities by September 1, or a date agreed to by the Development Review Coordinator. Failure to complete will require the applicant to apply for a permit extension.
12. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.

Please take notice that these are only guidelines and that the review of each applicant is different and is dependent on field conditions and topography. Conditions or requirements requested may exceed these guidelines in certain circumstances, by addressing the above items the applicant will be better prepared to understand the fill permit approval process. Prior to actual construction it would be helpful if you contacted the DRC 874-8300 ext. 8722 to establish your anticipated construction schedule. If you have any questions or need further assistance please call the above number.

**CITY OF PORTLAND, MAINE
PUBLIC NOTICE**

To All Building Permit Applicants and/or Contractors:

Effective immediately all temporary erosion control measures as shown on submitted site plans or as made part of a conditional approval of a site plan shall be installed, maintained, and inspected for proper functioning. Erosion control measures include but are not limited to silt fencing hay bales, stone check dams, earthen berms, stone lined swales, riprap embankments, riprap inlet/outlets of any pipe channel or culvert, sodded or grass strips, hay mulch cover on exposed soils, jute matting or erosion control blanket/matting, geotextile grids or webbing, and any provision approved by the City Engineer or Development Review Coordinator to decrease erosion or sedimentation.

All temporary and permanent erosion control measures shall be in conformance with the Maine Erosion and Sediment Control Handbook for construction: Best Management Practices as published by Cumberland County SWCD and the Maine Department of Environmental Protection. Consistent failure to install, maintain, or construct in an acceptable manner will result in a stop work order on the building permit. All erosion control measures shall be established in proposed areas of disturbed soils resulting from construction activities prior to actual construction unless a specific deadline has been made a condition of approval or agreed to by a Public Works Engineer or the Development Review Coordinator.

Effective immediately any request for Certificate of Occupancy will be denied if the above measures have not been addressed or completed. Only under extreme conditions, due to weather, shall the omission of the erosion control standards be included on the conditions for a Certificate of Occupancy, otherwise the request for a Certificate will be refused.

The City of Portland Planning Department and Public Works Department consider Erosion and Sediment Control Planning to be an absolutely necessary initial construction activity that requires as much attention and enforcement as building construction. For the protection of sensitive waterbodies, undisturbed lands, neighboring properties, established vegetated areas, and municipal drainage systems please pay careful attention to erosion and sediment control measures and conform to the notes, details, and conditions of approval as noted on your approved site plan. These controls must be installed and maintained continuously throughout the construction period. The City may inspect the site at any time to ensure compliance, and violations could result in work stoppage orders as indicated above.

We appreciate your prompt compliance with these requirements.



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

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August 14, 2000

Mr: Robert Hundertmark
124 Hicks Street
Portland, Maine 04103

**Re: Fill Permit Application 2000 0153
City of Portland**

Dear Mr. Hundertmark:

As Acting Development Review Coordinator for the City of Portland, I have received your application for a fill permit for Chart-Block-Lot 297-E-026. In order to process this application, I must receive additional information per the attached Fill Permit Guidelines for Proposed Fill areas. Specifically, a plan of your property showing the approximate limits of filling is required, in addition to compliance with the remaining guidelines.

If you have any questions regarding these guidelines, please call.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

Stephen R. Bushey, P.E.
Senior Engineer

SRB/sq/JN1350.10/Hundertmark8-14

Enclosures

c: Mike Nugent
Alex Jaegerman

July 23, 1996

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FILL PERMIT GUIDELINES FOR PROPOSED FILLED AREAS
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1. Fill elevations shall match and conform in height with the elevation of an existing road shoulder, an existing driveway or land abutting your property line. Embankments and sloped areas created by fill construction shall not exceed a 3:1 sideslope or 33% grade. Areas steeper than 3:1 shall be stabilized using stone riprap, erosion control blankets, or an engineered retaining structure or system.
2. The filled area shall be graded such as to provide positive gravity drainage from a roadside, driveway, and buildings to a ditchline, culvert, wetlands, or a common drainage system located within or adjacent to the applicant's lot.
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**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM**

20000153
I. D. Number

Robert Hundertmark
Applicant
124 Hicks Street, Portland, ME 04103
Applicant's Mailing Address
SAA
Consultant/Agent

Applicant or Agent Daytime Telephone, Fax

7/25/00
Application Date
King & Hemmingway St
Project Name/Description

Hicks St, Portland Maine 04103
Address of Proposed Site
297-E-026
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 Office Retail Manufacturing Warehouse/Distribution Parking Lot New Building Building Addition Change Of Use Residential Other (specify) **fill permit**

Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

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

Fees Paid: Site Plan _____ Subdivision _____ Engineer Review **\$100.00** Date: **7/25/00**

DRC Approval Status:

Approved Approved w/Conditions
see attached Denied Reviewer _____

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

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate Of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	date		
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date

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

20000153

I. D. Number

Robert Hundertmark

Applicant

124 Hicks Street, Portland, ME 04103

Applicant's Mailing Address

SAA

Consultant/Agent

7/25/00

Application Date

King & Hemmingway St

Project Name/Description

Hicks St, Portland Maine 04103

Address of Proposed Site

297-E-026

Assessor's Reference: Chart-Block-Lot

Applicant or Agent Daytime Telephone, Fax

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Proposed Building square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

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

Fees Paid: Site Plan _____ Subdivision _____ Engineer Review **\$100.00** Date: **7/25/00**

Inspections Approval Status:

Reviewer _____

- | | | |
|---|---|---|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Approved w/Conditions
see attached | <input type="checkbox"/> Denied |
| Approval Date _____ | Approval Expiration _____ | Extension to _____ |
| <input type="checkbox"/> Condition Compliance | signature _____ | date _____ |
| | | <input type="checkbox"/> Additional Sheets Attached |

Performance Guarantee **Required*** **Not Required**

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

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
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	date	amount	
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	date		
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<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	date		
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date

Hicks St - 124 (Fill)

(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.

Robert C Hundertmark

7/25/00

Applicant
124 Hicks St

Application Date

Applicant's Mailing Address
Portland ME 04103

Project Name/Description

Consultant/Agent

Lots bounded by King & Hemingway adjacent to 74 King St

Applicant/Agent Daytime telephone and FAX

Assessor's Reference, Chart#, Block, Lot#

297-E-026

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

more 500cy \$100.00

Proposed Building Square Footage and /or # of Units

Acreege 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:

Robert C Hundertmark

Date:

7/25/00

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.

500cy or less - \$50.00

500cy or more - \$100.00



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207 775 1121
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■ ROADWAY DESIGN
■ ENVIRONMENTAL ENGINEERING
■ TRAFFIC STUDIES AND MANAGEMENT
■ PERMITTING
■ AIRPORT ENGINEERING
■ SITE PLANNING
■ CONSTRUCTION ADMINISTRATION

August 21, 2000

297-E-026

Mr. Robert Hundertmark
124 Hicks Street
Portland, ME 04101

RE: Fill Permit – 124 Hicks Street

Dear Mr. Hundertmark:

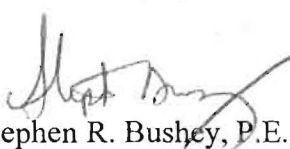
I have received the 8 1/2" x 11" photocopy of the tax map showing your property and the approximate limits of proposed fill. It is my understanding you are requesting to fill an approximately 90' x 100' high area up to 4' high. This will be approximately 1,333 c.y. of fill. Based on the supplied sketch, you are hereby given conditional approval for a fill permit. Besides the attached conditions, the following conditions must be met:

1. The proposed fill limits shall be clearly staked out and delineated prior to any further filling on the lot in order to allow City representatives to review the fill limits.
2. All previous conditions of approval per your 1992 fill permit (now expired) remain applicable.
3. All fill placed this fall shall be graded, topsoiled, seeded and mulched prior to October 1, 2000. No fill placement shall occur between October 1, 2000 and April 15, 2001.

If you have any questions, please call.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.


Stephen R. Bushey, P.E.
Senior Engineer

SRB/ajs/JN1350.10/Hundertmasr8-18

c: Alex Jaegerman
Mike Nugent

July 23, 1996

**CITY OF PORTLAND, MAINE
FILL PERMIT GUIDELINES FOR PROPOSED FILLED AREAS
UNDER 500 CUBIC YARDS**

The following items are guidelines to help applicants prepare a plan or sketch for approval of land areas being filled with 500 cubic yards of material or less. It is the applicant's responsibility to locate and assess all impacts as a result of the proposed filling and to acquire all applicable permits outside of the City of Portland review. Should you fail to complete or address these items you may be subject to strict enforcement which may result in costly construction amendments. Plans or sketches shall indicate proposed grades and contain the information suggested in the following guidelines:

1. Fill elevations shall match and conform in height with the elevation of an existing road shoulder, an existing driveway or land abutting your property line. Embankments and sloped areas created by fill construction shall not exceed a 3:1 sideslope or 33% grade. Areas steeper than 3:1 shall be stabilized using stone riprap, erosion control blankets, or an engineered retaining structure or system.
2. The filled area shall be graded such as to provide positive gravity drainage from a roadside, driveway, and buildings to a ditchline, culvert, wetlands, or a common drainage system located within or adjacent to the applicant's lot.
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**CITY OF PORTLAND, MAINE
PUBLIC NOTICE**

To All Building Permit Applicants and/or Contractors:

Effective immediately all temporary erosion control measures as shown on submitted site plans or as made part of a conditional approval of a site plan shall be installed, maintained, and inspected for proper functioning. Erosion control measures include but are not limited to silt fencing hay bales, stone check dams, earthen berms, stone lined swales, riprap embankments, riprap inlet/outlets of any pipe channel or culvert, sodded or grass strips, hay mulch cover on exposed soils, jute matting or erosion control blanket/matting, geotextile grids or webbing, and any provision approved by the City Engineer or Development Review Coordinator to decrease erosion or sedimentation.

All temporary and permanent erosion control measures shall be in conformance with the Maine Erosion and Sediment Control Handbook for construction: Best Management Practices as published by Cumberland County SWCD and the Maine Department of Environmental Protection. Consistent failure to install, maintain, or construct in an acceptable manner will result in a stop work order on the building permit. All erosion control measures shall be established in proposed areas of disturbed soils resulting from construction activities prior to actual construction unless a specific deadline has been made a condition of approval or agreed to by a Public Works Engineer or the Development Review Coordinator.

Effective immediately any request for Certificate of Occupancy will be denied if the above measures have not been addressed or completed. Only under extreme conditions, due to weather, shall the omission of the erosion control standards be included on the conditions for a Certificate of Occupancy, otherwise the request for a Certificate will be refused.

The City of Portland Planning Department and Public Works Department consider Erosion and Sediment Control Planning to be an absolutely necessary initial construction activity that requires as much attention and enforcement as building construction. For the protection of sensitive waterbodies, undisturbed lands, neighboring properties, established vegetated areas, and municipal drainage systems please pay careful attention to erosion and sediment control measures and conform to the notes, details, and conditions of approval as noted on your approved site plan. These controls must be installed and maintained continuously throughout the construction period. The City may inspect the site at any time to ensure compliance, and violations could result in work stoppage orders as indicated above.

We appreciate your prompt compliance with these requirements.



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297-E-26,27

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- PERMITTING
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August 21, 2000

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124 Hicks Street
Portland, ME 04101

RE: Fill Permit – 124 Hicks Street

Dear Mr. Hundertmark:

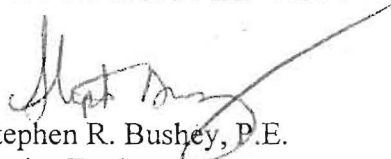
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cc: Alexander Jaegerman, Assistant Director, Planning
Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
✓ Marge Schmuckal, Zoning Administrator
File