



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

**MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY**

PH Warren Avenue, LLC
c/o Peter Holmes
401 Warren Avenue
Portland, Maine 04101

CORPS PERMIT # NAE-2014-00550
CORPS PGP ID# non-screen
STATE ID# L-26332-TC-A-N

DESCRIPTION OF WORK:

Place fill in 14,323 SF (0.32 acres) of wetland in conjunction with the development of a commercial multi-unit building and associated infrastructure off 421 Warren Avenue Portland, Maine as shown on the attached plans entitled "PH Warren Avenue, LLC, Commercial Site 421 Warren Avenue for Peter Holems 12 Wildwood Lane Scarborough, Maine by Fay, Spofford & Thorndike, Inc." in 4 sheet dated 04/16/2014 and 04/17/2014.

See Attached Conditions:

LAT/LONG COORDINATES : 43.68784 N 70.31547 W USGS QUAD: ME- Portland West

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. **Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP).** Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 41 of the GP (page 18) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 12, 2015. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 12, 2016.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

II. STATE ACTIONS: PENDING [], ISSUED [], DENIED [] DATE _____

APPLICATION TYPE: PBR: _____ TIER 1: X TIER 2: _____ TIER 3: _____ LURC: _____ DMR LEASE: _____ NA: _____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: N/A LEVEL OF REVIEW: CATEGORY 1: X CATEGORY 2: _____

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 _____, 404 X 10/404 _____, 103 _____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO _____, USF&WS_NO _____, NMFS_NO _____

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

Rodney A. Howe
RODNEY A. HOWE
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

Frank J. Del Giudice 5/7/14
FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



**US Army Corps
of Engineers** ®
New England District

**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2014-00550**

1. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
2. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work.
3. Please note General Condition 21. Sedimentation and Erosion Control on page 11 of the attached Programmatic General Permit.
4. This permit authorizes impacts to only those areas of wetlands shown on the attached project plans. No other filling, clearing or other disturbance in wetlands shall occur. Any additional proposals that would further impact wetlands will require additional permitting.

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

1. Name of Applicant: PH Warren Ave, LLC		5. Name of Agent: Fay, Spofford & Thorndike Attn: Stephen Bushey, P.E.	
2. Applicant's Mailing Address: 401 Warren Ave Portland, Maine 04101		6. Agent's Mailing Address: 778 Main Street, Suite 8 South Portland, Maine 04106	
3. Applicant's Daytime Phone #: 207-878-4496		7. Agent's Daytime Phone #: 207-775-1121	
4. Applicant's Email Address: Required from <i>either</i> applicant or agent:		8. Agent's E-mail Address: sbushey@fstinc.com	
9. Location of Activity: (Nearest Road, Street, Rt.#) 421 Warren Ave		10. Town: Portland	11. County: Cumberland
12. Type of Resource: (Check all that apply)	<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input type="checkbox"/> Coastal Wetland <input checked="" type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource: Unnamed wetland
	14. Amount of Impact: (Sq.Ft.)		Fill: 14,323 SF Dredging/Veg Removal/Other:
15. Type of Wetland: (Check all that apply)	FOR FRESHWATER WETLANDS		
	<input type="checkbox"/> Forested <input checked="" type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____	<i>Tier 1</i>	<i>Tier 2</i>
16. Brief Activity Description		<input type="checkbox"/> 0 - 4,999 sq ft <input type="checkbox"/> 5,000-9,999 sq ft <input checked="" type="checkbox"/> 10,000-14,999 sq ft	
17. Size of Lot or Parcel & UTM Locations:		<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 48.71 acres UTM Northing: 15872644.03 UTM Easting: 1292635.17	
18. Title, Right or Interest:		<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement	
19. Deed Reference Numbers:		20. Map and Lot Numbers:	
Book#: 30781 Page: 74		Map #: 303 304 Lot #: A010 B028	
21. DEP Staff Previously Contacted: Bill Bullard		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Resubmission of Application?		25. Previous Wetland Alteration:	
<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
24. Written Notice of Violation?		26. Detailed Directions to the Project Site:	
<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		Project site located between 401 Warren Ave (Harbour Auto Body) and 429 Warren Ave (two commercial buildings)	
27. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS	
<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Narrative Project Description <input checked="" type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> Statement of Avoidance & Minimization <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC		<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the Information listed under Site Conditions <input type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input type="checkbox"/> Erosion Control/Construction Plan <input type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input type="checkbox"/> Appendix A and others, if required <input type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required	
28. FEES Amount Enclosed:			

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."


SIGNATURE OF AGENT/APPLICANT

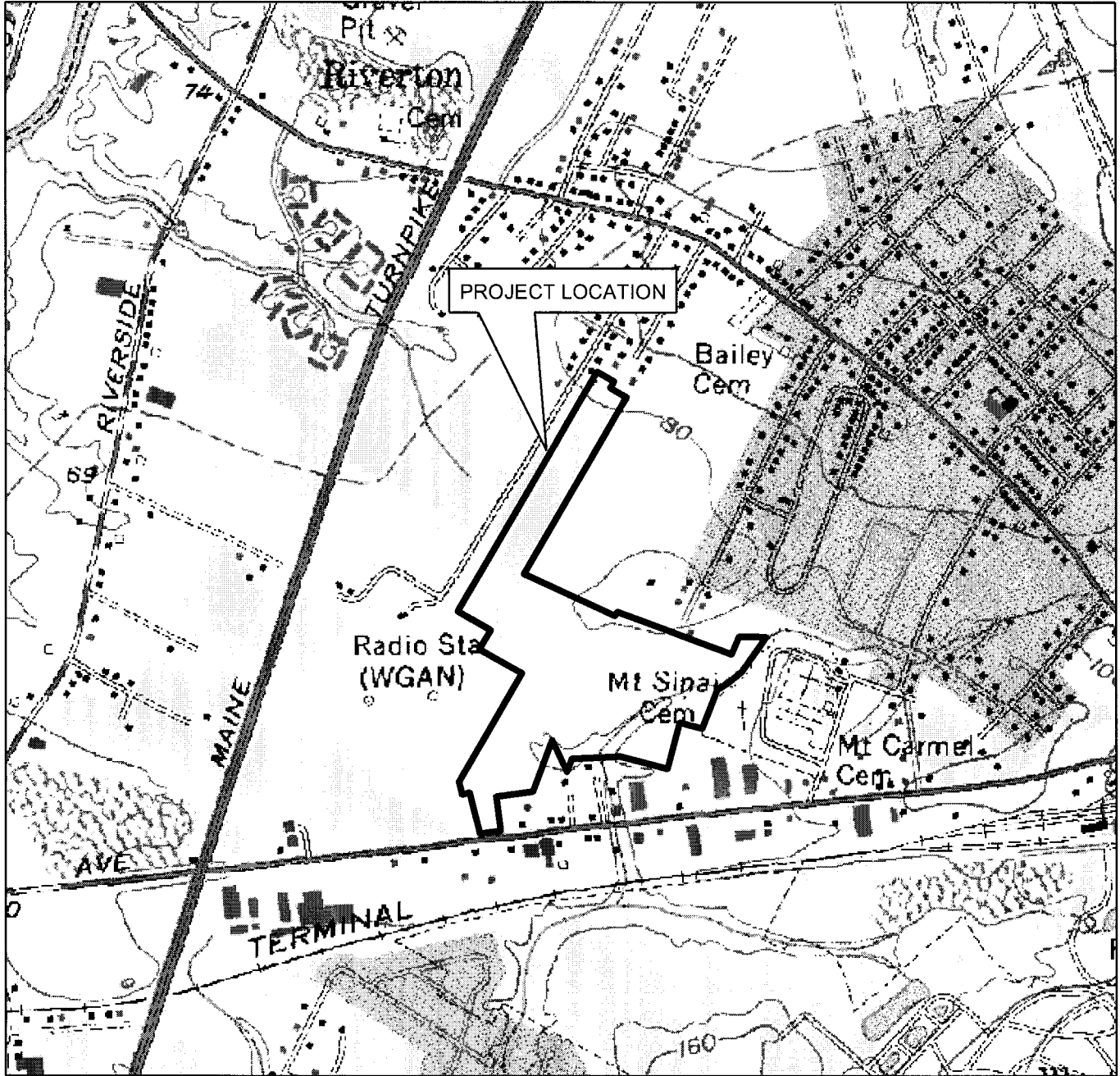
Date: 4/16/14

Signature of Agent STEPHEN BUSHEY agent

Date: 4/16/14

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

(yellow)



USGS LOCATION MAP

PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE

SOURCE: MAINE OFFICE OF GIS - MAPS

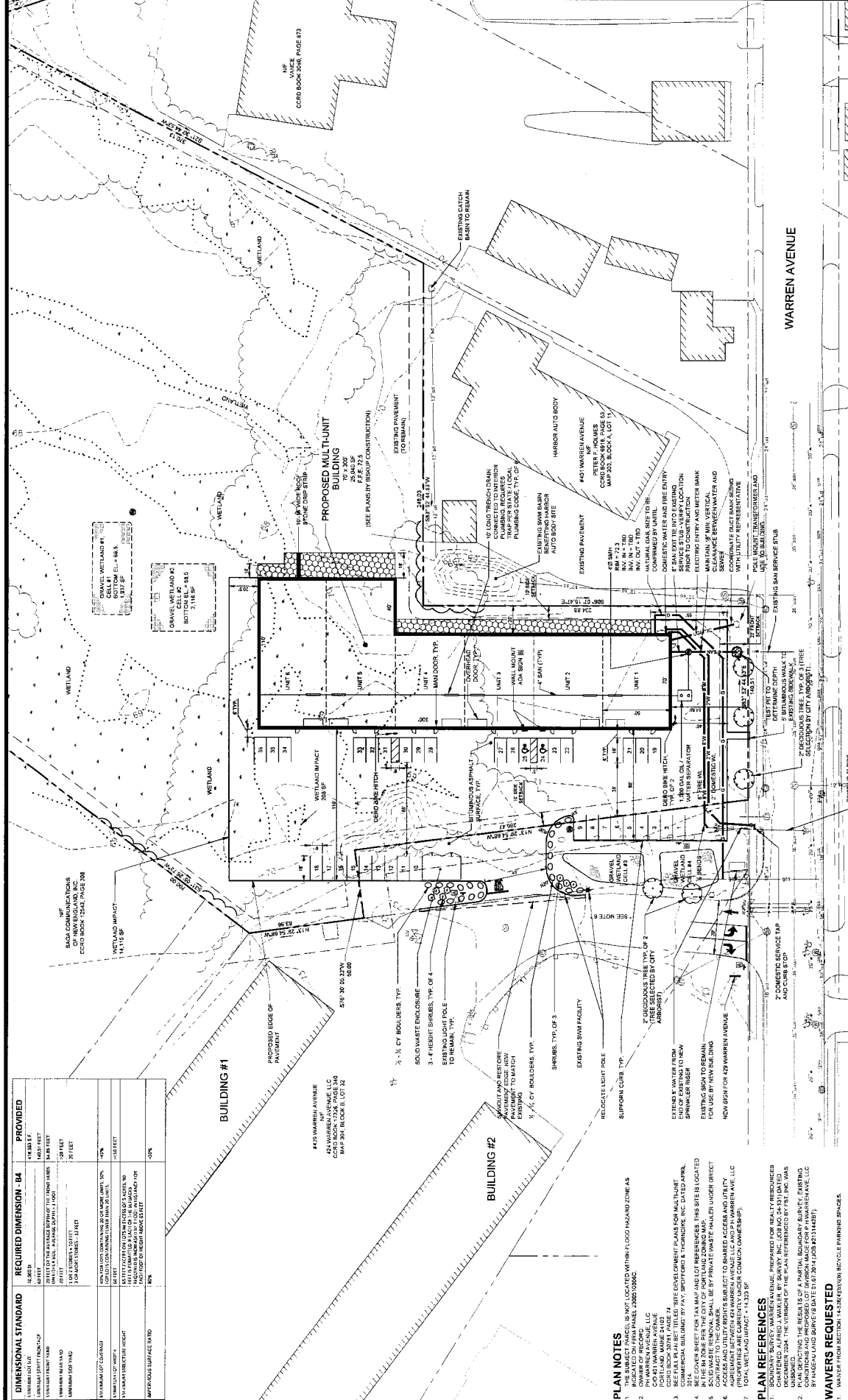


FAY, SPOFFORD & THORNDIKE, INC.
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE B, SOUTH PORTLAND, ME 04106

DRAWN: DED
CHECKED: SRB
DATE: OCT 2013
FILENAME: SP-M104_USGS
SCALE: 1 inch = 1,000 feet

FIGURE

1



DIMENSIONAL STANDARD	REQUIRED DIMENSION - B4	PROVIDED
MINIMUM LOT FRONTAGE	140.00 FEET	145.50 FEET
MINIMUM LOT DEPTH	100.00 FEET	100.00 FEET
MINIMUM LOT AREA	14,000.00 SQ FEET	14,655.00 SQ FEET
MINIMUM FRONT YARD SETBACK	5.00 FEET	5.00 FEET
MINIMUM SIDE YARD SETBACK	5.00 FEET	5.00 FEET
MINIMUM REAR YARD SETBACK	10.00 FEET	10.00 FEET
MINIMUM FRONT SETBACK FROM RIGHT-OF-WAY	10.00 FEET	10.00 FEET
MINIMUM REAR SETBACK FROM RIGHT-OF-WAY	10.00 FEET	10.00 FEET
MINIMUM SIDE SETBACK FROM RIGHT-OF-WAY	10.00 FEET	10.00 FEET
MINIMUM SETBACK FROM ADJACENT PROPERTY	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT STREET	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT ALLEY	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT LOT	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT DRIVEWAY	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT TRAIL	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT WATERWAY	5.00 FEET	5.00 FEET

BUILDING #1

BUILDING #2

PROPOSED MULTI-UNIT BUILDING

SEE PLANS BY GROUP FOR CONSTRUCTION

WARREN AVENUE

401 WARREN AVENUE

402 WARREN AVENUE

403 WARREN AVENUE

404 WARREN AVENUE

WARREN AVENUE

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DIMENSIONAL STANDARD	REQUIRED DIMENSION - B4	PROVIDED
MINIMUM LOT FRONTAGE	140.00 FEET	145.50 FEET
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MINIMUM SETBACK FROM ADJACENT DRIVEWAY	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT TRAIL	5.00 FEET	5.00 FEET
MINIMUM SETBACK FROM ADJACENT WATERWAY	5.00 FEET	5.00 FEET

- PLAN NOTES**
- THE SUBJECT PARCEL IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE AS INDICATED ON PER PANEL 10002-10003C.
 - PH WARREN AVENUE, LLC HAS OBTAINED NECESSARY RECORDS FROM THE CITY OF PORTLAND, ME.
 - CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2024 MEASUREMENTS ACT AND THE 2024 BUILDING CODE AS APPLIED TO THE CITY OF PORTLAND, ME.
 - SEE COVER SHEET FOR TAX MAP AND LOT REFERENCES. THIS SITE IS LOCATED IN THE MZ3 ZONE PER THE CITY OF PORTLAND ZONING MAP.
 - THE 2024 MEASUREMENTS ACT SHALL BE APPLIED TO THIS PROJECT UNDER DIRECT CONTRACT TO THE OWNER.
 - ADDITIONAL NOTES TO THESE PLANS ARE LOCATED ON SHEET PH WARREN AVENUE, LLC (PH) 10002-10003C AND 10002-10003D.
 - FOR ALL INFORMATION REFER TO 10002-10003C AND 10002-10003D.
- PLAN REFERENCES**
- DESIGNED BY PH WARREN AVENUE, LLC AND ENGINEERED BY PH WARREN AVENUE, LLC.
 - PH WARREN AVENUE, LLC HAS OBTAINED NECESSARY RECORDS FROM THE CITY OF PORTLAND, ME.
 - PH WARREN AVENUE, LLC HAS OBTAINED NECESSARY RECORDS FROM THE CITY OF PORTLAND, ME.
 - PH WARREN AVENUE, LLC HAS OBTAINED NECESSARY RECORDS FROM THE CITY OF PORTLAND, ME.
- WAIVERS REQUESTED**
- WARREN AVENUE, LLC REQUESTS THE CITY OF PORTLAND TO WAIVE THE REQUIREMENTS FOR THE INSTALLATION OF A BIKEWAY ON THE SUBJECT PARCEL AS SHOWN ON SHEET PH WARREN AVENUE, LLC (PH) 10002-10003C AND 10002-10003D.

PH WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

ESI ENGINEERING & DESIGN, INC.
 778 MAIN ST. 3RD FLOOR
 SOUTH PORTLAND, ME 04106
 LICENSE NO. 28133
 EXPIRES: 12/31/2025

PH WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

SIGN LEGEND

STOP	WALKING
BIKEWAY	BIKEWAY

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

WARREN AVENUE, LLC
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 PORTLAND, ME 04101

PRELIMINARY - NOT FOR CONSTRUCTION

WARREN AVENUE, LLC
 421 WARREN AVENUE
 PORTLAND, ME 04101

ESI ENGINEERING & DESIGN, INC.
 778 MAIN ST. 3RD FLOOR
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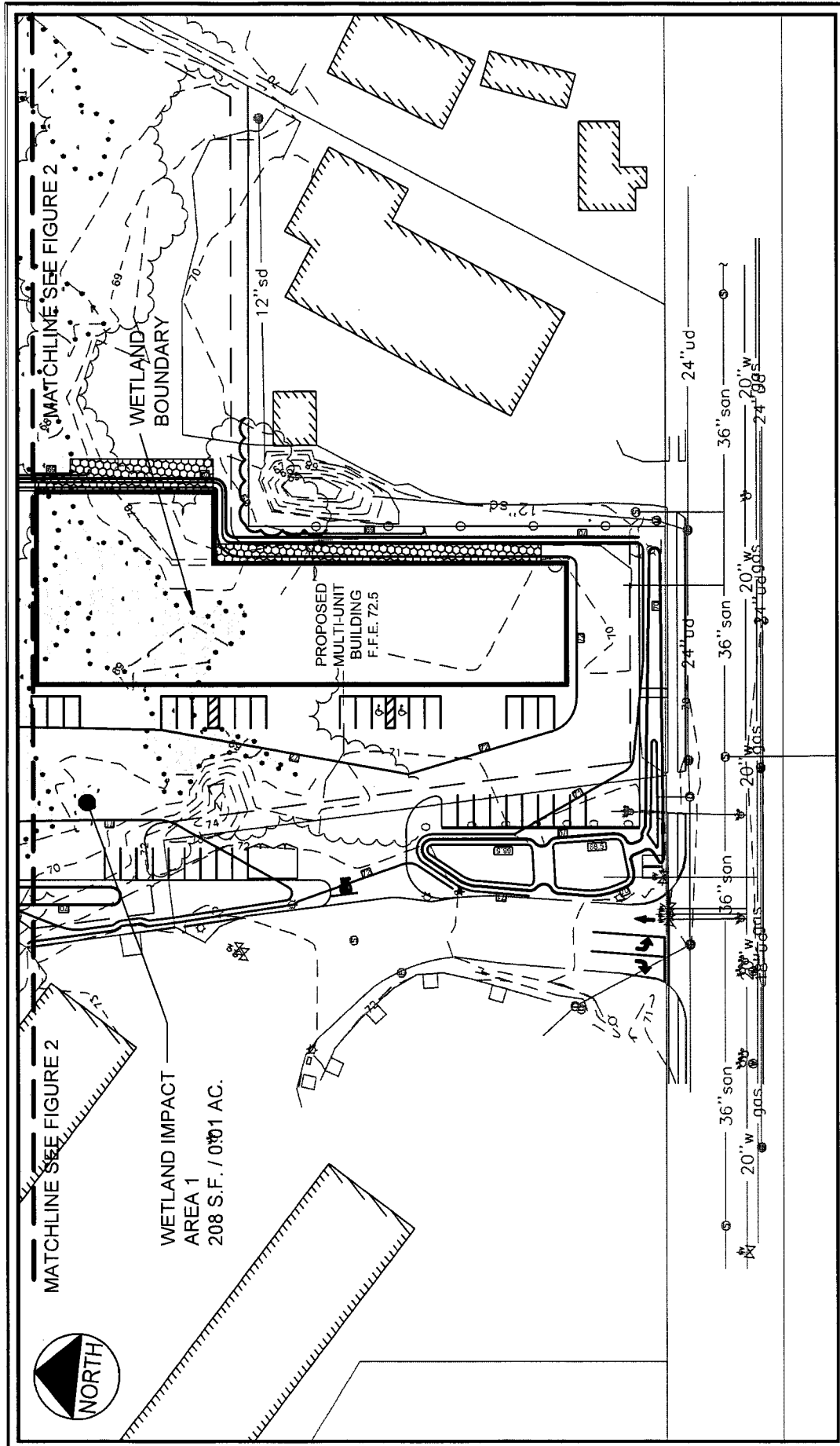


FIGURE: <h1 style="font-size: 4em; margin: 0;">1</h1>	BOOK: PAGE: REFER TO PLANS IN SLDA APPLICATION	LOCATION: PORTLAND, ME WARREN AVE	PROPOSED ACTIVITY: - ABUTTERS: SEE EXHIBIT 25 OF SLDA APPLICATION	PROJECT APPLICANT: PETER F HOLMES SCALE: 1" = 80' DATUM: NAD 83 DATE: 04.16.14 FAY, SPOFFORD & THORNDIKE, INC.
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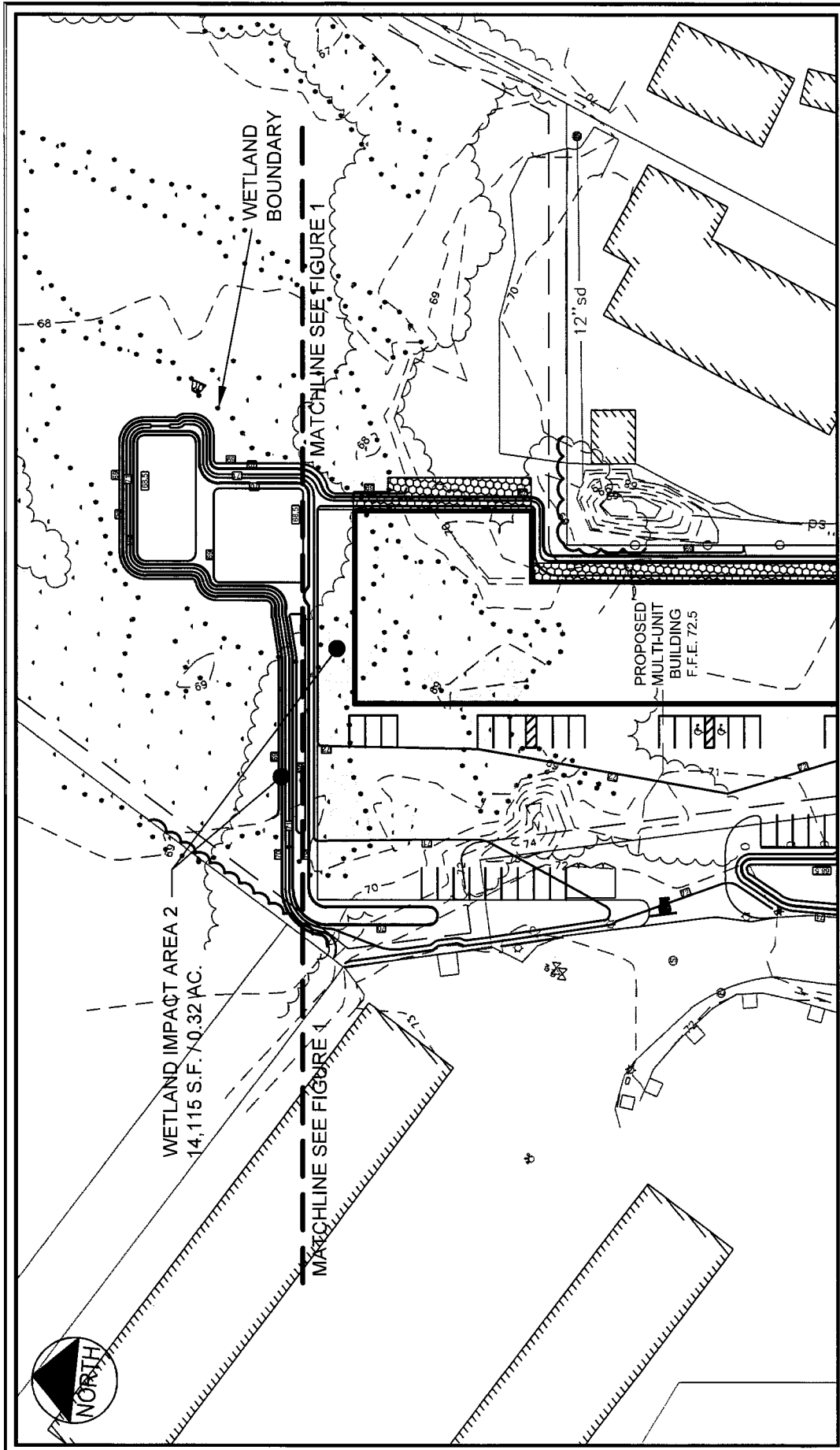


FIGURE: 2	BOOK: REFER TO PLANS IN SLDA APPLICATION	PAGE: REFER TO PLANS IN SLDA APPLICATION	LOCATION: PORTLAND, ME WARREN AVE	PROPOSED ACTIVITY: -	PROJECT APPLICANT: PETER F HOLMES
	LEGAL DESCRIPTION: REFER TO PLANS IN SLDA APPLICATION		WATER BODY: -	ABUTTERS: SEE EXHIBIT 25 OF SLDA APPLICATION	SCALE: 1" = 80'
					DATUM: NAD 83
					DATE: 04.16.14
					FAY, SPOFFORD & THORNDIKE, INC.