

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 hit 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.

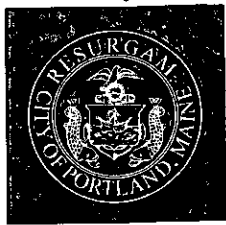
PBM – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR – 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.

Misc – all documents behind this target sheet are any that do not pertain to a subject listed above.

APL



PORTLAND MAINE

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Planning & Urban Development Department
Penny St. Louis Littell, Director

Planning Division
Alexander Jaegerman, Director

May 14, 2010

Giroux Oil
343 Warren Avenue
Portland ME 04103

Sebago Technics
c/o Nancy St. Clair, PE
PO Box 1339
Westbrook, ME 04098

RE: Giroux Oil Canopy Addition
343 Warren Avenue
Minor Site Plan
Application ID # 09-79900025
CBL: 303-D-010-001

Dear Sir/Madam:

On May 14, 2010 the Portland Planning Authority approved a minor site plan for the construction of a new canopy addition and associated drainage and site improvements at 343 Warren Avenue, as submitted by Giroux Oil and shown on the approved plans prepared by Sebago Technics dated 04-20-20 (Site and Grading Plan) and 01-28-10 (Details).

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

The approval is subject to the following **Standard Conditions** that apply to all approved site plans:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14 of the Portland City Code.
2. The above approvals do not constitute approval of building plans; a building permit is required which must be reviewed and approved by the City of Portland's Inspection Division and separate permits are required for any new signage.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Jean Fraser - APPROVAL LETTER ATTACHED re Giroux Oil

From: Jean Fraser
To: St.Clair, Nancy
Date: 5/14/2010 2:36 PM
Subject: APPROVAL LETTER ATTACHED re Giroux Oil
CC: 87068@sebagotechnics.com; Biskup, Jim; DiPierro, Philip; Schmuckal, M...
Attachments: APPR LTR 343 Warren Ave Giroux Oil.pdf

Nancy

Please find attached the signed approval letter (without attachments).

Paper copies went out in the mail today to both addressees; the Performance Guarantee packet is only with the paper copy to Giroux Oil.

I understand that the applicant is progressing the building permit but please note that before the building permit can be issued the Performance Guarantee needs to be arranged through Phil diPierro in the Planning Office (874 8632) and I need 6 paper copies + CD of CAD dwgs of the approved Site Plan Set.

Thank you

Jean

>>> "Nancy St.Clair" <nstclair@sebagotechnics.com> 5/14/2010 10:10 AM >>>

Thanks Jean,

We look forward to receipt of the official approval letter.

Thanks,
Nancy

City of Portland
 Development Review Application
 Planning Division Transmittal form

Application Number: 09-79900025 **Application Date:** 1-30-10

Project Name: CANOPY ADDITION

Address: 343 Warren Ave **CBL:** 303 - D-010-001

Project Description: Warren Avenue-343; Canopy Addition; Giroux Oil, Applicant.

Zoning: B4

Other Reviews Required:

Review Type: MINOR SITE PLAN

Giroux Oil
 343 Warren Avenue

Portland Me 04103

Distribution List:

circ. 2.3.10.

<input checked="" type="checkbox"/> Planner	Jean Fraser	<input type="checkbox"/> City Arborist	Jeff Tarling
<input type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input type="checkbox"/> Traffic	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Inspections	Tammy Munson	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input type="checkbox"/> Fire Department	Keith Gautreau	<input type="checkbox"/> Stormwater	Dan Goyette
<input type="checkbox"/> Parking	John Peverada	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
<input type="checkbox"/> DRC Coordinator	Phil DiPierro		

Preliminary Comments needed by: 2-10-10

Final Comments needed by:

Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

Goroux Oil - 343 Warren Ave

09-79900025

Project Name, Address of Project

Application Number

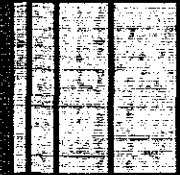
(The form is to be completed by the Applicant or Designated Representative)

Check Submitted		Required Information	Section 14-525 (b,c)
Applicant	Staff		
_____	✓	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
_____	✓	Name and address of applicant and name of proposed development	a
_____	✓	* Scale and north points	b
_____	✓	* Boundaries of the site	c
_____	✓	* Total land area of site	d
_____	✓	* Topography - existing and proposed (2 feet intervals or less)	e
_____	✓	Plans based on the boundary survey including:	2
_____	✓	* Existing soil conditions	a
_____	_____	* Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
_____	_____	* Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
_____	_____	* Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 11 of packet)	d
_____	_____	* Location of on-site waste receptacles	e
_____	✓	* Public utilities	
_____	_____	* Water and sewer mains	e
_____	_____	* Culverts, drains, existing and proposed, showing size and directions of flows	e
_____	_____	* Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
_____	_____	* Location and dimensions of on-site pedestrian and vehicular access ways	g
_____	_____	* Parking areas	
_____	_____	* Loading facilities	g
_____	_____	* Design of ingress and egress of vehicles to and from the site onto public streets	g
_____	_____	* Curb and sidewalks	g
_____	_____	Landscape plan showing:	h
_____	_____	* Location of existing vegetation and proposed vegetation	h
_____	_____	* Type of vegetation	h
_____	_____	* Quantity of plantings	h
_____	_____	* Size of proposed landscaping	h
_____	_____	* Existing areas to be preserved	h
_____	_____	* Preservation measures to be employed	h
_____	_____	* Details of planting and preservation specifications	h
_____	_____	* Location and dimensions of all fencing and screening	i
_____	_____	Location and intensity of outdoor lighting system	j
_____	_____	Location of fire hydrants, existing and proposed (refer to Fire Department checklist - page 11)	k
_____	_____	Written statements to include:	c
_____	✓	* Description of proposed uses to be located on site	cl
_____	_____	* Quantity and type of residential, if any	cl
_____	✓	* Total land area of the site	c2
_____	✓	* Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
_____	✓	* General summary of existing and proposed easements or other burdens	c3
_____	_____	* Type, quantity and method of handling solid waste disposal	c4
_____	_____	* Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (refer to the wastewater capacity application - page 12)	c5
_____	✓	* Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

_____	_____	* An estimate of the time period required for completion of the development	7
_____	_____ <i>to apply</i>	* A list of all state and federal regulatory approvals to which the development may be subject to. the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
_____	<u>No</u>	* Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	
_____	<u>✓</u>	* Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
_____	_____	* A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
_____	_____	A jpeg or pdf of the proposed site plan, if available.	
_____	_____	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study



sebagotechnics.com

One Chabot Street
P.O. Box 1339
Westbrook, Maine
04098-1339
Ph. 207-856-0277
Fax 856-2206

January 28, 2010
87068

Barbara Barhydt, Development Review Services Manager
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Amended Site Plan Application
Giroux Oil Company
343 Warren Avenue, Portland, Maine

Dear Ms. Barhydt:

On behalf of Giroux Oil Company, we have enclosed an application for Amended Site Plan review for the construction of a new storage building at the existing Giroux Oil facility on Warren Avenue. The subject parcel is approximately 1.33 acres and is identified as Lots 1 through 10 on Tax Map 303. The site is located within the B-4 Commercial Corridor Zone. Currently, three buildings exist on the property, along with paved, and gravel areas for parking and maneuvering. A chain-link fence encircles the limit of the gravel area at the rear of the site. Approximately 0.91 acres of the site is currently covered by impervious surfaces (rooftops, pavement, and compacted gravel).

The applicant, his contractor, and I met with you and your staff several months ago regarding this site. The enclosed plans and supporting information reflect the results of that initial meeting along with additional staff input received throughout the development of the enclosed materials.

Proposed Improvements

As discussed, the applicant is proposing to construct a 45-foot by 75-foot (approximately 3,375 square feet) canopy addition to their existing storage building to store propane trucks and equipment. The canopy addition will be open on three sides to allow for access and will be constructed in the location of an existing 576 square foot storage building in the rear of the site. The small storage building will be removed to allow for the proposed construction. The existing access to the site off of Warren Avenue, as well as the southerly portion of the site (adjacent to Warren Avenue) will remain unchanged by this application. The building will be situated to allow for the continued access to the rear of the site by vehicular traffic. Typically, access to this portion of the site is limited to employees of Giroux Oil.

No new connections to public utilities (public water and sanitary sewer), associated with the canopy addition, are proposed. No changes to the existing connections to public utilities that serve the office building or any other buildings, located on the property, are proposed.

Through our initial correspondence with the City and the Maine Department of Environmental Protection (MDEP), the proposed building addition and associated site improvements are located at least 25-feet from the stream in the northern portion of the site. The existing gravel surfaces associated with the Giroux facility that currently exist within 25-feet of the stream will be removed and a vegetative cover will be established. Based on the initial input received from staff, the grading in the restoration area has been lowered such that the area can more closely mimic a floodplain.

Stormwater Management

The site is located within the Capisic Brook watershed and as such, we have proposed several features to manage stormwater runoff from the proposed building and rear portion of the site. The rear of the site drains overland towards the drainage course north of the applicant's property. This drainage way flows through an existing culvert under the Giroux parking lot in the eastern portion of the site and Warren Avenue. At some point in the future, the City of Portland intends to make a culvert modification on this property in support of the separation of upstream storm and sewer flows in the West Side Interceptor. The proposed improvements will involve the construction of a new, larger culvert in the same location as the existing culvert.

Runoff from the proposed building addition will be collected in a roof drip line BMP along the eastern and western portions of the canopy addition. A six-inch underdrain will be utilized within the roof drip line BMPs and is intended to connect into the existing foundation drains of the rear storage building. The existing underdrains appear to discharge into the drainage course in the eastern portion of the site, just upstream of the existing culvert. By connecting the underdrains of the proposed BMPs into the existing footing drains, we can avoid land disturbing activities (associated with a new outfall) adjacent to the drainage course. The suitability and available inverts for the existing footing drains must be verified at the onset of construction.

Runoff from the existing gravel surface in the rear of the site will pass through a stone berm level spreader prior to draining into the drainage course. This BMP will be constructed within an area that is currently gravel, as depicted on the plans included with this application. The stone berm level spreader will be situated in excess of 25 feet from the drainage course.

Since the proposed canopy addition will be constructed in an area that is currently covered by a building and compacted gravel surfaces and a portion of the existing gravel lot will be restored to vegetated conditions, we do not anticipate that the proposed project will create an increase in peak runoff rates from the site.

A NRPA Permit-by-Rule will be submitted to allow for the site improvements within 75-feet of the stream. Since the proposed site improvements will occur at least 25 feet from the stream, we do not anticipate that additional permitting will be required through the Maine Department of Environmental Protection (MDEP).

Site Plan Review Criteria

The following items address the review criteria outlined in Article V, Section 14-525.c of the City's Land Use Ordinance:

- 1) A description of the proposed uses to be located on the site, including the quantity and type of residential units, if any.

Please refer to the introductory section of this letter for a detailed description of the proposed modifications to the site. No residential units are located on-site, nor are any proposed with this application.

- 2) The total land area of the site and the total floor area and ground coverage of each proposed building and structure.

As noted above, the site is approximately 1.33 acres, of which, approximately 0.91 acres are covered by impervious surfaces. The proposed improvements will add approximately 2,541 square feet of additional building area (located on an area currently covered by rooftop and gravel surfaces) and will decrease the overall amount of impervious surfaces by approximately 0.01 acres.

- 3) General summary of existing and proposed easements or other burdens now existing or to be placed on the property.

Any known easements that exist over the property are depicted on the attached plan; no additional easements are proposed.

- 4) The types and estimated quantities of solid waste to be generated by the development.

Minimal amounts of solid waste are anticipated to be generated by the development. The small storage building will likely be moved from its current location, thereby not requiring the disposal of a significant amount of solid waste. No solid waste is anticipated from the use of the proposed canopy addition.

- 5) Evidence of the availability of off-site facilities, including sewer, water, and streets.

No additional utility connections are proposed with this application, as such, we expect that the capacity of any public facilities would not be burdened by the proposed modifications to the site.

- 6) A narrative describing the existing surface drainage on the site and a stormwater management plan indicating measures which will be taken to control surface water runoff.

Please refer to the description of the stormwater management measures implemented above. These measures are identified and detailed on the plans included with this application.

- 7) A construction plan outlining the anticipated sequence of construction of the major aspects of the proposed project, including without limitation roads, retention basins, sewer lines, seeding and other erosion control measures, and pollution abatement measures, and also setting forth dates for commencement and completion of the project.

Please refer to the enclosed plans for specific details regarding the proposed improvements.

- 8) A list of all state and federal regulatory approvals to which the development may be subject, the status of any pending applications, and the anticipated time frame for obtaining such permits or that a determination of no jurisdiction from the agency will be requested.

The project will be subject to a NRPA Permit-by-Rule application for the work adjacent to the drainage course, north of the site. The Permit-by-Rule application will be submitted shortly after the submission of the enclosed materials for your review. Typically, a Permit-by-Rule application is approved within 14 days of receipt by the MDEP, unless additional information is required.

- 9) Evidence of financial and technical capacity to undertake and complete the development, including but not limited to, a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved, if requested to do so.

Giroux Oil will be self financing the proposed improvements. Giroux Oil has served the Portland area for over 50 years and given the magnitude of the project has the financial resources to undertake the proposed construction without obtaining financing from a lending source.

- 10) Evidence of the applicant's title, right, or interest in the property, including without limitation deeds, leases, purchase options or any other documentation.

Please refer to the property deed, included within the application materials, that documents Giroux Oil's ownership of the subject property.

- 11) A narrative describing any unusual natural areas, wildlife and fisheries habitat, or archaeological sites located on or near the project site and a description of the methods that will be used to protect such areas or sites.

Since the proposed improvements are situated within a portion of the property that has been previously built upon, we do not anticipate that the project will adversely impact the environmentally sensitive areas described.

- 12) Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.dxf files with the final plans.

Upon final approval of the amended plans, we will provide the City with a CADD file of the enclosed Site & Grading Plan.

- 13) All new commercial property and industrial development shall include a narrative description of the estimated amount and type of recyclable material generated on-site; the location, size, and type of containers providing outdoor storage of recyclable materials; the manner and methods of timely removal of recyclable materials generated on-site; and the screening and landscaping proposed to provide adequate buffering between the stored materials and remainder of site and neighboring properties. The applicant may provide any other information detailing its plan to address the temporary storage and timely removal of recyclables.

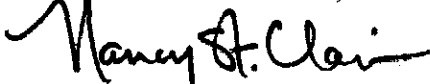
No recyclable materials are anticipated to be generated by the proposed site improvements.

Closure

We have included seven (7) copies of the application materials and plans, as required. If you have any questions regarding the project or if additional information is required, please contact me. Thank you for your consideration.

Sincerely,

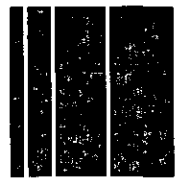
SEBAGO TECHNICS, INC.



Nancy J. St. Clair, P.E.
Senior Project Manager

JBL/NJS:jbl/dlf
Enc.

cc: Jim Biskup, Biskup Construction



Amended Site Plan Application

**Giroux Oil
343 Warren Avenue
Portland, ME**

prepared for

**Giroux Oil Company
343 Warren Avenue
Portland, ME 04103**

prepared by

Sebago Technics, Inc.

January 2010

Table of Contents

Exhibit 1	Development Review Application & Checklist
Exhibit 2	Property Deed
Exhibit 3	Location Map, Soils Map, & Flood Insurance Rate Map
Exhibit 4	Stormwater BMP Sizing Calculations
Exhibit 5	Abutters List & Tax Assessor's Map

**Exhibit 1 – Development Review
Application & Checklist**



**Development Review Application
PORTLAND, MAINE**

Department of Planning and Urban Development,
Planning Division and Planning Board

PROJECT NAME: Giroux 011

PROPOSED DEVELOPMENT ADDRESS:

343 Warren Avenue

PROJECT DESCRIPTION:

Removal of existing storage building and construction of a canopy addition
for storage of propane trucks and equipment

CHART/BLOCK/LOT: Map 303, Lots 1-10

CONTACT INFORMATION:

APPLICANT

Name: Giroux 011

Address: 343 Warren Avenue
Portland, ME

Zip Code: 04103

Work #: 797-7111

Cell #: _____

Fax #: 797-7466

Home: _____

E-mail: girouxoil@maine.rr.com

PROPERTY OWNER

Name: Giroux 011

Address: 343 Warren Avenue
Portland, ME

Zip Code: 04103

Work #: 797-7111

Cell #: _____

Fax #: 797-7466

Home: _____

E-mail: girouxoil@maine.rr.com

BILLING ADDRESS

Name: Same as above

Address: _____

Zip: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

~As applicable, please include additional contact information on the next page~

AGENT/REPRESENTATIVE

Name: _____
Address: _____

Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ARCHITECT

Name: _____
Address: _____

Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

SURVEYOR

Name: _____
Address: _____

Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ENGINEER

Name: Sebago Technics, c/o Nancy St.Clair, PE
Address: P.O. Box 1339
Westbrook, ME
Zip Code: 04098
Work #: 856-0277 x245
Cell #: _____
Fax #: 856-2206
Home: _____
E-mail: nstclair@sebagotechnics.com

CONSULTANT/General Contractor

Name: Biskup Construction, c/o Jim Biskup
Address: 16 Danielle Drive
Windham, ME
Zip Code: 04062
Work #: 892-9800
Cell #: _____
Fax #: 892-9895
Home: _____
E-mail: _____

ATTORNEY

Name: _____
Address: _____

Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

PROJECT DATA

The following information is required where applicable, in order complete the application

Total Site Area	<u>57,785</u>	sq. ft.
Proposed Total Disturbed Area of the Site	<u>approx. 9,000</u>	sq. ft.

(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.)

IMPERVIOUS SURFACE AREA

Proposed Total Paved Area		sq. ft.
Existing Total Impervious Area	<u>39,545</u>	sq. ft.
Proposed Total Impervious Area	<u>39,223</u>	sq. ft.
Proposed Impervious Net Change	<u>-322</u>	sq. ft.

BUILDING AREA

Existing Building Footprint	<u>8,935</u>	sq. ft.
Proposed Building Footprint	<u>11,476</u>	sq. ft.
Proposed Building Footprint Net change	<u>+2,541</u>	sq. ft.
Existing Total Building Floor Area	<u>approx. 8,935</u>	sq. ft.
Proposed Total Building Floor Area	<u>approx. 11,476</u>	sq. ft.
Proposed Building Floor Area Net Change	<u>approx. 2,541</u>	sq. ft.
New Building	<u>Yes</u>	(yes or no)

ZONING

Existing	<u>B-4 Commercial Corridor Zone</u>
Proposed, if applicable	_____

LAND USE

Existing	<u>Commercial</u>
Proposed	<u>Commercial</u>

RESIDENTIAL, IF APPLICABLE

Proposed Number of Affordable Housing Units	<u>N/A</u>
Proposed Number of Residential Units to be Demolished	_____
Existing Number of Residential Units	_____
Proposed Number of Residential Units	_____
Subdivision, Proposed Number of Lots	_____

PARKING SPACES

Existing Number of Parking Spaces	<u>No Change</u>
Proposed Number of Parking Spaces	_____
Number of Handicapped Parking Spaces	_____
Proposed Total Parking Spaces	_____

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces	<u>No Change</u>
Proposed Number of Bicycle Parking Spaces	_____
Total Bicycle Parking Spaces	_____

ESTIMATED COST OF PROJECT

Please check all reviews that apply to the proposed development

Design Review	<u>X</u>	Stormwater Quality	_____
Flood Plain Review	_____	Traffic Movement	_____
Historic Preservation	_____	Zoning Variance	_____
Housing Replacement	_____	Historic District/Landmark	_____
14-403 Street Review	_____	Off Site Parking	_____
Shoreland	_____	Multi-Family Dwelling	_____
Site Location Act Local Review	_____	B-3 Pedestrian Activity Review	_____
Single Family Dwelling	_____	Change of Use	_____
2 Family Dwelling	_____		

APPLICATION FEE:

Check all reviews that apply. Payment may be made in cash or check to the City of Portland.

<p>Major Development (more than 10,000 sq. ft.)</p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p>Plan Amendments</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p>Subdivision</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + (applicable Major site plan fee)</p>
<p>Minor Site Plan Review</p> <p><input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p>Other Reviews</p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00 (except for residential projects which shall be \$200.00 per lot _____))</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)</p> <p><input type="checkbox"/> Storm water Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other _____</p>

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include seven (7) packets with folded plans containing the following materials:


1. Seven (7) full size site plans that must be folded.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist (page 9) for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

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 Planning Authority and Code Enforcement'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.

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

<p>Signature of Applicant:</p> 	<p>Date:</p> <p>1/27/10</p>
--	-----------------------------

Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

Giroux Oil, 343 Warren

Project Name, Address of Project

Application Number

(The form is to be completed by the Applicant or Designated Representative)

Check Submitted		Required Information	Section 14-525 (b,c)
Applicant	Staff		
X		Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
X		Name and address of applicant and name of proposed development	a
X		* Scale and north points	b
X		* Boundaries of the site	c
X		* Total land area of site	d
X		* Topography - existing and proposed (2 feet intervals or less)	e
X		Plans based on the boundary survey including:	2
X		* Existing soil conditions	a
X		* Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
X		* Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
X		* Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (<u>example page 11 of packet</u>)	d
N/A		* Location of on-site waste receptacles	e
X		* Public utilities	e
X		* Water and sewer mains	e
X		* Culverts, drains, existing and proposed, showing size and directions of flows	e
X		* Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
X		* Location and dimensions of on-site pedestrian and vehicular access ways	g
X		* Parking areas	g
X		* Loading facilities	g
X		* Design of ingress and egress of vehicles to and from the site onto public streets	g
X		* Curb and sidewalks	g
		Landscape plan showing:	h
X		* Location of existing vegetation and proposed vegetation	h
X		* Type of vegetation	h
N/A		* Quantity of plantings	h
N/A		* Size of proposed landscaping	h
X		* Existing areas to be preserved	h
X		* Preservation measures to be employed	h
X		* Details of planting and preservation specifications	h
X		* Location and dimensions of all fencing and screening	i
N/A		Location and intensity of outdoor lighting system	j
X		Location of fire hydrants, existing and proposed (<u>refer to Fire Department checklist - page 11</u>)	k
X		Written statements to include:	c
X		* Description of proposed uses to be located on site	cl
N/A		* Quantity and type of residential, if any	cl
X		* Total land area of the site	c2
X		* Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
X		* General summary of existing and proposed easements or other burdens	c3
X		* Type, quantity and method of handling solid waste disposal	c4
X		* Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (<u>refer to the wastewater capacity application - page 12</u>)	c5
X		* Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

X _____
 X _____
 X _____
 X _____
 X _____
 X _____

- * An estimate of the time period required for completion of the development 7
- * A list of all state and federal regulatory approvals to which the development may be subject to. 8
the status of any pending applications, anticipated timeframe for obtaining such permits, or letters
of non-jurisdiction.
- * Evidence of financial and technical capability to undertake and complete the development including a
letter from a responsible financial institution stating that it has reviewed the planned development and
would seriously consider financing it when approved.
- * Evidence of applicant's right title or interest, including deeds, leases, purchase options or other
documentation.
- * A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located
on or near the site.

To Be Provided

A jpeg or pdf of the proposed site plan, if available. **To Be E-mailed**

Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in
AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional
information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

Exhibit 2 – Property Deed

BK 8005PG0016

059410

WARRANTY DEED

Know all Men by these Presents,

That Wifred J. Giroux, Sr. and Vera C. Giroux, both of Portland, County of Cumberland and State of Maine, in consideration of One Dollar (\$1.00) plus other good and valuable consideration paid by Giroux Oil Company Inc., a corporation organized and existing under the laws of the State of Maine, whose mailing address is 343 Warren Avenue, Portland, Maine 04103, the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Giroux Oil Company, Inc., its successors and assigns forever,

PARCEL A

Four (4) certain lots or parcels of land situated on the easterly side of Nowcomb Street in Portland, County of Cumberland and State of Maine, and being Lots 1, 2, 3 and 4 as shown on Plan of Lots at Warren Avenue Terrace, belonging to J.W. Wilbur, said plan being made by Ernest W. Branch, Surveyor, dated April, 1911, and recorded in Cumberland County Registry of Deeds in Plan Book 12, Page 2.

Said premises are conveyed subject to an easement granted to the City of Portland by deed recorded in said Registry of Deeds in Book 1623, Page 288, to maintain the earth slope on Warren Avenue, insofar as said easement may affect the premises.

Being the same premises conveyed to the Grantors herein by Giacinto DiPaolo and Domenica DiPaolo by warranty deed dated December 23, 1968 and recorded in the Cumberland County Registry of Deeds in Book 3070, Page 628.

PARCEL B

Another certain lot or parcel of land situated in Portland, County of Cumberland and State of Maine and adjacent to PARCEL A hereinabove described, bounded and described as follows:

Beginning at an iron stake on the easterly side of land hereinabove described on Warren Avenue, N 10 degrees 49' E, a distance of 398.77 feet; thence S 74 degrees 42' E, a distance of 14.93 feet; thence S 57 degrees 25' 30" E, a distance of 42.26 feet; thence S 9 degrees 38' 30" W, a distance of 370.59 feet; thence N 79 degrees 33' W, a distance of 63.93 feet to the point of beginning.

DX8005PG0017

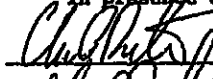

Being the same premises conveyed to the Grantors by William H. Faulkingham and Edith T. Faulkingham by warranty deed dated January 23, 1976 and recorded in the Cumberland County Registry of Deeds in Book 3798, Page 15.


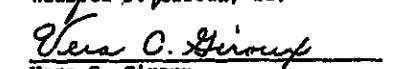
To have and to hold the aforegranted and bargained premises, and appurtenances thereof, to the said Giroux Oil Company Inc., its successors and assigns, to it and its use and behoof forever.

And we do covenant with the said Grantee, its successors and assigns, that we are lawfully seized in fee of the premises, that it is free of all encumbrances; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we, the said Wilfred J. Giroux, Sr. and Vera C. Giroux have hereunto set our hands and seals this 30th day of the month of September, 1987.

Signed, Sealed and Delivered
in presence of


Wilfred J. Giroux, Sr.

Vera C. Giroux


BK8005PG0018

State of Maine
County of Cumberland, ss.

September 30 , 1987

Then personally appeared the above named Wilfred J. Giroux,
Sr. and Vera C. Giroux and acknowledged the foregoing instrument
to be their free acts and deeds.

Before me,


Notary Public/Attorney at Law
Charles P. Paccetti

MY COMMISSION EXPIRES
DECEMBER 1 1991

SEAL

RECEIVED
RECORDED REGISTRY OF DEEDS
1987 OCT -6 AM 10:48
CUMBERLAND COUNTY
James J. Walsh

54675

KNOW ALL MEN BY THESE PRESENTS.

MAINE REAL ESTATE TAX PAID

THAT I, Rose Kimball, of Portland, County of Cumberland, and State of Maine, duly appointed Personal Representative of the Estate of Peter S. Nicholas, a/k/a Peter S. Nickolas, by the power conferred by the Register of Probate on December 18, 1990, for One Dollar and other valuable considerations paid by Giroux Oil Service Co., Inc., a Maine corporation with a place of business at 343 Warren Avenue, Portland, Maine, hereby give, grant, bargain, sell and convey unto the said Giroux Oil Service Company, Inc., its successors and assigns, all of the right, title and interest of the said Peter S. Nicholas, a/k/a Peter S. Nickolas, in and to the following:

Three (3) certain lots or parcels of land with the buildings thereon, being Lots numbered Five (5), Six (6), and Seven (7) on Newcomb Street, in said Portland, as shown on plan of lots at Warren Avenue Terrace, which plan was made by Ernest E. Branch, C.E., dated April, 1911, and recorded in Cumberland County Registry of Deeds, Plan Book 12, Page 2; together with the fee insofar as this Grantor has the right to convey the same of all the streets and ways shown on said plan in common with the owners of other lots shown on said plan, and subject to the rights of all of said lot owners to make any customary use of said streets and ways.

Meaning and intending to convey, and hereby conveying, Lots numbered seven (7), eight (8), and nine (9) on Map number 303, D-7-8-9, being said Tax Map for the City of Portland, Maine.

Being the same property conveyed from Rocco Nicolaio to Peter S. Nickolas, a/k/a Peter S. Nicholas, and Virginia E. Nickolas by deed dated August 30, 1944 and recorded in Cumberland County Registry of Deeds in Book 1755, Page 458; and by Giacinto DiPaolo to Peter S. Nickolas, a/k/a Peter S. Nicholas, and Virginia E. Nickolas by deed dated October 20, 1952 and recorded in Cumberland County Registry of Deeds in Book 2111, Page 37. Said conveyance is subject to any real estate taxes owed the City of Portland.

The Personal Representative states that notice pursuant to Title 18-A M.R.S.A. § 3-711 has been given to all interested persons of the Estate of Peter S. Nicholas, a/k/a Peter S. Nickolas.

Reference is hereby made to an Order signed by Judge Dana W. Childs, Judge of Cumberland County Probate Court, dated October 21, 1991, and to be recorded herewith.

The Personal Representative states that a copy of the Order Signed by Dana W. Childs, Judge of the Cumberland County Probate Court, which said Order is dated October 21, 1991, has been sent to all interested persons of the Estate of Peter S. Nicholas, a/k/a Peter S. Nickolas.

WITNESS my hand and seal this 29 day of October, 1991.

Gary A. Fuschillo
Witness
Gary A. Fuschillo

Rose Kimball
Rose Kimball
Personal Representative
Estate of Peter S. Nicholas,
a/k/a Peter S. Nickolas

STATE OF MAINE
CUMBERLAND, ss

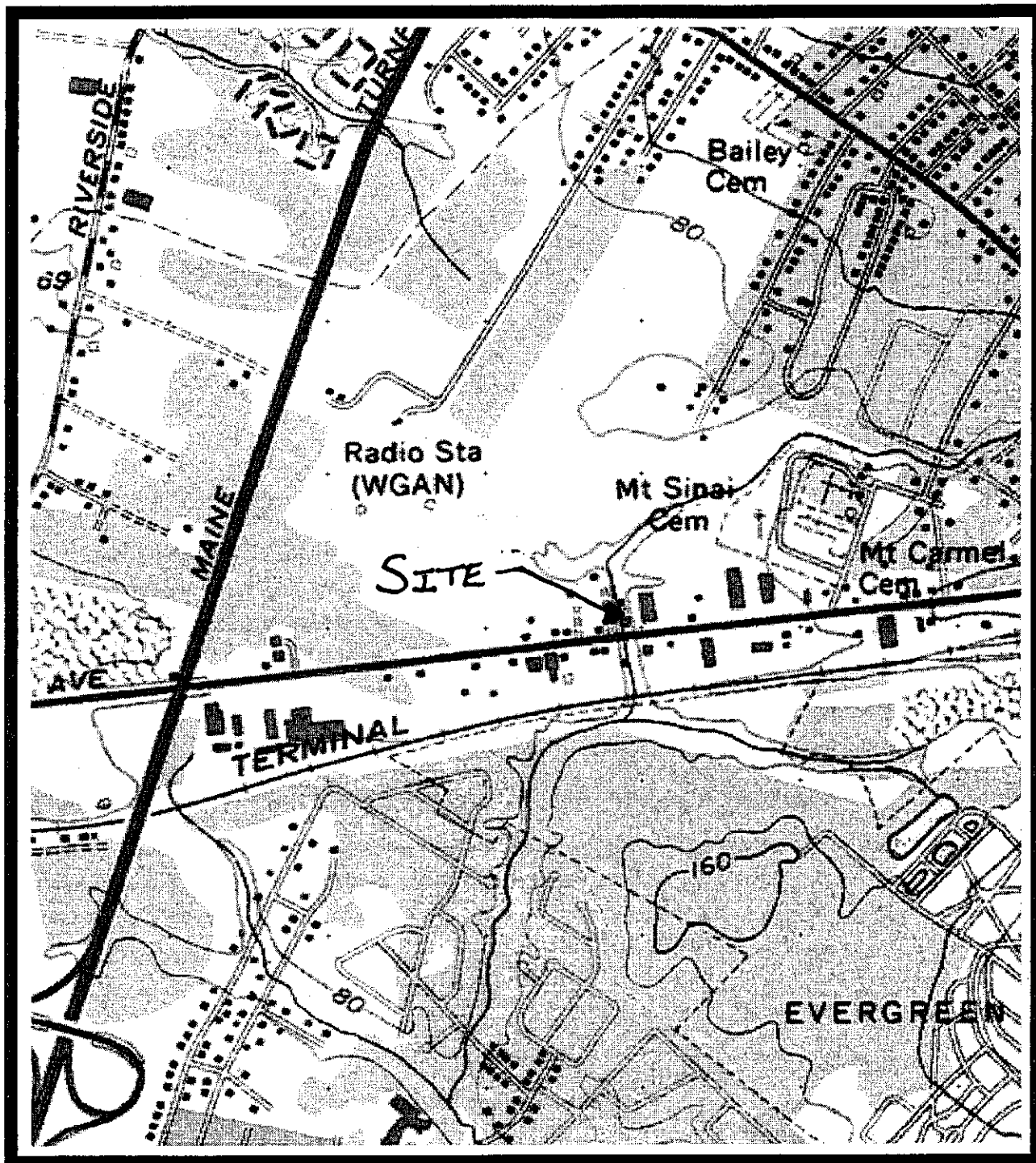
Then personally appeared the above named Rose Kimball, as Personal Representative of the Estate of Peter S. Nicholas, a/k/a Peter S. Nickolas, in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Gary A. Fuschillo **SEAL**
Notary Public/Attorney at Law
GARY A. FUSCHILLO
Printed Name

Recorded
Cumberland County
Registry of Deeds
10/29/91 11:20:43AM
Robert P. Titcomb
Register

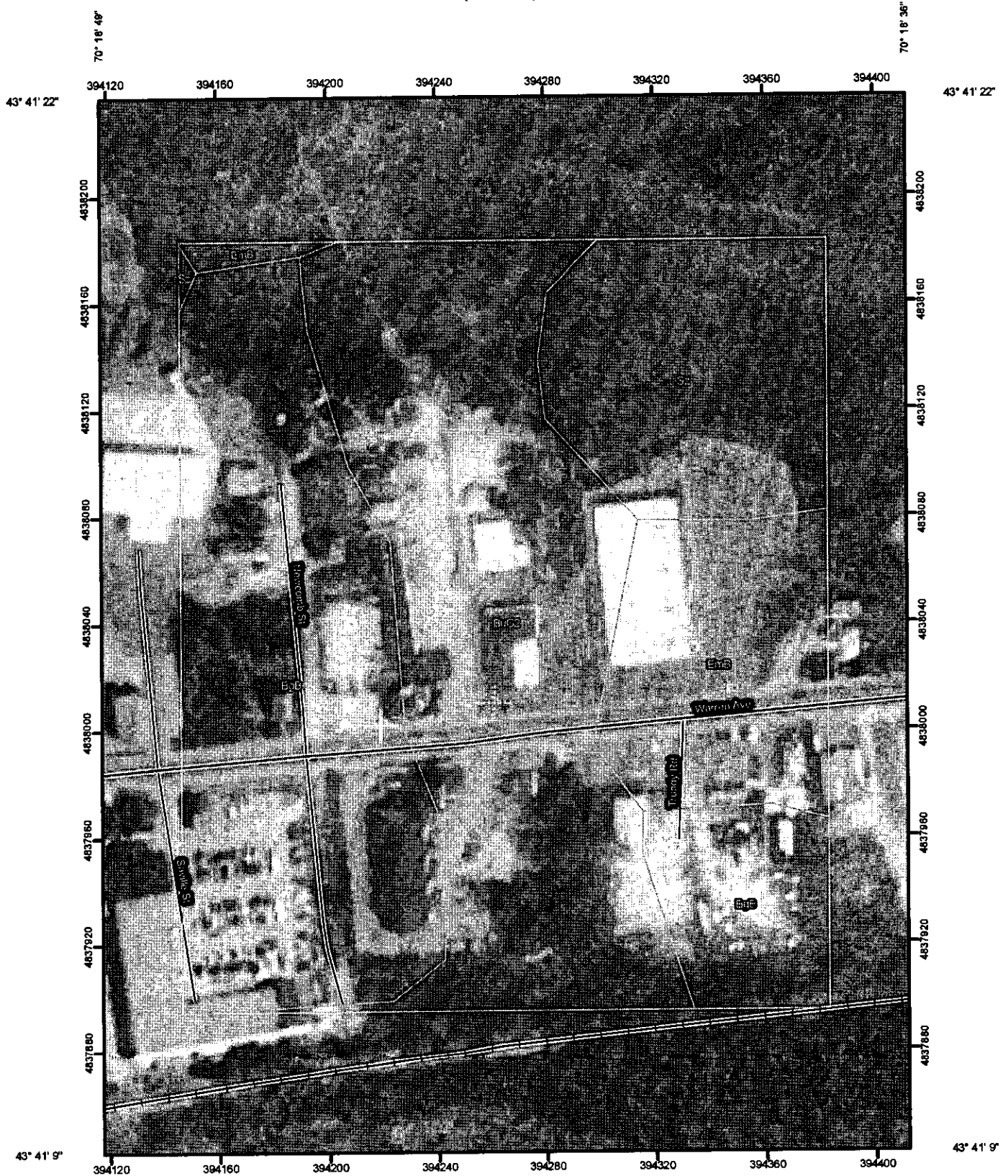
**Exhibit 3 – Location Map, Soils Map, &
Flood Insurance Rate Map**



LOCATION MAP
GIROUX OIL COMPANY
PORTLAND, MAINE
PORTLAND WEST QUADRANGLE
SCALE: 1 INCH = 1,000 FEET



Soil Map—Cumberland County and Part of Oxford County, Maine
(Giroux Oil)









































Map Scale: 1:1,890 if printed on A size (8.5" x 11") sheet.



Soil Map—Cumberland County and Part of Oxford County, Maine
(Giroux Oil)

MAP LEGEND

	Area of Interest (AOI)		Very Stony Spot
	Area of Interest (AOI)		Wet Spot
Soils			Other
	Soil Map Units	Special Line Features	
Special Point Features			Gully
	Blowout		Short Steep Slope
	Borrow Pit		Other
	Clay Spot	Political Features	
	Closed Depression		Cities
	Gravel Pit	Water Features	
	Gravelly Spot		Oceans
	Landfill		Streams and Canals
	Lava Flow	Transportation	
	Marsh or swamp		Rails
	Mine or Quarry		Interstate Highways
	Miscellaneous Water		US Routes
	Perennial Water		Major Roads
	Rock Outcrop		Local Roads
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

MAP INFORMATION

Map Scale: 1:1,890 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 19N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine

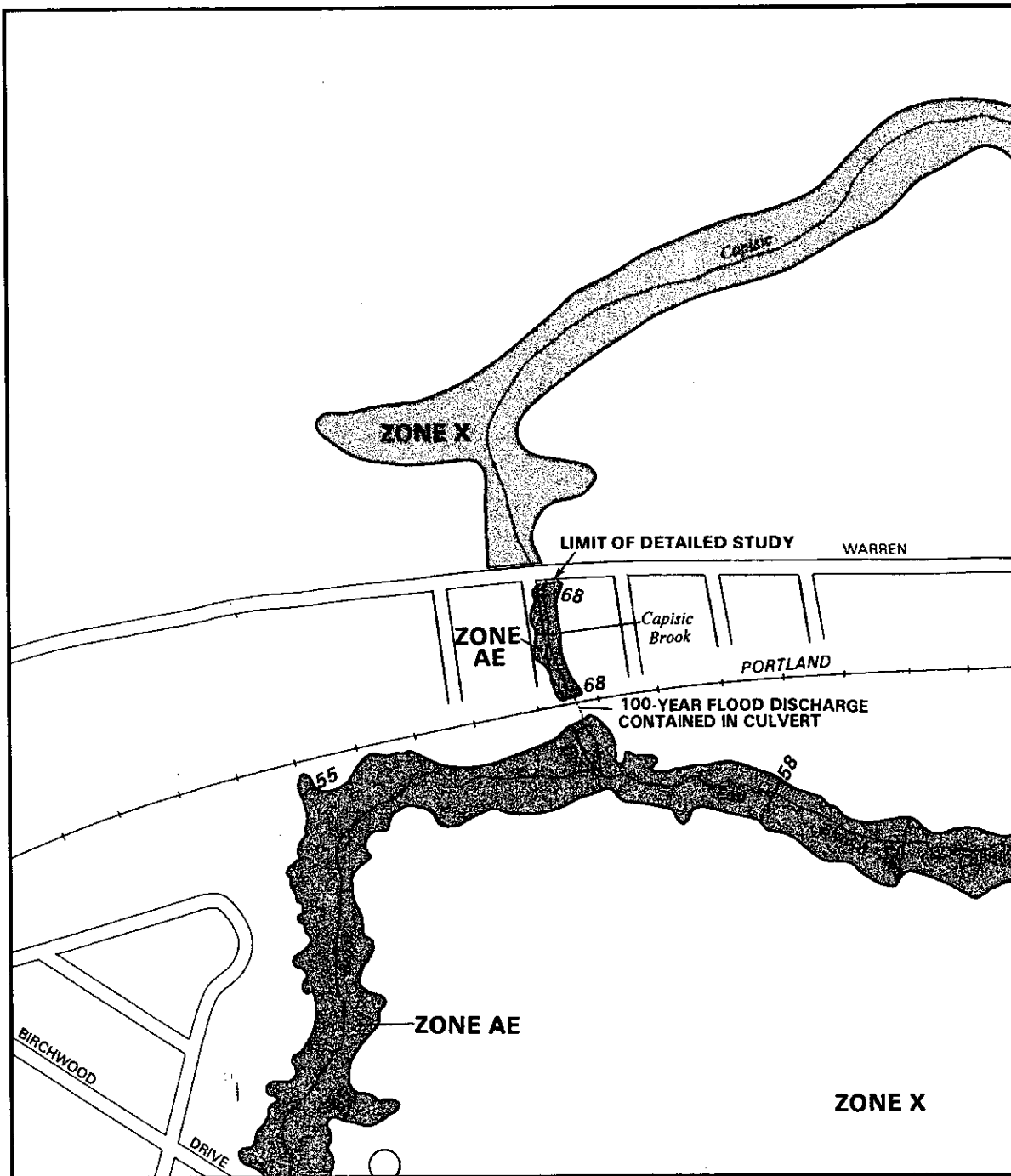
Survey Area Data: Version 7, Jan 8, 2009

Date(s) aerial images were photographed: 6/7/1997

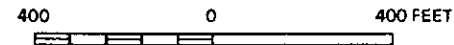
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Cumberland County and Part of Oxford County, Maine (ME005)			
Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
BgB	Belgrade very fine sandy loam, 0 to 8 percent slopes	6.3	37.3%
BuC2	Buxton silt loam, 8 to 15 percent slopes, eroded	5.9	35.1%
EmB	Elmwood fine sandy loam, 0 to 8 percent slopes	2.2	12.9%
Sz	Swanton fine sandy loam	2.5	14.7%
Totals for Area of Interest		16.9	100.0%



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND,
MAINE
CUMBERLAND COUNTY

PANEL 6 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0006 C

MAP REVISED:
DECEMBER 8, 1998



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

**Exhibit 4 – Stormwater BMP Sizing
Calculations**

SEBAGO TECHNICS, INC.

P.O. Box 1339

One Chabot Street

Westbrook, ME 04098

(207) 856-0277 FAX (207) 856-2206

JOB 87068

SHEET NO. 1 OF 1

CALCULATED BY JBL DATE 1/27/2010

CHECKED BY _____ DATE _____

FILE NAME _____ SCALE None

Stormwater Management Sizing Calculations

Roof Dripline BMP Sizing

DA = 22.5' x 75' = 1687.5 sf

Storage Volume Req'd. = 1" Runoff x DA = 140.63 cf

Volume of Filter Media Req'd. = Storage Volume/0.4 = 351.56 cf required

Roof Dripline #1: 75' long x 5' wide x 12" deep = 375.0 cf provided > volume required

Roof Dripline #2: 75' long x 3' wide x 19" deep = 356.3 cf provided > volume required

Stone Berm Level Spreader

Gravel Area in Rear of Site = 6774 sf = 0.1555 acre

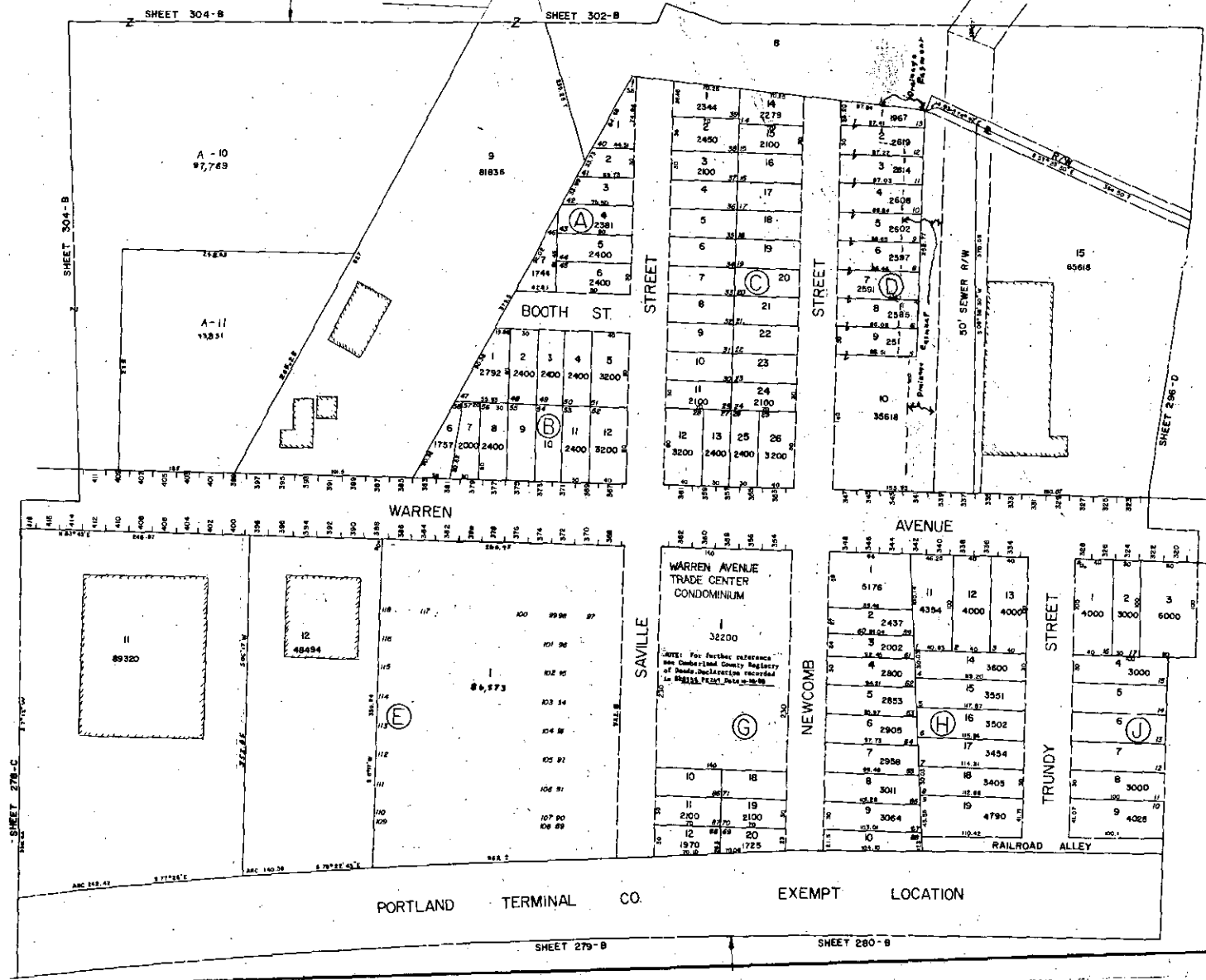
@ 150 ft of Stone Berm Level Spreader/impervious acre = 23.3 feet required

24-foot Stone Berm Level Spreader provided

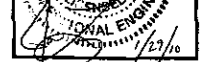
**Exhibit 5- Abutters List & Tax
Assessor's Map**

List of Abutters

Map	Lot	Owner	Book	Page
Locus Parcel 303	D1-10	Giroux Oil Company 343 Warren Avenue Portland, ME 04103	8005 9767	16 124
303	C1-3 & C14-16	John H. Bennett 77 Middle Street Westbrook, ME 04092	15814	287
303	C17-26	John B. & Joan A. Vance 393 Warren Avenue Portland, ME 04103		
303 296	D15 A7	Warren Ave., LLC 444 Riverside Industrial Park Portland, ME 04103	25524	59
303	A8	Alfred J. Waxler P.O. Box 9601 St. Petersburg, FL 33740	8261 23556	269 & 273 131
303	H1-5	Delta Realty Corp. 120 Exchange Street Portland, ME 04101	20175	176
303	H11-19	Dwight P. Baker 336 Warren Avenue Portland, ME 04103		



PORTLAND TERMINAL CO. EXEMPT LOCATION



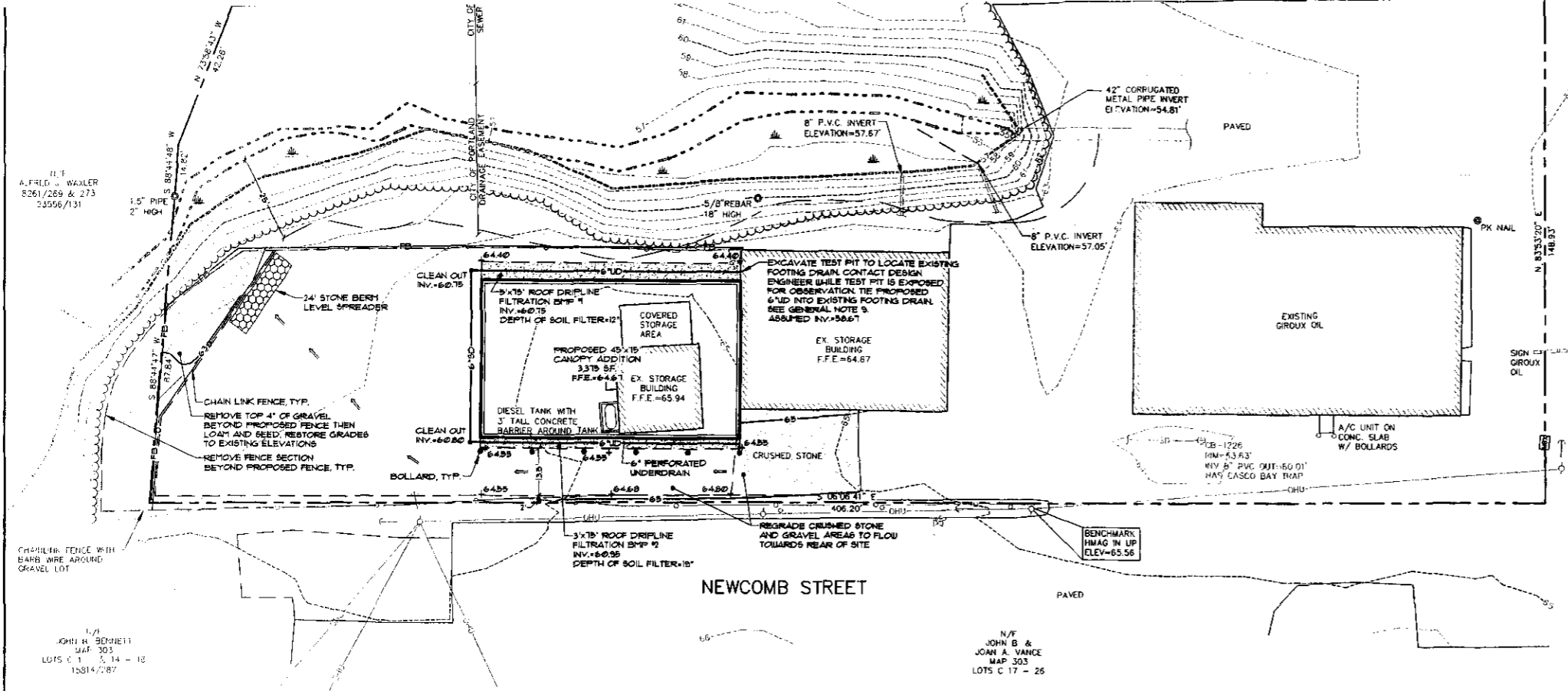
LOCATION MAP

GENERAL NOTES:

- THE RECORD OWNER OF THE PARCEL IS GIROUX OIL COMPANY BY DEED DATED OCTOBER 28, 1981 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 5161 PAGE 24 AND BOOK 8005 PAGE 206.
- THE PROPERTY IS SHOWN AS LOTS D-1-10 ON THE CITY OF PORTLAND TAX MAP 303 AND IS LOCATED IN THE B-4 COMMERCIAL CORRIDOR ZONE.
- TOTAL AREA OF PARCEL IS APPROXIMATELY 133 ACRES.
- SPACE AND BULK CRITERIA:
 - MIN. LOT SIZE: 10,000 SF.
 - MIN. STREET FRONTAGE: 60'
 - MIN. FRONT YARD: 20'
 - MIN. SIDE YARD: 10'
 - MIN. REAR YARD: 20'
 - MIN. LOT WIDTH: 60'
 - MAX. BUILDING HEIGHT: 65'
 - MAX. IMPERVIOUS SURFACE: 80%
 - MAX. FLOOR AREA RATIO: 0.65
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A BOUNDARY SURVEY BY SEBAGO TECHNICS, INC. PERFORMED IN 1981 AND AUGUST 2009.
- PLAN REFERENCES:
 - A. STANDARD BOUNDARY AND SITE PLAN FOR GIROUX OIL BY SEBAGO TECHNICS, INC. DATED JULY 16, 1981.
 - B. WARREN AVENUE TERRACE BY ERNEST E. BRANCH, C.E. RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 2, PAGE 2.
 - C. SURVEY PLAN FOR DRAINAGE EASEMENT AT 341 WARREN AVENUE FOR THE CITY OF PORTLAND PUBLIC WORKS DEPARTMENT, DATED NOVEMBER 21, 2001.
- THE BEARINGS, COORDINATES, AND ELEVATIONS SHOWN HEREON ARE BASED UPON THE MAINE STATE PLANE COORDINATE GRID, WEST ZONE 1802 ON NAD83 AND NAVD83 IN US FEET.
- A WETLAND DELINEATION WAS PERFORMED ON THIS PROJECT SITE DURING AUGUST OF 2009 BY GARY FULLERTON, SEBAGO TECHNICS, INC. AND LOCATED BY GROUND SURVEY. THIS DELINEATION CONFORMS TO THE STANDARDS AND METHODS OUTLINED IN THE 1987 WETLANDS DELINEATION MANUAL AUTHORED AND PUBLISHED BY THE U.S. ARMY CORPS OF ENGINEERS.
- CONTRACTOR SHALL IMMEDIATELY NOTIFY DESIGN ENGINEER IF POSITIVE OUTLET FOR PROPOSED 6" I.D. IS NOT PRESENT AT EXCAVATED TEST PIT.

NO.	DATE	ISSUED FOR	BY	DATE
1	01-28-10	ISSUED FOR SITE PLAN REVIEW	NJS	
2	12-04-09	REVISED PER CLIENT COMMENT	NJS	
3	11-10-09	ISSUED FOR PRELIMINARY PRICING	NJS	
4	10-30-09	ISSUED FOR CLIENT REVIEW	NJS	

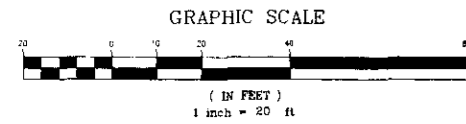
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS AUTHORIZED OR OTHERWISE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.



1/1
ALFRED A. WAXLER
8261/269 & 273
23556/131

1/1
JOHN R. BENNETT
0447 303
LOTS C 1, 3, 14 - 18
15814/2787

N/E
JOHN B. &
JOAN A. VANCE
MAP 303
LOTS C 17 - 25



CONSTRUCTION NOTES

- ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.
- CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIM OR HERSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
- CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.
- INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATION AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.
- CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.
- CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.
- SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES PUBLISHED BY THE CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION MARCH 1991 OR LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
- THE CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT DIG SAFE (1-888-DIGSAFE) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES.
- CONTRACTOR SHALL BE AWARE THAT DIG SAFE ONLY NOTIFIES ITS "MEMBER" UTILITIES ABOUT THE DIG WHEN NOTIFIED. DIG SAFE WILL ADVISE CONTRACTOR OF MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SMALL LOCAL UTILITIES, AS WELL AS USE PUBLIC WORKS SYSTEMS.
- CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRSA 336(9)-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE APPROPRIATE UTILITIES TO OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.
- ALL PAVEMENT MARKINGS AND DIRECTIONAL SIGNAGE SHOWN ON THE PLAN SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS.
- ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
- NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.
- ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY SHALL REQUIRE A H.D.O.T. PERMIT AS WELL AS PERMITS FROM THE TOWN AS APPLICABLE.

CONSTRUCTION NOTES, CONT.

- THE PROPOSED LIMITS OF CLEARING SHOWN HEREON ARE APPROXIMATE BASED UPON THE PROPOSED LIMITS OF SITE GRADING. THE APPLICANT RESERVES THE RIGHT TO PERFORM NORMAL FOREST MANAGEMENT ACTIVITIES OUTSIDE OF THE CLEARING LIMIT AS SHOWN. TREE REMOVAL OUTSIDE OF THE LIMITS OF CLEARING MAY BE NECESSARY TO REMOVE DEAD OR DYING TREES OR TREE LIMBS. THIS REMOVAL IS DUE TO POTENTIAL SAFETY HAZARDS AND TO PROMOTE PROPER FOREST GROWTH.
- IMMEDIATELY UPON COMPLETION OF CUTS/FILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.
- THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND RECTIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.
- ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.
- WHERE THE TERMS "APPROVED EQUAL", "OTHER APPROVED", "EQUAL TO", "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT REFERENCE IS MADE TO THE RULING AND JUDGMENT OF SEBAGO TECHNICS, INC.
- THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER.
- THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
- THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.
- DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.
- BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS, REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION, CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.
- ALL SUBSURFACE UTILITY LINES SHOWN HEREON ARE BASED SOLELY ON THE FIELD LOCATION OF VISIBLE STRUCTURES, SH'S, CB'S, HYDRANTS, ETC. IN CONJUNCTION WITH DESIGN AND OR AS-BUILT PLANS SUPPLIED TO SEBAGO TECHNICS, INC. BY OTHERS, PRIOR TO ANY CONSTRUCTION, EXCAVATION, TEST BORING, DRILLING, ETC. DIG SAFE MUST BE NOTIFIED AND A SITE IDENTIFICATION NUMBER ALONG WITH A SAFE TO DIG DATE OBTAINED. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION, DEPTH AND MATERIAL OF ALL SUBSURFACE UTILITY LINES SHOWN HEREON AND ANY AND ALL OTHERS LOCATED ON SITE WITHIN THE CONSTRUCTION AREA.

LEGEND

EXISTING	DESCRIPTION	PROPOSED
---	BOUNDARY LINE/ROW	---
---	ADJUTTER LINE/ROW	---
---	SETBACK	---
---	EASEMENT	---
⊙	IRON PIPE/ROD	---
⊙	BENCHMARK	---
▭	BUILDING	▭
▭	WETLANDS	▭
▭	EDGE WETLAND	▭
▭	STREAM	▭
▭	EDGE PAVEMENT	▭
▭	EDGE CONCRETE	▭
▭	GRAVEL ROAD	▭
▭	TREELINE	▭
---	CONTOURS	---
---	SPOT GRADE	+ 30.20
---	CHAIN LINK FENCE	---
---	BOLLARD	---
---	WATER GATE VALVE	---
---	WATER SHUT OFF	---
---	SEWER MH	---
---	STORM DRAIN	SD
---	UNDERDRAIN	UD
---	CATCH BASIN	---
---	CULVERT	---
---	OVERHEAD UTILITY	---
---	UTILITY POLE	---
---	GUY	---
---	FILTER BARRIER	FB
---	RIPRAP	---
---	DRAINAGE FLOW	---
---	BOLLARD	---

SHEET INDEX:

SHEET	DESCRIPTION
1	MINOR SITE AND GRADING PLAN
2	DETAILS
3	DETAILS

Sebago Technics
 Engineering Experts You Can Build On.
 One Cabot Street
 Westbrook, ME 04096-1533
 Tel: (207) 856-0277
 Fax: (207) 793-5956
 WWW.SEBAGOTECHNICS.COM

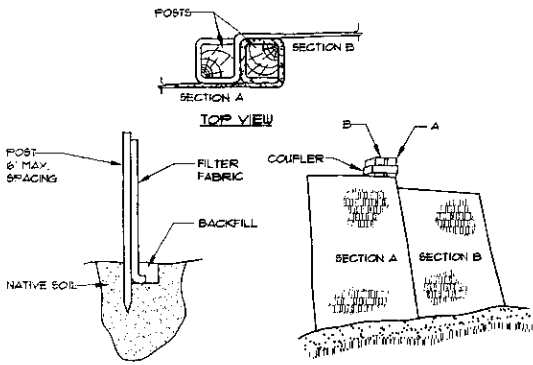
PROJECT NO.: FIELD BOOK DESIGN CHK'D DRAWN BIR
 87068 JBL NJS

MINOR SITE AND GRADING PLAN
 OF:
GIROUX OIL COMPANY
 343 WARREN AVENUE
 PORTLAND, MAINE
 FOR:
BISKUP CONSTRUCTION, INC.
 16 DANIELLE DRIVE
 WINDHAM, MAINE 04092

DATE: 09-29-09 SCALE: 1"=20'

SHEET 1 OF 3

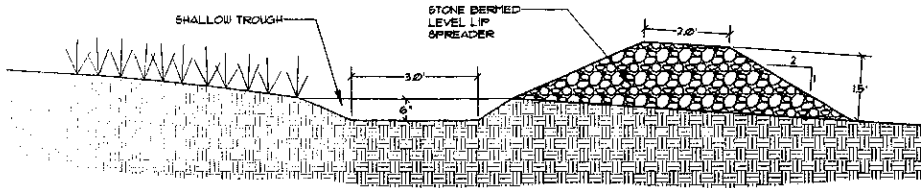
87068-dwc, TAB, Model



INSTALLATION:

1. EXCAVATE A 6" x 6" TRENCH ALONG THE LINE OF PLACEMENT FOR THE FILTER BARRIER.
2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH.
3. DRIVE POSTS INTO THE GROUND UNTIL APPROXIMATELY 2" OF FABRIC IS LYING ON THE TRENCH BOTTOM.
4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH. BACKFILL THE TRENCH AND TAMP THE SOIL. TOE-IN CAN ALSO BE ACCOMPLISHED BY LAYING THE FABRIC FLAP ON UNDISTURBED GROUND AND FILING AND TAMPING FILL AT THE BASE, BUT MUST BE ACCOMPANIED BY AN INTERCEPTION DITCH.
5. JOIN SECTION AS SHOWN ABOVE.
6. BARRIER SHALL BE MIRAFI SILT FENCE OR EQUAL.

FILTER BARRIER
NOT TO SCALE

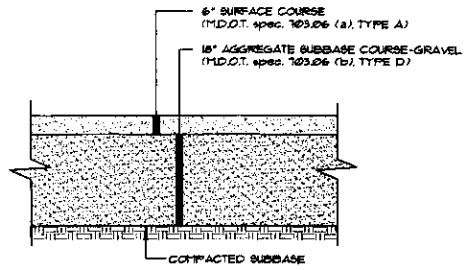


NOTES:

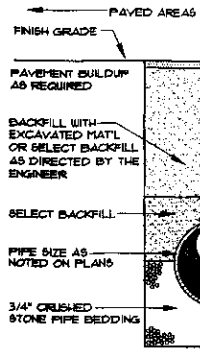
1. TOP OF LEVEL SPREADER SHALL BE CONSTRUCTED AT A UNIFORM ELEVATION ACROSS LENGTH AS IDENTIFIED ON GRADING PLAN.
2. LOCATE AS SHOWN ON GRADING PLANS.
3. STONE USED FOR THE STONE BERM SHALL MEET THE FOLLOWING LIMITS, UNLESS OTHERWISE APPROVED THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

SIEVE DESIGNATION (METRIC)	SIEVE DESIGNATION (US CUSTOMARY)	PERCENT BY WEIGHT PASSING SQUARE MESH SIEVES
300 MM	12 INCHES	100
150 MM	6 INCHES	84-100
75 MM	3 INCHES	60-83
25.4 MM	1 INCH	42-55
4.75 MM	NO. 4	0-12

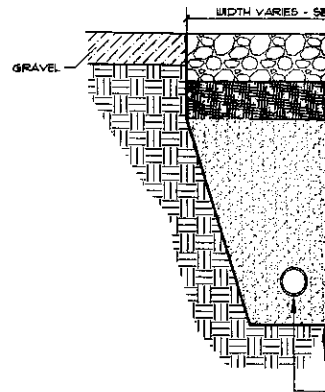
STONE BERM LEVEL LIP SPREADER DETAIL
NOT TO SCALE



TYP. GRAVEL PARKING AREA
NOT TO SCALE



TYPICAL TRENCH
NOT TO SCALE



NOTES:

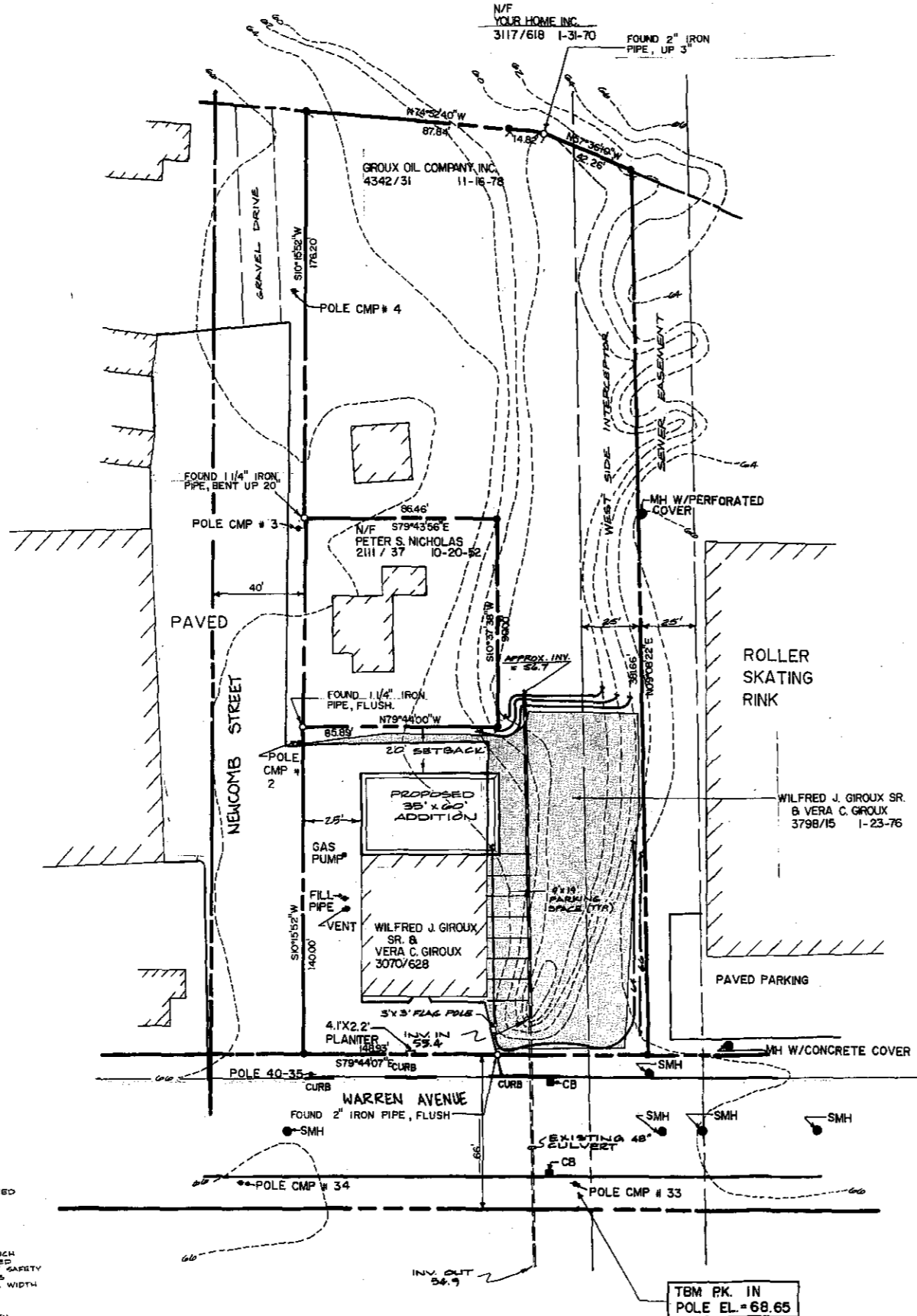
1. FILTER MEDIA MUST BE A MIN. 4-7% (PASSING 200 SIEVE).
2. AN UNDERDRAINED BED CO. INCHES OF UNDERDRAIN GRA. 103.22 TYPE B SHOULD PRO. FOR THE UNDERDRAIN PIPIN. ACCEPTABLE OPTION AND FABRIC.

ROOF DETAIL
NOT TO SCALE

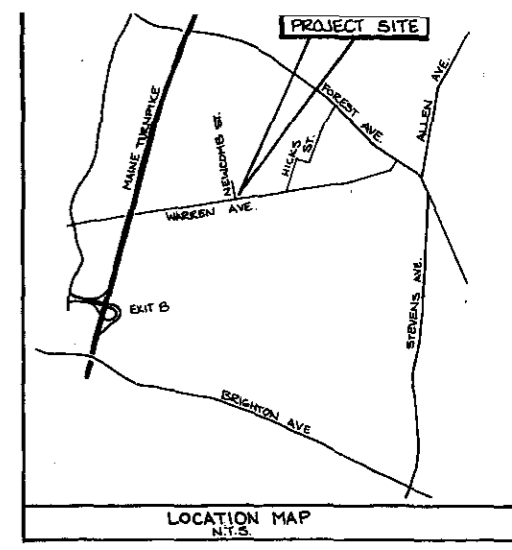
N/F
YOUR HOME INC.
3117/618 1-31-70 FOUND 2" IRON PIPE, UP 3'

LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
- - - -	- - - -	CONTOUR LINE
▬▬▬▬	▬▬▬▬	CURB
▭	▭	BUILDING
●	●	CATCH BASIN
○	○	SEWER MANHOLE
+	+	UTILITY POLE
---	---	EDGE OF PAVING
---	---	CULVERT
○	○	IRON ROD SET
○	○	IRON PIPE FOUND

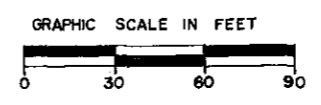
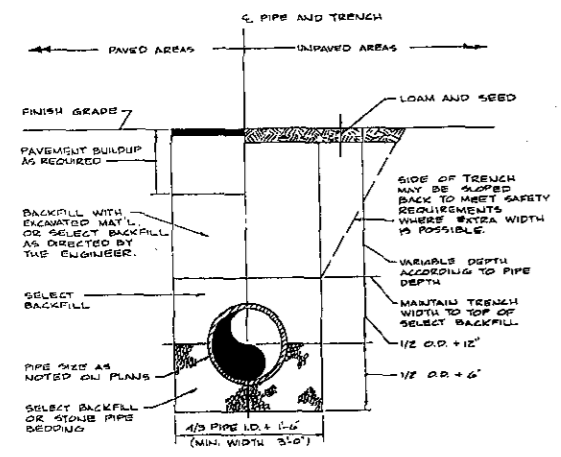


N/F
PORTLAND RINK REALTY
7031/126 1-3-86



GENERAL NOTES

- RECORD OWNERS OF PARCEL ARE WILFRED J. GIROUX SR. AND VERA C. GIROUX BOOK 3070 PAGE 628 AND BOOK 3798 PAGE 15, DATED 1-23-76 AND GROUX OIL COMPANY INC. BOOK 4342 PAGE 31 DATED 11-16-78 RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS.
- PARCEL IS LOCATED ON CITY OF PORTLAND TAX MAP NO. 303 LOTS 1, 2, 3, 4, 5, 6, & 10.
- MINIMUM FRONT YARD = 25'
MINIMUM REAR YARD = 1' FOR EVERY 1' OF BUILDING HEIGHT (25' MAX.)
MINIMUM SIDE YARD = 1' FOR EVERY 1' OF BUILDING HEIGHT (25' MAX.)
- TOPOGRAPHICAL SURVEY COMPLETED BY SEBAGO TECHNICS INC. JUNE 5, 1987. DATA BASED ON U.S.G.S. DATUM PROVIDED BY CITY OF PORTLAND.
- PLAN REFERENCES:
A) PLAN OF WARREN AVE. TERRACE FOR J. W. WILBUR BY ERNEST W. BRANCH, C.E., BOSTON, MASS. DATED APRIL 1981.
B) PLAN OF PROPERTY FOR WILLIAM H. FALKINGHAM BY H.I. & E.C. JORDAN SURVEYORS, PORTLAND, MAINE DATED 2-26-73, PLAN FILE NO. 1587.
C) PLAN OF WARREN AVE. NEW SEWER, CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS W.S.I.S. DATED 11-28-55, PLAN NO. 658/9.
- ROAD REFERENCES:
A) CITY OF PORTLAND ENGINEERING DEPARTMENT-WARREN AVE. "BLUE SHEETS" NOS 3, 4, & 5.
- SUBJECT TO:
A) SLOPE EASEMENT TO CITY OF PORTLAND, MAINE, RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 1623 PAGE 228 DATED 1-27-41.
B) 50' WIDE WEST SIDE INTERCEPTOR SEWER EASEMENT LOCATED FROM INFORMATION SHOWN ON PLAN BY H.I. & E.C. JORDAN CO. SURVEYORS, ENTITLED "PLAN OF PROPERTY IN PORTLAND, MAINE FOR WILLIAM H. FALKINGHAM" DATED FEB. 26, 1973. PARCEL TAKEN BY ORDER OF CITY COUNCIL, PORTLAND, MAINE DATED 10-3-1938.
- THE BOUNDARY SHOWN HEREON CONFORMS TO THE STATE BOARD OF REGISTRATION FOR LAND SURVEYORS STANDARDS OF PRACTICE CATEGORY I CONDITION II EXCEPTIONS:
A) NO DEED DESCRIPTION COMPLETED.



STANDARD BOUNDARY AND SITE PLAN
FOR
GIROUX OIL
WARREN AVENUE
PORTLAND, MAINE
DEVELOPED BY:
GIROUX OIL
WARREN AVENUE
PORTLAND, MAINE

ST Sebago Technics, Inc.
CIVIL ENGINEERS AND SURVEYORS

12 Westbrook Common
Westbrook, Maine 04092
854-0471

DRAWN BY: SLK/JSM
DESIGN BY: NJL
CHECKED BY: NJL/CLB
DATE: 7/10/87
SCALE: 1" = 30'
FIELD BOOK: 152
PROJECT NO. B7068
SHEET 1 OF 1

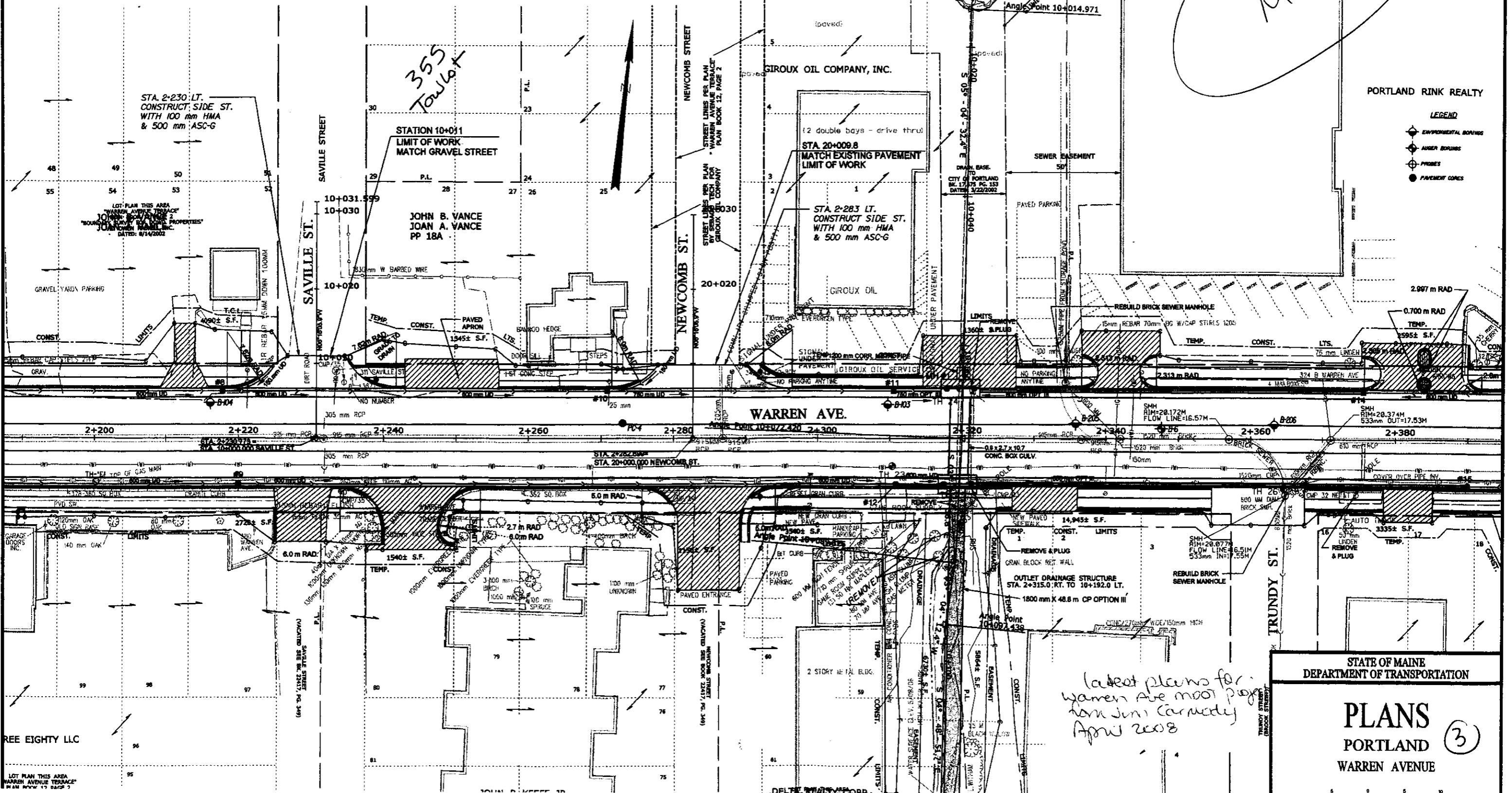
DATE: 12-31-87
 STATUS: AS BUILT
 DRAWN BY: JSM
 CHECKED BY: NJL/CLB
 PROJECT NO. B7068

CONSTRUCT CONCRETE SIDEWALK
Sta. 2+248 to 2+251 Rt.
Sta. 2+275.6 to 2+280.5 Rt.

CONSTRUCT PAVED SIDEWALK
Sta. 2+290 to 2+720 Rt.

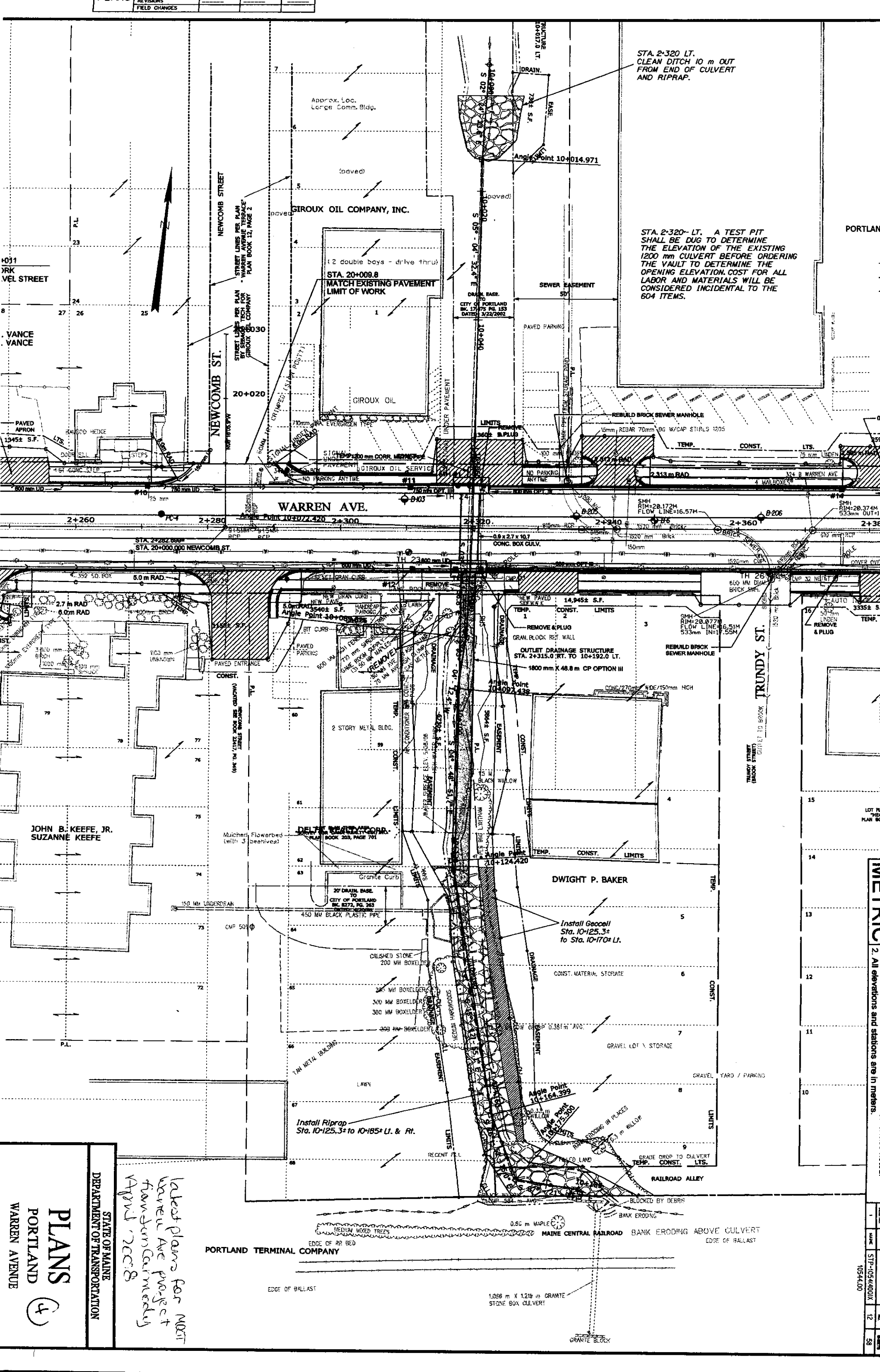
INSTALL TRUNCATED DOMES
Sta. 2+230.7 Lt.
Sta. 2+282.7 Lt.

STA.	OFFSET	DESCRIPTION	OPENING
2+212	Lt.	Paved	6.9 m
2+228.8	Rt.	Paved	8.1 m
2+243.8	Rt.	Paved	x
2+249.5	Lt.	Gravel	13 m
2+321	Lt.	Paved	13 m
2+331.5	Rt.	Paved	9 m
2+341.8	Lt.	Paved	x
2+361.1	Rt.	Paved	13 m
2+381.8	Rt.	Paved	6.7 m
2+383.7	Lt.	Paved	x



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

PLANS
PORTLAND (3)
WARREN AVENUE



STA. 2+320 LT.
CLEAN DITCH 10 m OUT
FROM END OF CULVERT
AND RIPRAP.

STA. 2+320- LT. A TEST PIT
SHALL BE DUG TO DETERMINE
THE ELEVATION OF THE EXISTING
1200 mm CULVERT BEFORE ORDERING
THE VAULT TO DETERMINE THE
OPENING ELEVATION. COST FOR ALL
LABOR AND MATERIALS WILL BE
CONSIDERED INCIDENTAL TO THE
604 ITEMS.

12 double boys - drive thru
STA. 20+009.8
MATCH EXISTING PAVEMENT
LIMIT OF WORK

WARREN AVE.

TRUNDY ST.

JOHN B. KEEFE, JR.
SUZANNE KEEFE

DELTA REALTY CORP.
PLAN BOOK 203, PAGE 701

DWIGHT P. BAKER

Install Geocell
Sta. 10+125.3+
to Sta. 10+170+ Lt.

Install Riprap
Sta. 10+125.3+ to 10+185+ Lt. & Rt.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

latest plans for MORT
Warren Ave project
from Jan 2008
April 2008

PLANS
PORTLAND
WARREN AVENUE

PORTLAND TERMINAL COMPANY

1.086 m X 1.219 m GRANITE
STONE BOX CULVERT

MEINIC 2. All elevations and stations are in meters.

MISC

Jean Fraser - Fwd: Copy of Giroux Oil Company's Permit By Rule Application

From: Jean Fraser
To: Schmuckal, Marge
Date: 5/7/2010 2:08 PM
Subject: Fwd: Copy of Giroux Oil Company's Permit By Rule Application
Attachments: 87068D2.pdf; 87068D1.pdf; 87068S.PDF; 65387.pdf

Marge,

I am finalizing the approval letter for Giroux Oil and asked the engineer to confirm re NRPA. This is what she sent.

Could you sign off or let me know if you still need any conditions to be included.

Thanks
Jean

>>> "Nancy St.Clair" <nstclair@sebagotechnics.com> 5/7/2010 10:54 AM >>>

Hi Jean,

Attached is a pdf of the materials that were filed with the MDEP on April 22nd for the NRPA permit by rule. This information is being forwarded for your files as requested in your e-mail from yesterday. Please let me know if you have any questions. We look forward to the receipt of the City's final sign off letter.

Thanks,

Nancy St.Clair

Nancy St.Clair P.E.

Senior Project Manager

Sebago Technics, Inc.

One Chabot Street

P.O. Box 1339

Westbrook, Maine 04098-1339

Phone: 207-856-0277 ext. 245

Fax: 207-856-2206

www.sebagotechnics.com

CONFIDENTIALITY NOTE:

THIS E-MAIL MESSAGE AND ALL ITS ATTACHMENTS ARE CONSIDERED CONFIDENTIAL INFORMATION, INTENDED ONLY FOR THE VIEWING AND USE OF THE ADDRESSEE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, USE, COMMUNICATION, FORWARDING, PRINTING OR COPYING OF THIS COMMUNICATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY AND DELETE THIS MESSAGE AND ALL ATTACHMENTS.

<<87068D2.pdf>> <<87068D1.pdf>> <<87068S.PDF>> <<65387.pdf>>

April 21, 2010
87068

Dawn Hallowell
Maine Department of Environmental Protection
312 Canco Road
Portland, ME 04103

Permit by Rule Application
Giroux Oil Company
343 Warren Avenue, Portland, Maine

Dear Dawn:

On behalf of Giroux Oil Company, we have enclosed an application for a Permit-by-Rule in association with the construction of a new canopy addition to a building at the existing Giroux Oil facility on Warren Avenue in Portland. The subject parcel is approximately 1.33 acres and is identified as Lots 1 through 10 on Portland Tax Map 303. The site is located within the B-4 Commercial Corridor Zone. Currently, three buildings exist on the property, along with paved and gravel areas for parking and maneuvering. A chain-link fence encircles the limit of the gravel area at the rear of the site. Approximately 0.91 acres of the site is currently covered by impervious surfaces (rooftops, pavement, and compacted gravel).

It is our understanding that the applicant met with you several months ago regarding this site. We exchanged e-mails regarding the proposed canopy addition several weeks ago. The enclosed plans and supporting information reflect the results of our coordination with the City of Portland staff, along with additional input received from you as part of our e-mail exchanges.

Proposed Improvements

As discussed, the applicant is proposing to construct a 45-foot by 75-foot (approximately 3,375 square feet) canopy addition to their existing storage building. The canopy addition will be used for storage of items such as empty new propane tanks and other typical equipment used as part of the Giroux Oil Company's normal operations such as boilers and empty heating oil tanks. In order to accommodate the additional storage space needed, the applicant is proposing to add onto their existing metal storage building, avoiding undue disturbance to the drainage course on the site as well as their customer area, offices, and shop located in the building that is immediately adjacent to Warren Avenue.

The canopy addition will be open on three sides to allow for access and will be constructed in the location of an existing 576 square foot storage building in the rear of the site. The small storage building will be removed to allow for the proposed construction. The existing access to the site off of Warren Avenue, as well as the southerly portion of the site (adjacent to Warren Avenue)

will remain unchanged by this application. The building will be situated to allow for the continued access to the rear of the site by vehicular traffic. Typically, access to this portion of the site is limited to employees of Giroux Oil.

No new connections to public utilities (public water and sanitary sewer), associated with the canopy addition, are proposed. No changes to the existing connections to public utilities that serve the office building or any other buildings, located on the property, are proposed.

Based on our initial correspondence with you and the City of Portland staff, the proposed building addition and associated site improvements are located at least 25-feet from the stream in the northern portion of the site. Within the confines of the applicant's property, the existing gravel surfaces associated with the Giroux facility that are currently within 25-feet of the stream will be removed and a vegetative cover will be established. Based on the initial input received from you and the city staff, the grading in the restoration area has been lowered such that the area can more closely mimic a floodplain.

Stormwater Management

The site is located within the Capisic Brook watershed and as such, we have proposed several features to manage stormwater runoff from the proposed building and rear portion of the site. The rear of the site drains overland towards the drainage course north of the applicant's property. This drainage way flows through an existing culvert under the Giroux parking lot in the eastern portion of the site and Warren Avenue. At some point in the future, the City of Portland intends to make a culvert modification on this property in support of the separation of upstream storm and sewer flows in the West Side Interceptor. The proposed improvements will involve the construction of a new, larger culvert in the same location as the existing culvert.

Runoff from the proposed building addition will be collected in a roof drip line Best Management Practice (BMP) along the eastern and western portions of the canopy addition. A six-inch underdrain will be utilized within the roof drip line BMPs and is intended to connect into the existing foundation drains of the rear storage building. The existing underdrains appear to discharge into the drainage course in the eastern portion of the site, just upstream of the existing culvert. By connecting the underdrains of the proposed BMPs into the existing footing drains, we can avoid land disturbing activities (associated with a new outfall) adjacent to the drainage course. The suitability and available inverts for the existing footing drains must be verified at the onset of construction.

Runoff from the existing gravel surface in the rear of the site will pass through a stone berm level spreader prior to draining into the drainage course. This BMP will be constructed within an area that is currently gravel, as depicted on the plans included with this application. The stone berm level spreader will be situated in excess of 25 feet from the drainage course.

Since the proposed canopy addition will be constructed in an area that is currently covered by a building and compacted gravel surfaces, and a portion of the existing gravel lot will be restored to vegetated conditions, we do not anticipate that the proposed project will create an increase in peak runoff rates from the site.

Municipal Review

The proposed site improvements are currently under review by the City of Portland Planning staff as an Amended Minor Site Plan review. It is expected that this review process will be completed soon such that the project can move forward to the construction phase.

Permit-by-Rule Notification

We have prepared this Natural Resource Protection Act (NRPA) Permit-by-Rule to notify the MDEP of the site improvements within 75-feet of the stream. Given the size of the site and the location of the drainage course in the context of the existing site elements, the proposed site improvements include work within 75' of a protected resource. The work also includes the restoration a portion of the area adjacent to the drainage course that crosses the site, by the removal of fill.

You have indicated that the proposed work should be considered under Chapter 305, Section 2-Activities Adjacent to Protected Natural Resources and Section 12-Restoration of Natural Areas. Since the proposed site improvements will occur at least 25 feet from the stream, it is our understanding that no additional permitting will be required through the Maine Department of Environmental Protection (MDEP).

Permit-by-Rule Criteria-Section 2

The following items address the specific review criteria outlined in Chapter 305, Section 2-Activities Adjacent to Protected Natural Resources:

- (1) *No activity or portion of an activity may be located within the 75 foot setback if there is a practicable alternative location on the parcel that would cause or result in less impact on the environment. The following activities are presumed to have no practicable alternative location on the parcel.*
 - (a) *The planting of vegetation for the purpose of controlling erosion or for establishing a vegetative buffer.*
 - (b) *The removal or replacement of underground storage tanks when performed in accordance with 38 M.R.S.A. Section 566-A.*
 - (c) *The replacement of a structure or the placement or replacement of a foundation or supports for a legally existing structure or addition that is not closer to a protected natural resource than the existing structure provided the municipality has approved the location of the replaced or modified structure. However, any fill, other than that required to maintain the integrity of the structure such as foundation backfill, must meet the 75 foot setback standard unless otherwise approved by the DEP pursuant to this section.*
 - (d) *The closure of a landfill in conformance with the DEP's solid waste management rules.*

(e) *Access way consisting of a footpath, stairway, or steps to the resource.*

There is no practicable alternative to avoid construction of the proposed site improvements within 75' of the resource. This approximately 1.33 acre property is in an urban, commercially developed setting. The applicant has owned and operated their business from this site for several decades. The drainage course traverses approximately 60% of the overall length of the property, along the easterly side of the site, and then enters into a large diameter culvert located under the parking area for the Giroux Oil Company site and across Warren Avenue. There are three existing buildings on the property, along with paved and gravel parking and maneuvering areas typical of this setting and appropriate for this type of use. All three existing buildings are located less than 75' from the drainage course.

As noted above, the applicant is proposing to build a canopy addition to one of their existing buildings. In order to do accommodate the additional space needed, the applicant is proposing to add onto their existing storage building at the rear of the site, avoiding undue disturbance to their customer area, offices, and shop located in the building that is immediately adjacent to Warren Avenue.

In order to accommodate this building addition, the applicant intends to remove the third building (located in the northerly portion of the site) from the area of the proposed canopy expansion. Given the space needs for this addition, along with the fact that it needs to be connected to an existing structure, and the existing non-compatible uses that occur in the southernmost building, there is no other more appropriate location for this canopy addition than the location shown.

Given the location of the existing drainage course on the site, observing a 75' setback from the resource (and the 10' municipal side yard setback criteria) would only allow an approximately 9' wide canopy addition to be constructed. This restriction would preclude the feasible and functional construction of an addition to meet the applicant's needs and purpose for the expansion.

Accordingly, the applicant is seeking approval to expand their existing building with a canopy addition that must be located within 75' of the protected resource.

(2) *Except for those activities listed in Section 2(C)(1)(a)-(e) above, a 25 foot setback must be maintained between the normal high water line or upland edge of the protected natural resource and the activity. Areas that have slopes of 3 horizontal feet: 1 vertical foot (approximately 33% slope), or steeper, may not be counted when determining the 25 foot setback. Existing vegetation within the setback may not be disturbed except for cutting activity meeting the exemption requirements in 38 M.R.S.A. Section 480-Q(23).*

The design for this addition has been modified to the extent practicable to allow an offset from the existing building that will maintain a minimum 25' setback from the resource. The proposed roof drip line BMP has also been designed to respect this 25' setback.

(3) *Disturbance within the setback must be minimized.*

With the exception of the proposed regrading shown on the plans (in order to remove fill and restore a portion of the area adjacent to the drainage course-as recommended by the MDEP, and as discussed in Section 12 below) no disturbance is proposed within 25' of the existing drainage course.

(4) *The following measures must be taken to prevent erosion of soil or fill material from disturbed areas:*

(a) *Staked hay bales or silt fence must be properly installed at the edge of disturbed areas between the activity and the resource before the activity begins;*

A filter barrier is proposed around the perimeter of the work area to protect the resource. This barrier is to be installed prior to the start of construction. See enclosed Minor Site and Grading Plan (Sheet 1 of 3) and the Details Sheet (Sheet 2 of 3).

(b) *Hay bales or silt fence barriers must be maintained until the disturbed area is permanently stabilized;*

The Erosion Control Measures narrative, outlined on the Details Sheet (Sheet 2 of 3), requires that the filter barrier must be installed prior to the start of construction and must be maintained until all exposed slopes have at least 85% to 90% of vigorous perennial vegetative cover.

(c) *Within 7 calendar days following the completion of any soil disturbance, and prior to any storm event, mulch must be spread on any exposed soils;*

The Erosion Control Measures narrative, outlined on the Details Sheet (Sheet 2 of 3) requires that all exposed areas within 100 feet of a stream must be anchored with temporary erosion control within 7 days.

(d) *All disturbed soils must be permanently stabilized; and*

These provisions are also included in the Erosion Control Measures narrative, outlined on the Details Sheet (Sheet 2 of 3).

(e) *Within 30 days of final stabilization of the site, any silt fence must be removed.*

Item Number 10 of the Construction Schedule included in the Erosion Control Measures narrative, on the Details Sheet (Sheet 2 of 3), addresses this requirement.

(5) *A footpath to the resource is limited to 6 feet in width and stairs or steps are limited to 4 feet in width.*

No footpath is proposed.

- (6) *All work is limited to the location and extent depicted on the plan or plans submitted pursuant to Subsection B(4) of this section.*

All proposed work is shown on the enclosed Drawing Set as follows:

- Minor Site and Grading Plan Sheet 1 of 3
- Details Sheet 2 of 3
- Details Sheet 3 of 3

Permit-by-Rule Criteria-Section 12

The following items address the specific review criteria outlined in Chapter 305, Section 12-Restoration of Natural Areas:

- (1) *The following measures must be taken to prevent erosion of soil or fill material from disturbed areas into the proposed resource:*

- (a) *Staked hay bales or silt fence must be properly installed between the area of soil disturbance and the resource before the activity begins;*

As noted above, a filter barrier is proposed between the work area and the protected resource. See enclosed Minor Site and Grading Plan (Sheet 1 of 3).

- (b) *Hay bales or silt fence barriers must be maintained until the disturbed area is permanently stabilized;*

In accordance with the Erosion Control Measures narrative, outlined on the Details Sheet (Sheet 2 of 3), the filter barrier must be installed prior to the start of construction and must be maintained until all exposed slopes have at least 85% to 90% of vigorous perennial vegetative cover.

- (c) *Within 7 calendar days following the completion of any soil disturbance, and prior to any storm event, mulch must be spread on any exposed soils;*

As the Erosion Control Measures narrative (on the Details Sheet (Sheet 2 of 3)) requires, all exposed areas within 100 feet of a stream must be anchored with temporary erosion control within 7 days.

- (d) *All disturbed soils must be permanently stabilized; and*

These provisions are also included in the Erosion Control Measures narrative, outlined on the Details Sheet (Sheet 2 of 3).

- (e) *Within 30 days of final stabilization of the site, any silt fence must be removed.*

The Construction Schedule included in the Erosion Control Measures narrative, on the Details Sheet (Sheet 2 of 3), addresses this requirement (see Item Number 10 of the schedule).

- (2) *Disturbance of wetland vegetation must be avoided if possible. If wetland vegetation must be disturbed during the activity, it must be reestablished immediately upon completion of the activity and must be maintained.*

No wetland alterations are proposed.

- (3) *Non-native wetland plants may not be planted in disturbed areas.*

No wetland plantings are proposed.

- (4) *Only material that has been placed in a natural resource by persons may be removed from these waterbodies except for debris deposited within the previous 12 calendar months, and sand that will be regraded onto existing adjacent sand beaches.*

The proposed regrading is located adjacent to the resource. The proposed regrading of the existing slope is intended to remove former gravel areas and to lower the adjacent grade to create the potential for a restored floodplain in this location. This work is being conducted based on initial feedback and recommendations provided by MDEP staff.

- (5) *Sand may be regraded from below the normal high water line, but machinery may not operate in the water. Equipment operating on shore may reach into the water with a bucket or similar extension. Areas covered by vegetation, either aquatic or terrestrial, may not be disturbed during any beach regrading.*

Not Applicable.

- (6) *Any activity involving the regrading of an existing sand beach must include the installation of permanent erosion control devices, such as water bars and diversion ditches, that prevent future erosion of the sand from upland runoff. The erosion control devices must be installed prior to the regrading of the beach.*

Not Applicable.

- (7) *Vegetation and soil material used in restoring wetland areas must be similar to the vegetation and soil materials occurring under pre-existing natural conditions.*

The restoration area is not within a mapped wetland.

- (8) *No fill other than soil material used to restore natural elevations within a dredged area of a coastal or freshwater wetland may be placed in or adjacent to a natural resource. Sand may not be brought in from off-site to replenish an existing beach.*

No fill is proposed as part of the restoration plan adjacent to the existing drainage course. The disturbed area will be loamed and seeded once the grading activities have been completed.

- (9) *Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom.*

No wheeled or tracked equipment is proposed to operate in the drainage course. All equipment will access the work area from the existing developed portion of the property.

- (10) *All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms in order to protect wetland vegetation.*

No wheeled or tracked equipment is proposed to operate in the wetlands. All equipment will access the work area from the existing developed portion of the property.

- (11) *All excavated material must be stockpiled either outside the wetland or on mats or platforms. Hay bales, silt fence or mulch must be used, where necessary, to prevent sedimentation.*

Materials excavated in association with the proposed grading restoration adjacent to the drainage course will not be stockpiled in any wetland area, and will be within the confines of the filter barrier that encircles the work area.

- (12) *If the activity occurs within tidal waters, the activity must occur during the time period approved by the Department of Marine Resources.*

Not Applicable.

Permit-by-Rule Materials

In addition to the attached PBR notification form, the following items are included as part of this submittal:

- Drawing Set as follows:
 - Minor Site and Grading Plan (Sheet 1 of 3)
 - Details Sheet (Sheet 2 of 3)
 - Details Sheet (Sheet 3 of 3)
- Location Map
- Secretary of State Registration information for Giroux Oil Company
- Photographs of the area in which this activity is proposed.
- Check for Application Fee of \$65.00.

Closure

If you have any questions regarding the project or if additional information is required, please contact me. Thank you for your consideration.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in cursive script that reads "Nancy St. Clair".

Nancy J. St. Clair, P.E.
Senior Project Manager

NJS:njs/jbl/df
Enc.

cc: Jim Biskup, Biskup Construction

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**
(For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)	Giroux Oil Company	Name of Agent:	Biskup Construction, Inc. / Sebago Technics, Inc.	
Applicant Mailing Address:	343 Warren Avenue	Agent Phone # (include area code):	Biskup: 207-892-9800 Sebago Technics: 207-856-0277	
Town/City:	Portland	PROJECT information Name of Town/City:	343 Warren Avenue Portland, Maine	
State and Zip code:	Maine 04103-1195	Name of Wetland or Waterbody:	Unnamed Tributary to Capisic Brook	
Daytime Phone # (include area code):	207-797-7111 (Giroux Oil Company)	Map #:	303	Lot #: Lots 1-10
Detailed Directions to Site:	From Canco Road take Reed Street to Bell Street to Forest Avenue, turn right onto Forest Avenue. Follow Forest Avenue to its intersection with Warren Avenue. Turn Left onto Warren Avenue, proceed to 343 Warren Avenue to Giroux Oil Company (on the right).			
Description of Project:	Please see cover letter and accompanying plans.			
Part of a larger project? (check one) →	<input checked="" type="checkbox"/> Yes	After the Fact? (check one) →	<input type="checkbox"/> Yes	Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).

PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, **have read** and will comply with all of the standards in the Sections checked below.


- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec.(10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input checked="" type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities In/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities in existing dev. areas located In/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding & staging areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

I have attached the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- Attach** a check for \$65 made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach Proof of Legal Name.** If applicant is not an individual or municipality, provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)
- Attach photos of the proposed site where activity will take place as outlined in PBR Sections checked above.**
- Attach** all other required submissions as outlined in the PBR Sections checked above.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. 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.**

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	4/22/2010
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. 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. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

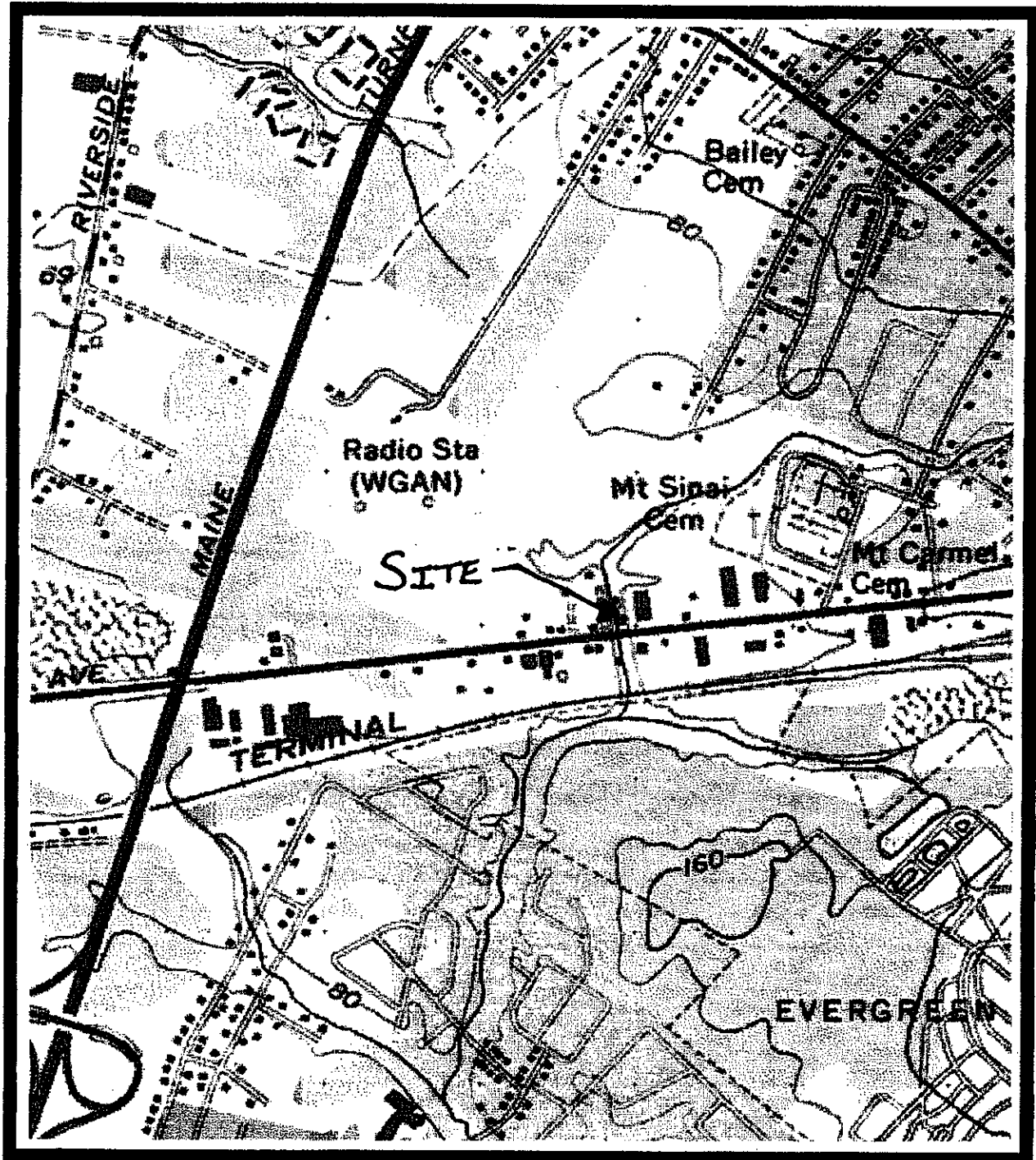
AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901

PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300

BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570

PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
PBR #	FP		Acc. Date	Def. Date	



LOCATION MAP
GIROUX OIL COMPANY
PORTLAND, MAINE
PORTLAND WEST QUADRANGLE
SCALE: 1 INCH = 1,000 FEET



Sebago Technica
Engineering & Planning for the Future



MAINE

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: **Wed Apr 21 2010 14:21:47**. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
GIROUX OIL COMPANY, INC.	19741360 D	BUSINESS CORPORATION	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
06/06/1974	N/A	MAINE

Other Names (A=Assumed ; F=Former)

GIROUX ENERGY SOLUTIONS	A
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Clerk/Registered Agent

ELLSWORTH T. RUNDLETT III
257 DEERING AVENUE
PORTLAND, ME 04103

[Back to previous screen](#)

[New Search](#)

Click on a link to obtain additional information.

[List of Filings](#)

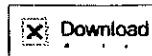
[View list of filings](#)

Obtain additional information:

[Certificate of Existence \(more info\)](#)

<u>Short Form without amendments</u>	<u>Long Form with amendments</u>
<u>(\$30.00)</u>	<u>(\$30.00)</u>

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files. If you encounter problems, visit the [troubleshooting page](#).



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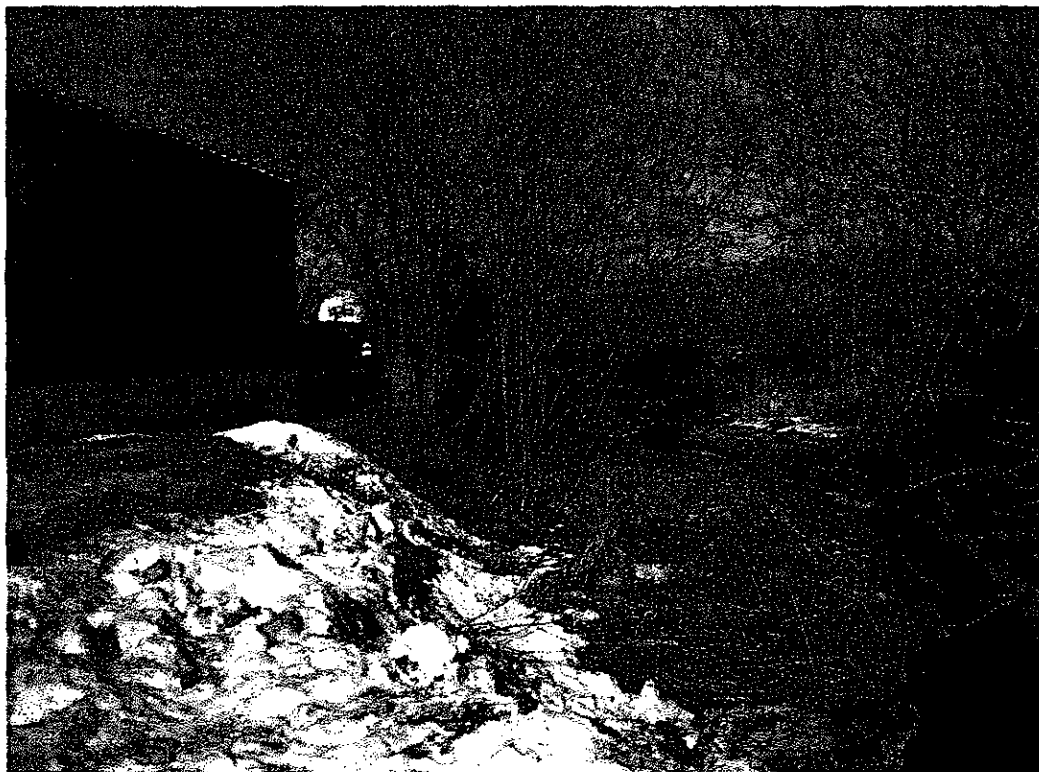


Photo 1: Portion of site along Unnamed Tributary of Capisic Brook

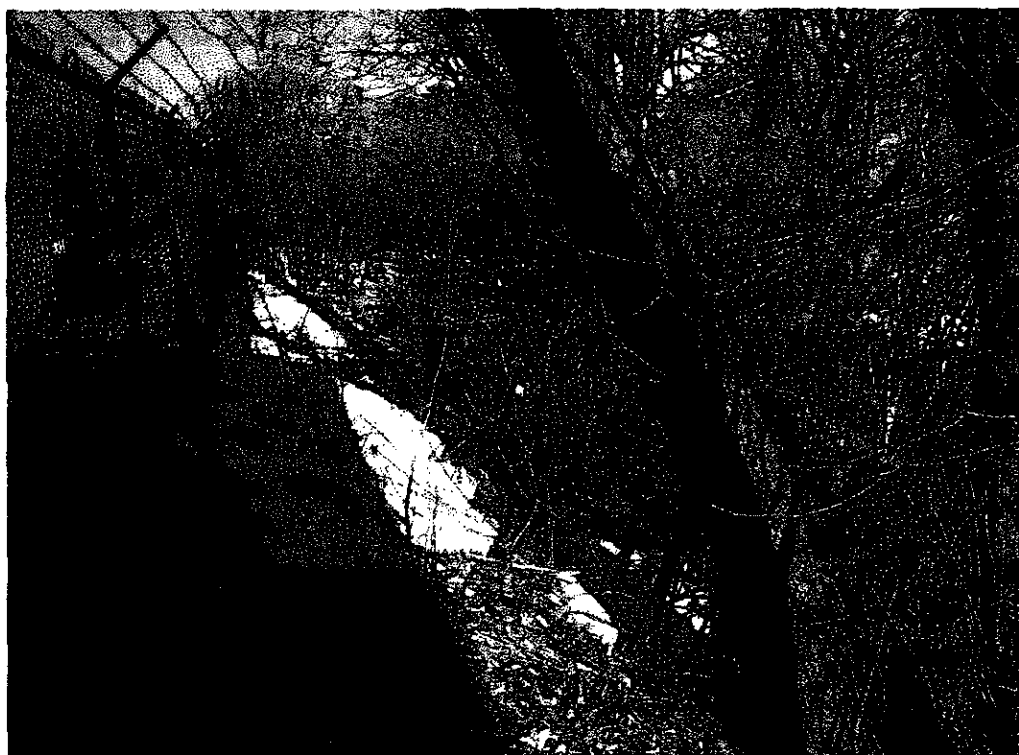


Photo 2: Portion of site along Unnamed Tributary of Capisic Brook

Fire Zoning
Dan
Jeff

4-28-10
OK to approve
no conditions get

MINOR SITE PLAN DEVELOPMENT REVIEW
Final review and sign off

Fire + Land sign offs
too as not at
Dev Rev

PROJECT: Growth Oil Application #: _____

Date of completion: 4-28-10 discussion

5.10.10 updates

Review item	Status	Who signed off on this
Evidence of Right, Title & Interest	add info provided + appears OK	
MDEP/MP etc issues	DPS + DG OK 2 permits needed.	
Additional info provided as requested:	Yes - re RTI + parking also elevation + flow plan	
Access and parking layout (including contributions)	26 spaces OK zoning? Rev. incl 3 newly located spaces.	TE OK
Bicycle parking	we didn't raise this. (4-6 req'd)	-
Stormwater Management	snow storage area shown as DPS requested!	DM-P + DG OK
Other engineering issues		OK ask re bollards protect tanks.
Zoning		OK
Fire Department	asked - openings } re ex storage what stored } bldg	ans 2-11 - 3 det trucks no openings.
Building materials etc	info provided.	
Landscape	Rev. incl. min. land by sign at front	OK
Two trees/lot; two foundation plantings per lot		N/R
Lighting	none proposed.	N/R
Letter of financial capability	?	
Capacity letter water	N/R	N/R
Capacity letter sewer	N/R	N/R
Sidewalk/Curbing	N/R	N/R
Dumpster location and enclosure/waste collection	N/R.	N/R
Other issues	Poss. conds ① No parking under canopy ② Removal of sm st bldg X ③ lighting/signs need to be renewed.	? finding needed

ask re bollards protect tanks.

2/2/10
OK

Jean Fraser - Giroux Oil Company 343 Warren Ave. - more info

From: Jean Fraser
To: Gautreau, Keith
Date: 5/6/2010 3:39 PM
Subject: Giroux Oil Company 343 Warren Ave. - more info
Attachments: Giroux Oil.pdf

Keith,

These are your comments in HTE under the # I mentioned yesterday:

Fire Prevention Captain Keith Gautreau

MM/DD/YY INSERT COMMENTS HERE

02/10/10 What are the existing openings on the storage building. (are there any on the proposed canopy side?) What is stored in the existing storage building? Water supply will be OK after the renovation recently on Warren ave. Keith

Below is the information that we received in order to answer your questions (I have highlighted); they are pressing me for a sign off and given that this is a propane gas tank use I want to be sure that you are OK. Were you at Dev Rev when we were discussing whether we needed a condition prohibiting trucks parking under the canopy- it was agreed this would not be of any concern to most reviewers and at the moment I have no conditions at all.

Thanks, Jean

>>> "Nancy St.Clair" <nstclair@sebagotechnics.com> 2/11/2010 4:43 PM >>>

Hi Jean,

It was nice to speak to you yesterday. Based on our conversation, it is my understanding that various staff members have asked for additional information to support our application materials submitted on behalf of Giroux Oil Company's proposed canopy addition. You indicated that there will be a follow-up staff meeting next Wednesday February 17, 2010 at which time the project will receive its official review. You asked that we provide materials and information to respond to the initial questions raised if possible before the next staff meeting next week.

Before we address the specific questions, we wanted to get additional clarification out to all parties with regard to the proposed items to be stored under the new canopy. We have spoken again to the owner's representative regarding their proposal for uses under this new canopy. The canopy addition will be used for storage of items such as empty new propane tanks and other typical equipment used in the applicant's operation such as boilers and empty heating oil tanks. The canopy is intended to get these items generally under cover from the weather and to allow ease of access to this equipment. These items are currently stored in the small existing storage building that is located within the footprint of the proposed canopy expansion. No trucks will be parked under the canopy (our previous cover letter erroneously stated that the canopy would be used for propane trucks and equipment storage).

Based on my notes, it is my understanding that you and other staff have requested the following information (in *italics* below). For ease of review, our responses follow each item below:

- **What is happening to the small storage building located in the area of the canopy addition?** This building will be removed from the site entirely. The equipment (boilers, new empty tanks, etc.) currently stored in this building will be relocated to under the canopy. This will allow ease of access to these items.
- **Submit a plan showing existing and proposed parking, including information on parking needs.** Our office is currently preparing this plan and information. According to the owners, they have 6 employees in the office throughout the day. They have 5 oil and propane truck drivers and 4 technicians, who are on the road throughout the day. They have a total of 14 trucks, 7 of which go home with their employees each night.
- **Address landscaping:** We are currently assessing the site landscaping provisions and have asked one of our landscape architects to review this. Any additional information you can provide regarding the City's expectations on this item, given the setting and site constraints, would be beneficial.
- **Provide a description of internal parking and circulation.** Our office is currently preparing this plan and information to address this request. As we discussed, the applicant's current circulation pattern includes access via Newcomb Street. This access will not change. A chain link fence exists along the westerly property line in the area adjacent to the new canopy addition. This fence will remain. The new canopy and the gravel area at the rear of the site will be accessed along the westerly side of the site, between the chain link fence and the new canopy (i.e. from within the existing site). There is a gate in the fence near the end of the pavement on Newcomb Street, which would be available as a secondary access to this area if needed.
- **Provide a building elevation showing the proposed canopy in the context of the existing storage building to which it is attached.** The Floor Plan and Elevation of the proposed Canopy Expansion, as prepared by Biskup Construction Inc., is attached to this e-mail.
- **Fire Department Questions:**
- **What is stored in the building to which the canopy will be attached:** There are three delivery trucks that are parked in this building at night. The trucks access the building via three overhead doors on the southerly side of the building (facing Warren Avenue)
- **Are there openings in the existing building on the site to which the canopy will be attached:** There are no openings on the side (the northerly side) of the building to which the canopy will be attached. Three overhead doors that access the building are located on the southerly side of the building, as described above. One egress door is located on the southwesterly corner of this building (facing Newcomb Street) this egress door is located on the opposite end of the building from the proposed canopy addition. There are no openings on the easterly side of the building.

We hope that this additional information will assist you and the other reviewers in evaluating the Giroux's application. Please contact me if you have any additional questions or comments. We look forward to hearing from you.

Thanks,

Nancy St.Clair

Nancy St.Clair P.E.

Senior Project Manager

Sebago Technics, Inc.

One Chabot Street

P.O. Box 1339

Westbrook, Maine 04098-1339

Phone: 207-856-0277 ext. 245

Fax: 207-856-2206

www.sebagotechnics.com

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<<Giroux Oil.pdf>>

Jean Fraser - Cond re main of stormwater system

From: Jean Fraser
To: Margolis-Pineo, David
Date: 5/6/2010 5:18 PM
Subject: Cond re main of stormwater system
CC: Barhydt, Barbara

David,

The attached 'standard' condition was included on Mr Vance's approval and I am wondering if it should also be included in the approval for Giroux Oil since they have some drains/spreaders as part of their system....?

Thanks
Jean

1. The applicant shall comply with the following requirements regarding the approved stormwater management system:

Certification – Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the developer, and the owner and each contractor and subcontractor has certified, on a form provided by the Development Review Coordinator, that the approval and conditions have been received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the Department of Planning and Urban Development and the Department of Public Services Department prior to the issuance of a Building Permit.

- i. **Maintenance** – The components of the approved stormwater management system must be adequately maintained to ensure that the system operates as designed, and approved
- ii. **Recertification requirement** – The permittee shall submit annual inspection reports to the Stormwater Program Coordinator in Portland's Department of Public Services. The inspections must be conducted by a qualified third-party inspector who certifies that all components of the stormwater management system are functioning as intended or if not, what actions must be performed to restore the system to functionality. Annual inspection reports are due by April 30 and shall be submitted on a form provided by the Department of Public Services. The stormwater inspection shall certify the following:
 - (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
 - (b) All aspects of the stormwater control system have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the facilities according to the approved stormwater management plan.
 - (c) The erosion and stormwater maintenance plan for the site is being implemented as written, or modifications to the plan have been submitted to and approved by the

department, and the maintenance log is being maintained.

Jean Fraser - Giroux Oil

From: Jeff Tarling
To: Jean Fraser
Date: 5/5/2010 1:56 PM
Subject: Giroux Oil
CC: David Margolis-Pineo

Hi Jean -

The addition of the landscape planter and plantings on the revised Giroux Oil plan is acceptable. The addition of even small landscape planting have a positive effect on the overall 'street-scape' and greening of Warren Avenue.

Thanks,

Jeff Tarling

Jean Fraser - Giroux Oil - Follow up to March 19 meeting

From: Jean Fraser
To: Nancy St.Clair
Date: 3/31/2010 1:50 PM
Subject: Giroux Oil - Follow up to March 19 meeting
Attachments: Giroux Oil Drainage Easement00948_041__001.PDF

Nancy,

1. **SURVEY:** At the March 19th, 2010 meeting I believe you/Mr Giroux were going to look for documents to augment the survey to clarify right title and interest. The City's Surveyor has reviewed the various documents already submitted and checked them against the archived plans and has confirmed that you/Mr Giroux would need to submit **deed book 4342 page 31 as recorded at the Cumberland County Registry of Deeds** to complete that documentation. It is referenced on the 7/16/87 survey plan by Sebago Technics.

He has also forwarded the City's Drainage Easement Survey Plan in case that is of interest (attached).

2. **SITE PLAN:** I would be grateful if you could clarify the status of the minor site plan application as submitted 1.30.2010. It is "on hold" in our system (per your request of 2.19.2010) and at the meeting you indicated that a decision had not yet been taken as to whether to proceed.

thank you
Jean

Jean Fraser, Planner
City of Portland
874 8728

Meeting Mr. Giroux
+ Contractor.

City - BB TE
JF DM-P
MS B Clark

3/19/10.

Mr. Giroux concerned that we were asking them to do things they don't want to do

B.B. outlined overall picture

VF⁺MS Con. jumed we aren't necessarily concerned but don't have information.

TE need to understand what's going to be changed - wants it to work for their operation and avoid cars coming onto Warren. ^{margin} OK with plan indicating ex. pkg but not re shape.

NS - were focussing on rear in area of addition.
- BS - since '87 was site plan for second building

Con - Our requests are too expensive - bdy survey
- info on traffic/circ.

disc. of bdy survey - Surveyor stamp Ex cards + add pins
Deed re lot w/in (outer boundaries OK)
Plus original SBS.

Landscaping - MROT didn't want to block views
- some pockets - either side sign for planting - in the ground
Nancy contact def.

front area
will be sep. plan
w/ rev. pkg + planting.

DM-P - Is all set - seeking thermal - trees to rear.

N.S. - 2 permit by rules needed ^{USEP} ^{old rules may apply}
~~in need of some revised plans~~

Mr. Groux confirmed no parking under canopy.

Agreed action

1. Survey - ^{they will submit}
inter mediate site plan + survey stamped ex cond

2. Site Plan - to be revised to show:

- ex. parking (no restriping)
- proposals for pkq + land at front
- waiver request

3. JF - if they proceed -
- clarify re Fire Dept.
- clarify Nicholas deed.

2/19 "on hold"

Jean Fraser - Fwd: Giroux Oil Company, 343 Warren Avenue

From: Jean Fraser
To: Nancy St.Clair
Date: 2/18/2010 11:31 AM
Subject: Fwd: Giroux Oil Company, 343 Warren Avenue

Hello Nancy,

I am forwarding these preliminary comments to help clarify what I sent yesterday.

The further information/plans re the traffic/circulation/parking don't need to be "fancy" but enough to show that the site can work reasonably safely and provide a basis for any waivers where these are considered appropriate by the Traffic Engineering Reviewer. (And the Zoning Administrator needs documentation re the parking as it relates to this zone).

Again, I am in today until about 3pm if you would like a follow- up conversation...

Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> Thomas Errico <Thomas.Errico@tylin.com> 2/18/2010 11:13 AM >>>

Jean – I have reviewed the site plan dated January 28, 2010 prepared by Sebago Technics and generally find the plan to be acceptable from a traffic perspective. Please note the following two issues.

- The project proposes a circulation aisle that is only 13.5 feet wide and does not meet City design standards. Based upon my observation of the site and anticipated operations, I would support a design waiver. This waiver is based on the fact that traffic volumes will be low and vehicles in the subject area will be company vehicles that are familiar with site operations.
- Vehicle parking spaces are delineated in the area between the sidewalk on Warren Avenue and the existing main building. These spaces do not meet City or general engineering standards and therefore would ask the applicant provide information that supports their use, current parking operations, and use of this area for on-site circulation. I would note that these parking spaces are not delineated on the 1987 Site Plan. Lastly, I would note that changes to this parking area may work well with desires to install plantings in the front area.

If you have any questions, please contact me.

Best regards,
Thomas A. Errico, P.E.
TYLININTERNATIONAL

12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

Jean Fraser - RE: Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments

From: Jean Fraser
To: St.Clair, Nancy
Date: 2/17/2010 12:46 PM
Subject: RE: Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments
CC: 87068@sebagotechnics.com; Conway, Will

Nancy,

I am writing to confirm the status of the review of the Giroux Oil proposed canopy. Although the main change is the removal of the small storage shed and the addition of the canopy, the review covers the entire site and applies the City's Site Plan standards (City Ordinance 14-526). There are several projects in the vicinity that have recently received Site Plan approval and in all those cases- despite being relatively small in scale- there were similar questions and issues raised during the review. Several other issues (need for another hydrant and need for sidewalk and curbing) have not arisen here because they have recently been addressed by others.

1. The review is on hold until we receive the requested plans showing proposed parking, access and internal circulation, along with an updated survey. Once we receive these and they are reviewed, I will send a more formal letter outlining final review comments.
2. Reviewers have considered the written information that you sent on 2.11.2010 and request that the above mentioned plan (re proposed parking, access and circulation) also include the following:
 - a. Location for snow storage (as this should not go into the stream);
 - b. Clarification of access and internal drive aisles (helpful to show dimensions and whether one or two way) as I anticipate staff-level waivers from city technical standards will need to be considered.
3. Re Landscaping, the City Arborist requests landscaping and tree planting be introduced along the Warren Ave frontage (we note the parking layout at the front will need to change to reflect the recently completed MDOT work); also some tree planting along the stream at the rear to fill in the gaps in existing vegetation.
4. I understand that reviewers do not have any comments regarding the stormwater proposals etc.; I am waiting for comments from the Fire Department.

I am out of the office this afternoon but in all day tomorrow if you would like to discuss any of the above in more detail.

Thank you

Jean

Jean Fraser, Planner
City of Portland
874 8728

Jean Fraser - Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments

From: "Nancy St.Clair" <nstclair@sebagotechnics.com>
To: <jf@portlandmaine.gov>
Date: 2/11/2010 4:44 PM
Subject: Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments
CC: "Jamie Lowery" <Jlowery@sebagotechnics.com>, <Jim@biskupconstruction.com...>
Attachments: Giroux Oil.pdf

Hi Jean,

PLANNING FUE COPY

It was nice to speak to you yesterday. Based on our conversation, it is my understanding that various staff members have asked for additional information to support our application materials submitted on behalf of Giroux Oil Company's proposed canopy addition. You indicated that there will be a follow-up staff meeting next Wednesday February 17, 2010 at which time the project will receive its official review. You asked that we provide materials and information to respond to the initial questions raised if possible before the next staff meeting next week.

Before we address the specific questions, we wanted to get additional clarification out to all parties with regard to the proposed items to be stored under the new canopy. We have spoken again to the owner's representative regarding their proposal for uses under this new canopy. The canopy addition will be used for storage of items such as empty new propane tanks and other typical equipment used in the applicant's operation such as boilers and empty heating oil tanks. The canopy is intended to get these items generally under cover from the weather and to allow ease of access to this equipment. These items are currently stored in the small existing storage building that is located within the footprint of the proposed canopy expansion. No trucks will be parked under the canopy (our previous cover letter erroneously stated that the canopy would be used for propane trucks and equipment storage).

Based on my notes, it is my understanding that you and other staff have requested the following information (in *italics* below). For ease of review, our responses follow each item below:

- *What is happening to the small storage building located in the area of the canopy addition?* This building will be removed from the site entirely. The equipment (boilers, new empty tanks, etc.) currently stored in this building will be relocated to under the canopy. This will allow ease of access to these items.
- *Submit a plan showing existing and proposed parking, including information on parking needs.* Our office is currently preparing this plan and information. According to the owners, they have 6 employees in the office throughout the day. They have 5 oil and propane truck drivers and 4 technicians, who are on the road throughout the day. They have a total of 14 trucks, 7 of which go home with their employees each night.
- *Address landscaping:* We are currently assessing the site landscaping provisions

and have asked one of our landscape architects to review this. Any additional information you can provide regarding the City's expectations on this item, given the setting and site constraints, would be beneficial.

- *Provide a description of internal parking and circulation.* Our office is currently preparing this plan and information to address this request. As we discussed, the applicant's current circulation pattern includes access via Newcomb Street. This access will not change. A chain link fence exists along the westerly property line in the area adjacent to the new canopy addition. This fence will remain. The new canopy and the gravel area at the rear of the site will be accessed along the westerly side of the site, between the chain link fence and the new canopy (i.e. from within the existing site). There is a gate in the fence near the end of the pavement on Newcomb Street, which would be available as a secondary access to this area if needed.
- *Provide a building elevation showing the proposed canopy in the context of the existing storage building to which it is attached.* The Floor Plan and Elevation of the proposed Canopy Expansion, as prepared by Biskup Construction Inc., is attached to this e-mail.
- *Fire Department Questions:*
- *What is stored in the building to which the canopy will be attached:* There are three delivery trucks that are parked in this building at night. The trucks access the building via three overhead doors on the southerly side of the building (facing Warren Avenue)
- *Are there openings in the existing building on the site to which the canopy will be attached:* There are no openings on the side (the northerly side) of the building to which the canopy will be attached. Three overhead doors that access the building are located on the southerly side of the building, as described above. One egress door is located on the southwesterly corner of this building (facing Newcomb Street) this egress door is located on the opposite end of the building from the proposed canopy addition. There are no openings on the easterly side of the building.

We hope that this additional information will assist you and the other reviewers in evaluating the Giroux's application. Please contact me if you have any additional questions or comments. We look forward to hearing from you.

Thanks,

Nancy St.Clair

Nancy St.Clair P.E.

Senior Project Manager

Sebago Technics, Inc.

One Chabot Street

P.O. Box 1339

Westbrook, Maine 04098-1339

Phone: 207-856-0277 ext. 245

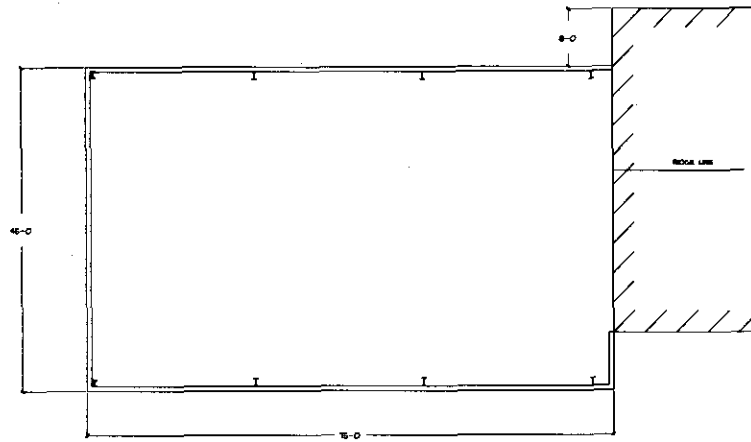
Fax: 207-856-2206

www.sebagotechnics.com

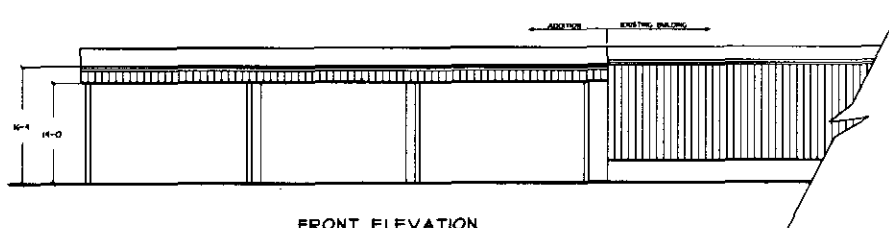
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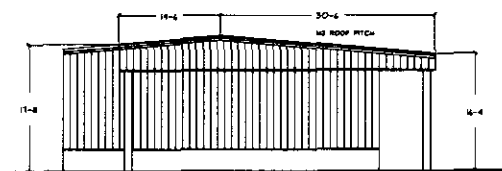
<<Giroux Oil.pdf>>



FLOOR PLAN



FRONT ELEVATION



LEFT ELEVATION



B&G CONSTRUCTION, INC.
 16 DANIELLE DRIVE
 BERNARD, MAINE 04003
 TEL. 207 843-1800
 FAX. 207 843-1816

WWW.B&GCONSTRUCTION.COM

STAMP

PROJECT:
 PROPOSED ADDITION
 GIROUX OIL
 PORTLAND, MAINE

REVISIONS	
DATE	DESCRIPTION

DATE: 1/23/08
 SCALE: 1/4" = 1'-0"
 DESIGNED: JB
 CHECKED BY: JB

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SHEET TITLE
 FLOOR PLAN
 & ELEVATIONS

SHEET NUMBER
 A-1
 SHEET 1 OF 1



B&G CONSTRUCTION, INC.
6 DANIELLE DRIVE
BRIDMAN, MAINE 04003
TEL. (207) 893-1800
FAX. (207) 893-1895

WWW.B&GCONSTRUCTION.COM

STAMP

PROPOSED ADDITION
GIROUX OIL
PORTLAND, MAINE

PROJECT:

REVISIONS

DATE	DESCRIPTION

DATE: 1/31/01

SCALE: 1/8" = 1'-0"

DESIGNER: JB

CHECKED BY: JB

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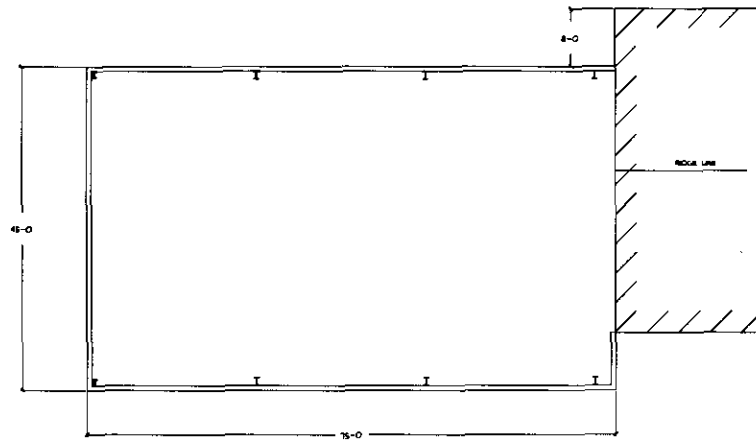
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FLOOR PLAN
& ELEVATIONS

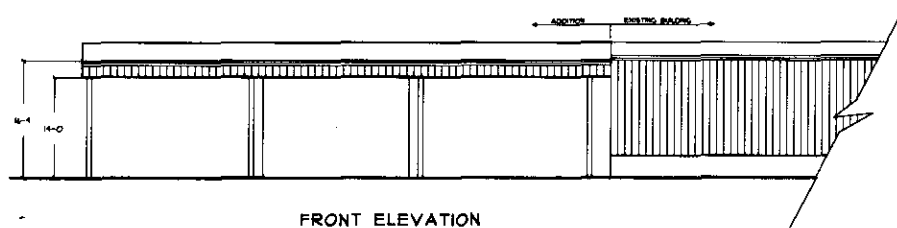
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A-1

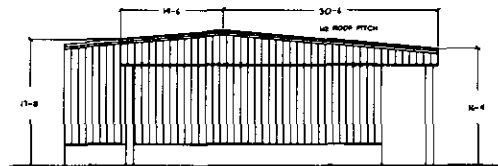
SHEET 1 OF 1



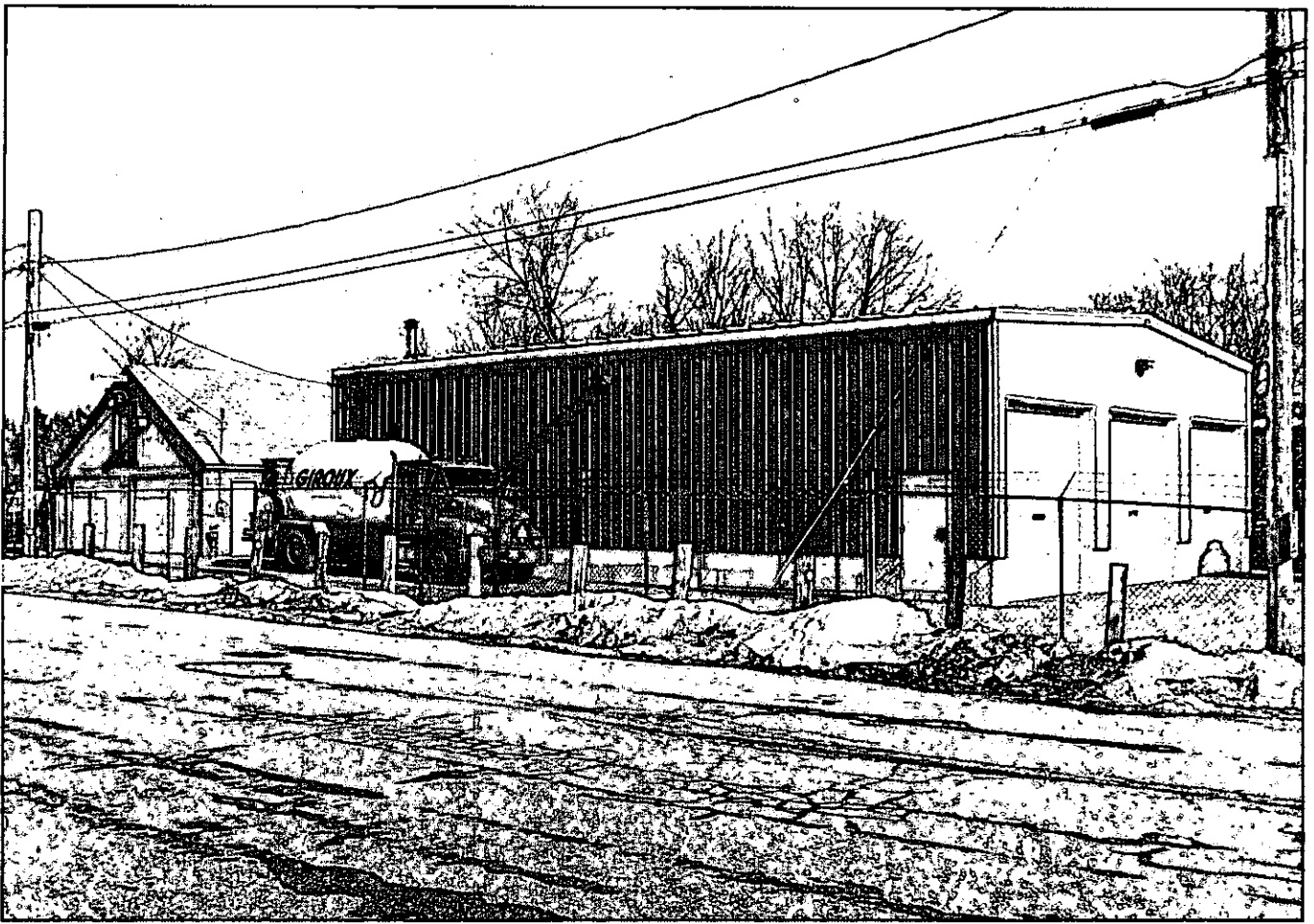
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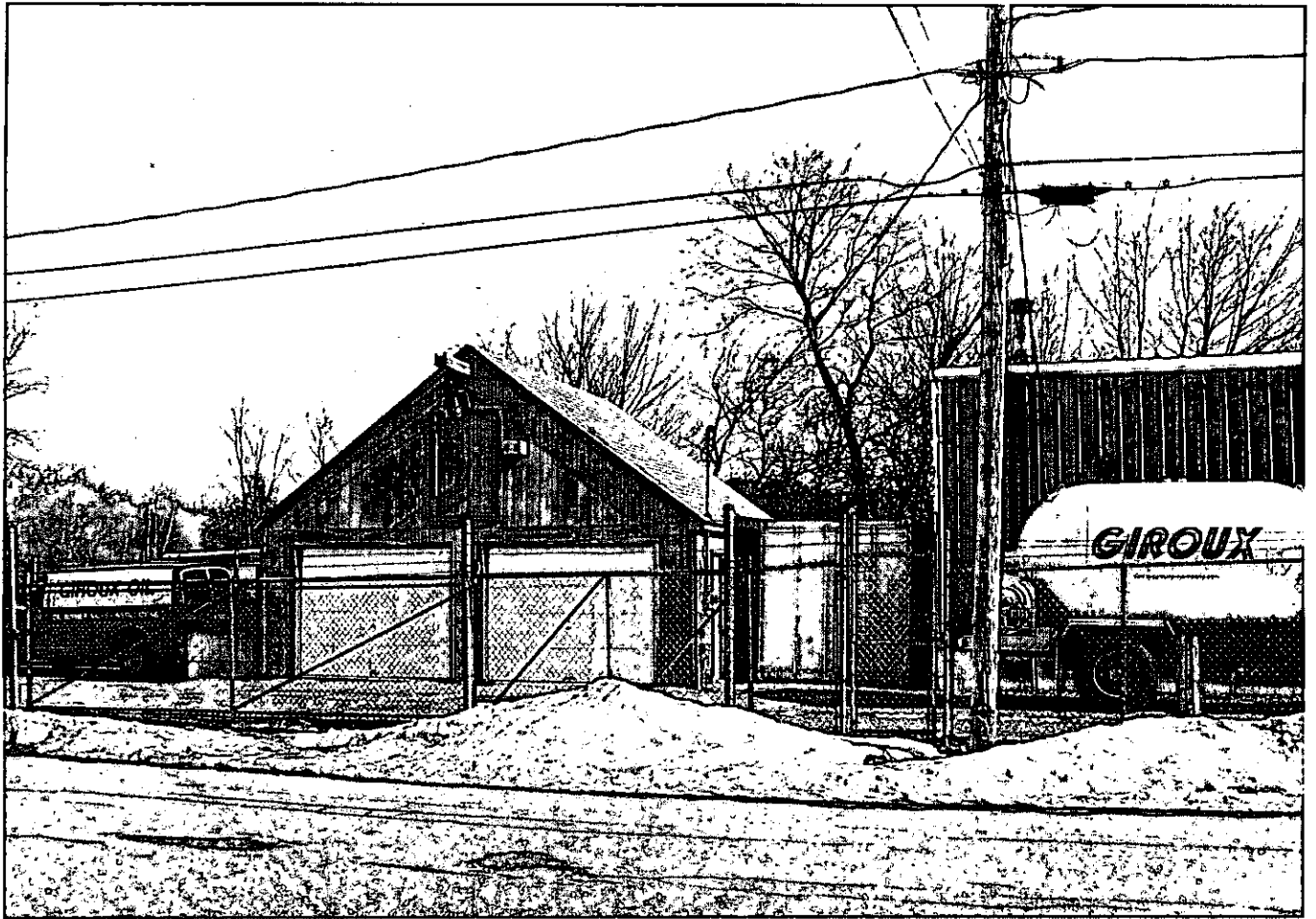


FRONT ELEVATION



LEFT ELEVATION





ADD'L INFO Pres. sent by e-mail

Jean Fraser - Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments

From: "Nancy St.Clair" <nstclair@sebagotechnics.com>
To: <jf@portlandmaine.gov>
Date: 2/11/2010 4:44 PM
Subject: Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments
CC: "Jamie Lowery" <jlowery@sebagotechnics.com>, <Jim@biskupconstruction.com...>
Attachments: Giroux Oil.pdf

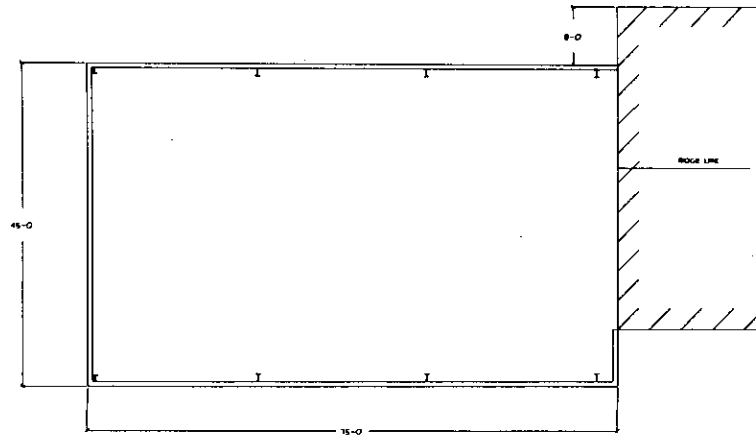
Hi Jean,

It was nice to speak to you yesterday. Based on our conversation, it is my understanding that various staff members have asked for additional information to support our application materials submitted on behalf of Giroux Oil Company's proposed canopy addition. You indicated that there will be a follow-up staff meeting next Wednesday February 17, 2010 at which time the project will receive its official review. You asked that we provide materials and information to respond to the initial questions raised if possible before the next staff meeting next week.

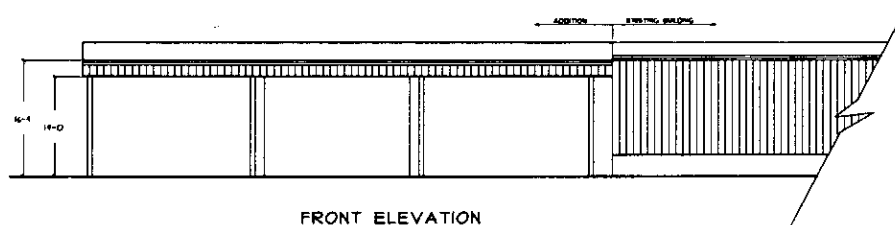
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Based on my notes, it is my understanding that you and other staff have requested the following information (in *italics* below). For ease of review, our responses follow each item below:

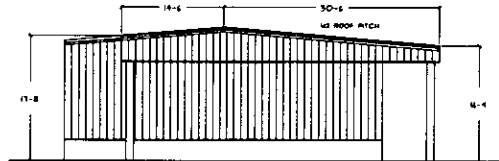
- *What is happening to the small storage building located in the area of the canopy addition?* This building will be removed from the site entirely. The equipment (boilers, new empty tanks, etc.) currently stored in this building will be relocated to under the canopy. This will allow ease of access to these items.
- *Submit a plan showing existing and proposed parking, including information on parking needs.* Our office is currently preparing this plan and information. According to the owners, they have 6 employees in the office throughout the day. They have 5 oil and propane truck drivers and 4 technicians, who are on the road throughout the day. They have a total of 14 trucks, 7 of which go home with their employees each night.
- *Address landscaping:* We are currently assessing the site landscaping provisions



FLOOR PLAN



FRONT ELEVATION



LEFT ELEVATION



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 6 DANIELLE DRIVE
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 FAX. (207) 843-8896

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STAMP

PROPOSED ADDITION
 GIROUX OIL
 PORTLAND, MAINE

PROJECT:

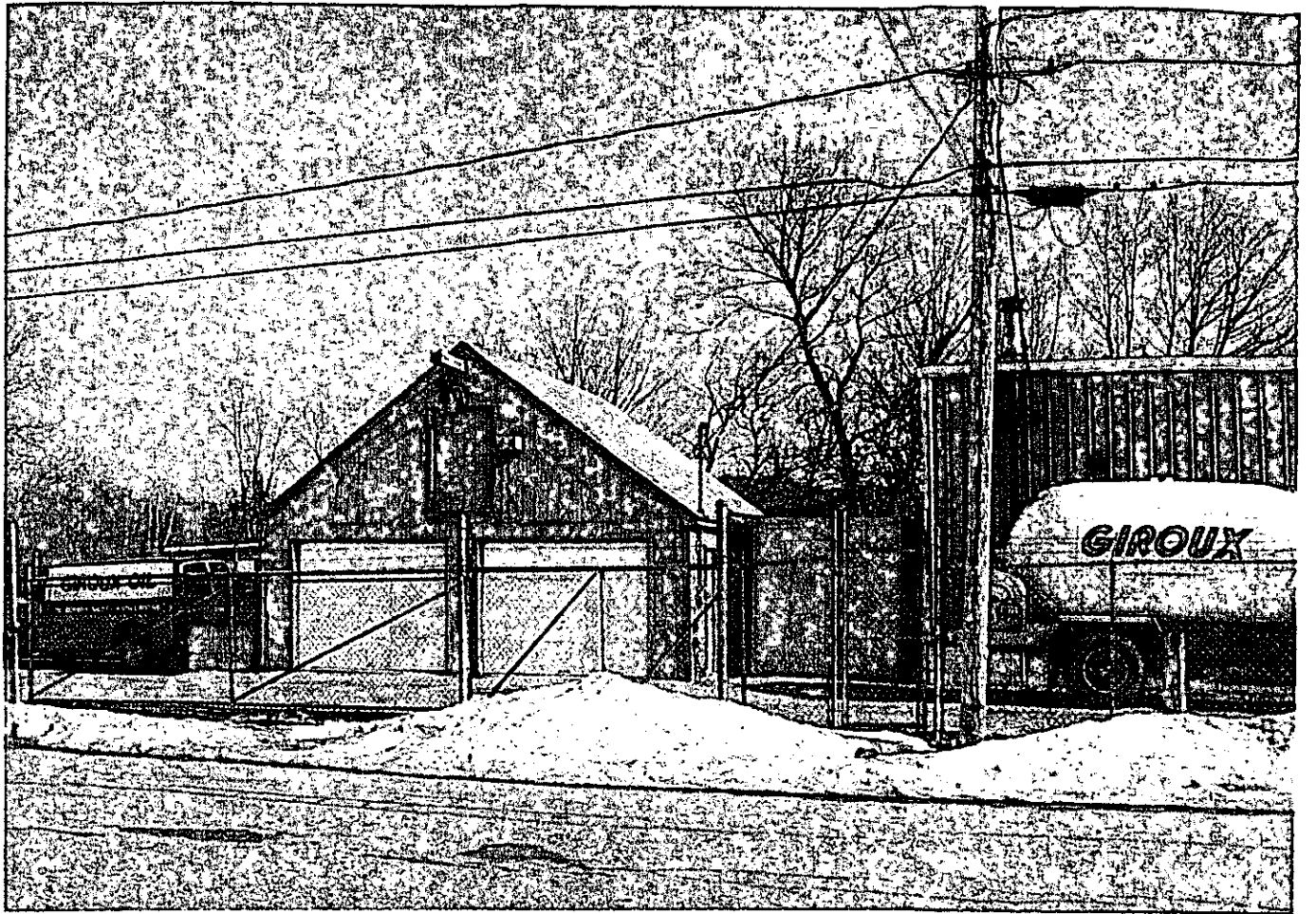
REVISIONS	
DATE	DESCRIPTION

DATE: 4/2/04
 SCALE: 1/8" = 1'-0"
 DESIGNER: JB
 CHECKED BY: JB

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SHEET TITLE
 FLOOR PLAN
 & ELEVATIONS

SHEET NUMBER
 A-1
 SHEET 1 OF 1



Groves Oil 343 Warren Ave.

Dev Rev - Prelim discussion 2-10-2010

Questions for JF to clarify:

- ✓ 1. ^{Small} Storage bldg there now - will it be relocated after construction of canopy →
- confirmed "go away"
- ✓ 2. Submit elevation of bldg as it relates to existing
- ✓ 3. Show overall parking + access for trucks.
- 4. Update Boundary survey re diff ownership with in lot
- ✓ 5. Info for Fire Dept - whats stored in the storage building; what separation? etc.

NS+C6. will clarify - whether any propane to be under canopy.

2-10-10 Spoke to Nancy St. Clair, Sebago Technic

- ① She confirmed the small storage building will be removed permanently.
- ② will submit other information 2-5 above.
- ③ gave her my contact details.

Fire Prevention Captain Keith Gautreau

MM/DD/YY INSERT COMMENTS HERE

02/10/10 What are the existing openings on the storage building. (are there any on the proposed canopy side?) What is stored in the existing storage building? Water supply will be OK after the renovation recently on Warren ave. Keith

Fire Prevention Captain Keith Gautreau

MM/DD/YY INSERT COMMENTS HERE

02/10/10 What are the existing openings on the storage building. (are there any on the proposed canopy side?) What is stored in the existing storage building? Water supply will be OK after the renovation recently on Warren ave. Keith

05/13/10 Fire is ok with what the applicant submitted. No further comments. Keith

Zoning Administrator Marge Schmuckal
February 8, 2010

This project is located within a B-4 Zone on an existing developed lot. The principal use is conforming to the underlying zone. All dimensional zoning requirements appear to be met including setbacks, height, and impervious surface.

The new construction is not in a regulated flood plain zone (panel 6 zone X). The site plan application does not show any elevations of the new canopy. The site plan also does not show existing parking. The new canopy would not increase the number of parking spaces, but I would like to review the entire site for parking compliance.

2/10/10
NSTC
confirms
it will be
removed.

Page one states that the small storage building will be removed to allow for the proposed construction. Then what happens to the shed? Is it returned to the site, or not? If it is returned to the site, where will it be permanently located?

We will need to see the approved NRPA permit prior to finalization.



CONTEXT OF 355 Warren Ave. (Tow Lot)

Jean Fraser - Re: Giroux Oil - Warren Ave

From: Jean Fraser
To: Roncarati, Doug
Date: 1/3/2011 3:25 PM
Subject: Re: Giroux Oil - Warren Ave
CC: Barhydt, Barbara; DiPierro, Philip; Schmuckal, Marge
Attachments: 87068S site & grading plan.PDF; PBR app to DEP re Giroux from Sebago 5.7.10 65387.pdf

Doug,

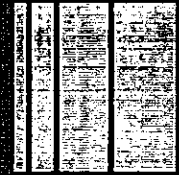
I understand from Marge that you have observed they are plowing snow into the rear stream area and want to contact them about this.

Here is background from the site plan review:

- The attached approved site plan shows snow storage in the rear yard. This area of snow storage was added to address review comments (Feb, 2010) from DPS and DPS signed off on this plan in May, 2010.
- There were no particular notes or conditions regarding snow storage.
- The applicant's engineer (Nancy St Clair, Sebago Technics) met with the MDEP and sent us the attached Permit by Rule documentation (again I am not sure if Snow Storage was an issue).

I am copying this to Phil and Barbara in case they want to add something. I think MDEP (John MacLaine??) could take action under NRPA.

Jean
874 8728



April 21, 2010
87068

Jean Fraser, Planner
Planning and Development
City of Portland
389 Congress Street, Room 315
Portland, ME 04101

Amended Minor Site Plan Application
Giroux Oil Company
343 Warren Avenue, Portland, Maine
Response to Staff Comments

Dear Jean:

On behalf of Giroux Oil Company, we have prepared the following response to staff comments in association with the construction of a new canopy addition to one of their existing buildings at their facility on Warren Avenue in Portland. As you know, after receipt of initial staff comments in February, the applicant had put the project on hold to allow time to decide whether it remained feasible to pursue this work. On March 31, 2010 we were notified that the applicant has decided to proceed. We notified you of this decision on the same day.

Overview

As we have indicated before, the Giroux's parcel is approximately 1.33 acres in size and is identified as Lots 1 through 10 on Portland Tax Map 303. The property is on Warren Avenue and abuts Newcomb Street. The site is located within the B-4 Commercial Corridor Zone. Currently, three buildings exist on the property, along with paved and gravel areas for parking and maneuvering. There is a drainage easement along the easterly side of the property that includes a drainage course and a large diameter culvert that crosses Warren Avenue. This culvert is intended to be upgraded soon as part of a municipal CSO project.

As discussed, the applicant is proposing to construct a 45-foot by 75-foot (approximately 3,375 square feet) canopy addition to their existing blue metal building located centrally on their property. The canopy addition will be used for storage of items such as empty new propane tanks and other typical equipment used as part of the Giroux Oil Company's normal operations such as boilers and empty heating oil tanks. In order to accommodate the additional storage space needed, the applicant is proposing to add onto their existing metal storage building, avoiding undue disturbance to their customer area, offices, and shop located in the building that is immediately adjacent to Warren Avenue.

- *A description of the parking needs for the site including number of employees on the site and the number of trucks that will be parked on the property at night.*

This information was previously noted in our February 11, 2010 e-mail response to you regarding preliminary staff comments. According to the owners, they have 6 employees in the office throughout the day. They have 5 oil and propane truck drivers and 4 technicians who are on the road during the day. They have a total of 14 trucks, 7 of which go home with their employees each night. The existing metal building (to which the proposed canopy will be attached) provides parking for three trucks. The remaining four Giroux vehicles are either parked in the garage portion of the white and brick building (at the front of the site), or are parked in one of the paved parking spaces on the site at night. During normal business hours the majority of these vehicles are all out on the road.

During normal business hours, parking is provided on site for their six office employees and for their customers. Based on available aerial photography, there are a total of 23 striped parking spaces on the property, not including the three former angled parking spaces at the front of the site that are now inaccessible due to the recent Warren Avenue improvements completed by the Maine Department of Transportation (MDOT). A modified striping design has been prepared for the area at the front of the site, as shown on the enclosed updated plans. With the new parking design for this area, the total number of parking spaces on the site reflects the original count of 26.

- *An updated plan that reflects the current striping pattern on the site (based solely on available aerial photography)*

The enclosed Minor Site and Grading Plan has been revised based on the available aerial photography, to reflect the striping pattern for parking on the site. As was discussed and agreed upon at the March 19, 2010 meeting with the City staff, this data has been shown based solely on the aerial photography available for the site and has not been survey located.

- *Identify a snow storage area at the northwesterly corner of the site.*

An area for snow storage has been designated at the northwesterly corner of the site as shown on the enclosed Minor Site and Grading Plan.

- *The Existing Condition Survey data provided on the plans (as surveyed in September of 2009) will need to be reviewed and sealed by our survey staff. Any property monumentation found as part of the 2009 survey will be noted.*

Notes have been added to the enclosed Minor Site and Grading Plan to reflect the fact that field survey information was obtained in 2009 to identify existing conditions in the area of the proposed building addition. Additional parking area striping information was added based on available aerial photography. The surveyor's seal has been affixed to the plan for the existing condition information obtained in 2009.

- *Provide a copy of the Site Plan that was approved by the City in association with the construction of their second building on the site, as constructed by Brown Construction. Provide all deeds for the original parcel and the Nicholas parcel.*

Enclosed is a copy of the plan from the applicant's files that was used in 1993 in association with the construction of the 45' by 60' blue metal building on their property. This is the building to which the proposed canopy addition will attach. The basis of this plan is Sebago Technics' Standard Boundary and Site Plan as prepared by our office in 1987. However, this plan was revised by Brown Construction on August 10, 1993 (Sebago Technics does not have any file information with regard to the construction of the second building in 1993). This revision was noted as "Site Alterations added for New Construction are by Brown Construction...Revision #1 dated 8-10-93." It would appear that this plan (with the 1987 Boundary Survey by our office as its basis) was the drawing that was used to seek municipal approval to construct this building in 1993. This building rests directly on the Nicholas parcel, which was the property in question when we discussed the potential requirements for an updated boundary survey at our recent meeting with you and the other staff members on March 19, 2010.

In response to your recent e-mail regarding Bill Clark's review of the application materials, we have provided a copy of the prior deed to Giroux as recorded in the Cumberland County Registry of Deeds (CCRD) in Book 4342, Page 31. The deed for the Nicholas Parcel (CCRD Book 9767, Page 124) was previously included in our application materials filed on January 28, 2010, along with the deed from Wilfred and Vera Giroux to Giroux Oil Company in 1987.

Based on the discussions at the meeting on March 19, 2010, it is our understanding that the Sebago Technics boundary survey from 1987 will remain as the reference for the perimeter survey. As described in the item above, the existing condition information obtained by our survey crews in 2009 now bears a surveyor's seal.

- *Provide a new design for parking at the front of the building to accommodate the recent roadway changes along Warren Avenue that closed the site's curb cut.*

The enclosed plans have been updated to show proposed parking at the front of the building that addresses the recent addition of new curbing and sidewalk along Warren Avenue. The three former angled parking spaces are now replaced with three spaces that are generally parallel to Warren Avenue. One of these spaces is designed as a handicap accessible (van accessible) space.

- *Provide a design for plantings at the base of the sign at the front of the site. Coordinate with the City Arborist regarding the planting materials to be provided in the planted area.*

Our Landscape Architect has designed a planting area to provide additional landscaping in the immediate area behind the sidewalk along Warren Avenue and at the base of the existing sign for Giroux Oil Company. This landscaping has been designed to provide visual interest while respecting the need to have customers and pedestrians clearly see the entrance and access the site. The plants include shrubs and hardy perennials to provide seasonal color and substance.

- *Coordinate with the Maine Department of Environmental Protection (MDEP) to consider the removal of the filtration layer from the Roof Dripline Best Management Practice (BMP) shown on the design plans. If the MDEP concurs, David Margolis-Pineo would recommend the elimination of this layer.*

In discussing this matter with Ben Viola, one of the MDEP staff engineers, it is our understanding that although there are contemplated changes in various areas of the MDEP regulations with regard to stormwater treatment, the only criteria that the MDEP can currently use are the regulations that are in force at the time of the review. Mr. Viola was not specifically aware of any current changes that would affect (i.e. allow removal of the filtration layer from) the Roof Dripline BMP. The detail for this BMP is shown on the enclosed plans, and is based on the MDEP's interim Roof Dripline Filtration BMP Guidelines as issued on May 8, 2007.

Submittal Materials

As discussed above, the following updated items are included as part of this submittal:

- Updated Minor Site and Grading Plan (Sheet 1 of 3)
- Deed to Giroux as recorded in CCRD Book 4342, Page 31
- Standard Boundary Survey & Site Plan revised by Brown Construction in 1993

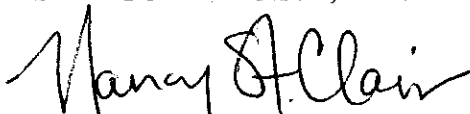
The enclosed updated plans and supporting information reflect the results of the input received from you and other City staff (and your consultant) as part of the meeting on March 19, 2010, as well as our subsequent coordination with the applicant and the City of Portland staff. The remaining drawings in the Plan Set as well as the 1987 survey plan filed as part of our initial application material submitted on January 28, 2010 were not affected as part of the revisions described herein. In an effort to conserve resources, we have not duplicated these documents as part of this response to comments, but respectfully request that this information remain in the applicant's file.

Closure

If you have any questions regarding the project or if additional information is required, please contact me. Thank you for your consideration.

Sincerely,

SEBAGO TECHNICS, INC.



Nancy J. St. Clair, P.E.
Senior Project Manager

NJS:njs/df
Enc.

cc: Jim Biskup, Biskup Construction

The canopy addition will be open on three sides to allow for ease of access and maneuverability. The addition will be situated to maintain a minimum 25' setback from the drainage course on the site and to allow for the continued access to the rear of the property by vehicular traffic. Typically, access to this portion of the site is limited to employees of Giroux Oil.

The canopy addition will be constructed in the location of an existing 576 square foot wooden storage building in the rear of the site (this wooden storage building is similar in size to a two car garage). As we previously noted, the small storage building will be removed from the property to allow for the proposed construction of the canopy addition.

Prior Correspondence

We exchanged e-mails regarding the proposed canopy addition several weeks ago (beginning on February 11, 2010 through February 19, 2010) in follow up to our submittal of an Amended Minor Site Plan application package dated January 28, 2010. In those e-mails we provided responses to preliminary staff comments received as of that time period. This included various information and supporting site photos, along with the proposed floor plan and elevations of the canopy addition, as prepared by Biskup Construction. We trust the prior e-mail correspondence and documentation provided electronically are considered part of the applicant's file and do not need to be resubmitted as part of this response to comments.

March 19, 2010 Meeting

We appreciated the staff's cooperation with the applicant during our meeting with you, Mr. Giroux and Mr. Biskup, and several members of the City staff (and your peer reviewer) and me, on March 19, 2010. Clarification with regard to several staff comments and resolution of various outstanding items provided at this meeting was beneficial in assisting the applicant with their decision to proceed with the project.

Response to Items from March 19, 2010 Meeting

Based on the discussions during our meeting on March 19, 2010, it is our understanding that the following items are needed to respond to your comments. The items are presented in *italics* below, along with our supporting response.

- *Request a design waiver on the width of access to the canopy area to allow this internal driveway to be reduced to approximately 13.5' (versus the 24' preferred).*

In accordance with this requirement, the applicant hereby requests a design waiver of the City of Portland Technical and Design Standards and Guidelines, Section III-Traffic Design Standards and Guidelines, Subsection 2A(b) pertaining to driveway widths. As Mr. Errico has noted in his peer review comments, traffic volumes will be low and vehicles in this area will be Giroux company vehicles that are fully familiar with site operations.

ADD'L INFO - prev. sent by e-mail

Jean Fraser - Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments

From: "Nancy St.Clair" <nstclair@sebagotechnics.com>
To: <jf@portlandmaine.gov>
Date: 2/11/2010 4:44 PM
Subject: Giroux Oil Company 343 Warren Avenue-Response to preliminary staff comments
CC: "Jamie Lowery" <jlowery@sebagotechnics.com>, <Jim@biskupconstruction.com...>
Attachments: Giroux Oil.pdf

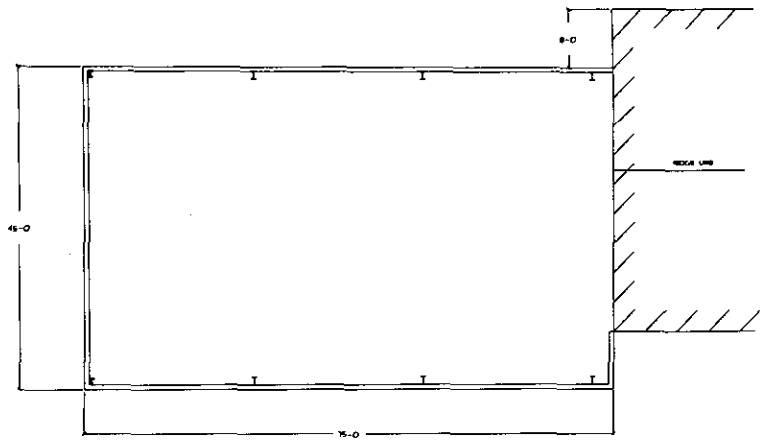
Hi Jean,

It was nice to speak to you yesterday. Based on our conversation, it is my understanding that various staff members have asked for additional information to support our application materials submitted on behalf of Giroux Oil Company's proposed canopy addition. You indicated that there will be a follow-up staff meeting next Wednesday February 17, 2010 at which time the project will receive its official review. You asked that we provide materials and information to respond to the initial questions raised if possible before the next staff meeting next week.

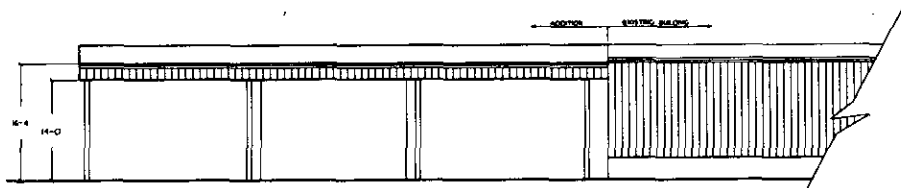
Before we address the specific questions, we wanted to get additional clarification out to all parties with regard to the proposed items to be stored under the new canopy. We have spoken again to the owner's representative regarding their proposal for uses under this new canopy. The canopy addition will be used for storage of items such as empty new propane tanks and other typical equipment used in the applicant's operation such as boilers and empty heating oil tanks. The canopy is intended to get these items generally under cover from the weather and to allow ease of access to this equipment. These items are currently stored in the small existing storage building that is located within the footprint of the proposed canopy expansion. No trucks will be parked under the canopy (our previous cover letter erroneously stated that the canopy would be used for propane trucks and equipment storage).

Based on my notes, it is my understanding that you and other staff have requested the following information (in *italics* below). For ease of review, our responses follow each item below:

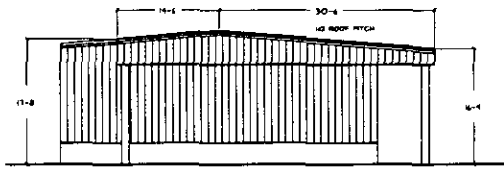
- *What is happening to the small storage building located in the area of the canopy addition?* This building will be removed from the site entirely. The equipment (boilers, new empty tanks, etc.) currently stored in this building will be relocated to under the canopy. This will allow ease of access to these items.
- *Submit a plan showing existing and proposed parking, including information on parking needs.* Our office is currently preparing this plan and information. According to the owners, they have 6 employees in the office throughout the day. They have 5 oil and propane truck drivers and 4 technicians, who are on the road throughout the day. They have a total of 14 trucks, 7 of which go home with their employees each night.
- *Address landscaping:* We are currently assessing the site landscaping provisions



FLOOR PLAN



FRONT ELEVATION



LEFT ELEVATION



B&G CONSTRUCTION, INC.
 11 DANIELLE DRIVE
 BOWDOIN, MAINE 04802
 TEL. 603 893-1800
 FAX. 603 893-8998

WWW.B&GCONSTRUCTION.COM

STAMP

PROPOSED ADDITION
 GIROUX OIL
 PORTLAND, MAINE

PROJECT:

REVISIONS	
DATE	DESCRIPTION

DATE: 4/2/09
 SCALE: 1/4" = 1'-0"
 DESIGNER: JS
 CHECKED BY: JS

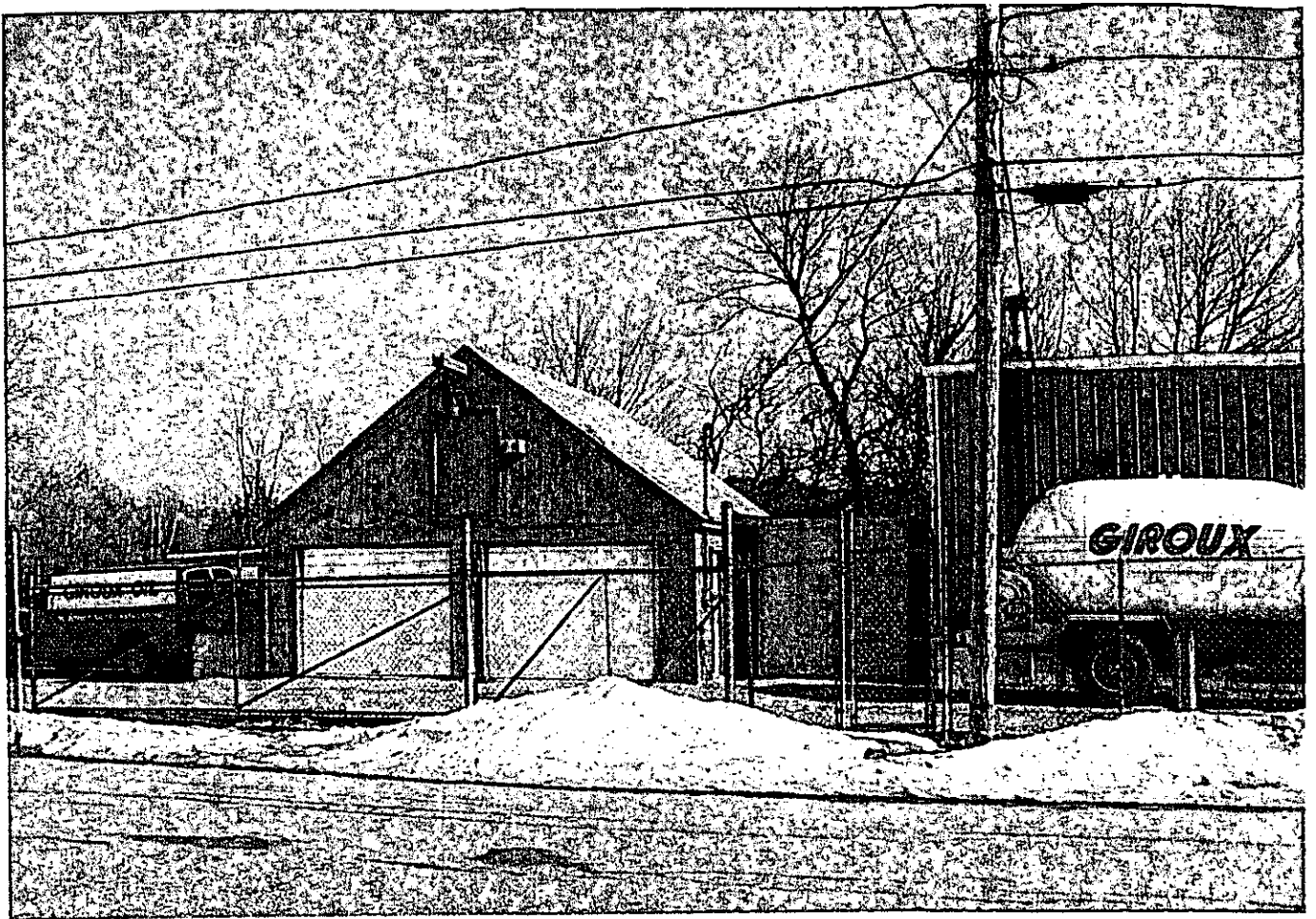
© COPYRIGHT
 B&G CONSTRUCTION, INC.

SHEET TITLE
 FLOOR PLAN
 & ELEVATIONS

SHEET NUMBER

A-1

SHEET 1 OF 1



Date signed NOV 9 1978

-31

B. L. Halperin
State Tax Assessor

State of Maine
Kennebec, SS.

NOV 9 1978 Augusta,

E. L. HALPERIN

Personally appeared the above named [redacted] and
acknowledged the above instrument to be his free act and deed
in his said capacity.

Nathalie C. Pease
Notary Public

NOV 16 1978

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 12:40 PM, and recorded in
BOOK 4342 PAGE 30 Leah B. DiStato DEPUTY Registrar

(106)
34506

Know all Men by these Presents,

That I, DOMENICA DIPAOLO, of Portland, County of Cumberland,
State of Maine,

in consideration of one dollar and other valuable consideration,

paid by GIROUX OIL COMPANY, INC., a corporation organized under
the laws of Maine and located at said Portland, County of Cumberland,
State of Maine,
and whose mailing address is 343 Warren Avenue, Portland, Maine,
04103,

the receipt whereof I do hereby acknowledge, do hereby

give, grant, bargain, sell and convey, unto the said Giroux Oil Company, Inc.

its successors ~~heirs~~ and assigns forever,

with the buildings thereon
certain lots or parcels of land/ situated in said Portland and
being lots numbered 8, 9, 10, 11, 12, 13, 14, 15, 16, 37, 38, and
39 as delineated on a plan of lots at Warren Avenue Terrace made
by Ernest W. Branch, surveyor, dated April 1911, and recorded in
Cumberland County Registry of Deeds in Plan Book 12, Page 2, to
which reference is hereby made for a more particular description
of the premises hereby conveyed.

Being a portion of the premises conveyed to the Grantor herein
and Giacinto DiPaolo by Faith A. Reynolds by deed dated August 25,
1953 and recorded in said Registry of Deeds in Book 2135, Page 400
and being subject to the restrictions referred to therein but
only so far as any of the same may still be in force and of legal
effect.

The said Giacinto DiPaolo died at Portland, Maine on March 28, 1975
and the said Domenica DiPaolo hereby conveys as surviving joint
tenant.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Giroux Oil Company, Inc., its successors

heirs and assigns, to its and their use and behoof forever.

And I do COVENANT with the said Grantee, its successors and assigns, that I am lawfully seized in fee of the premises that they are free of all encumbrances; except as aforesaid.

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantee, its successors heirs and assigns forever, against the lawful claims and demands of all persons, except as aforesaid.

In Witness Whereof, I, the said DOMENICA DIPAOLO, being unmarried,

and

xxxxxx

xxxxxx

do hereby give, sell, grant, confirm, ratify, and convey unto the said Grantee, its successors and assigns, all the right, title, and interest that I have in and unto the above described premises, have hereunto set my hand and seal this 16th day of November in the year of our Lord one thousand nine hundred and seventy-eight.

Signed, Sealed and Delivered

in presence of
[Signature]

[Signature]

State of Maine, County of _____

November 16, 1978

Personally appeared the above named

Domenica DiPaolo

and acknowledged the above

instrument to be her free act and deed.

Before me

[Signature]
Justice of the Peace.

Notary Public

Notary Public

DEPUTY Notary Public

NOV 16 1978

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 12:41 P.M. and recorded in

BOOK 4382 PAGE 31

[Signature]

DEPUTY Notary Public

Jean Fraser - Giroux Oil Company - Warren Avenue

From: Thomas Errico <Thomas.Errico@tylin.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 4/28/2010 12:19 PM
Subject: Giroux Oil Company - Warren Avenue
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@port...>

Jean –

I have reviewed the revised plans submitted by Sebago Technics on April 21, 2010 and find the plans to be acceptable from a traffic perspective.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
TYLININTERNATIONAL

12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

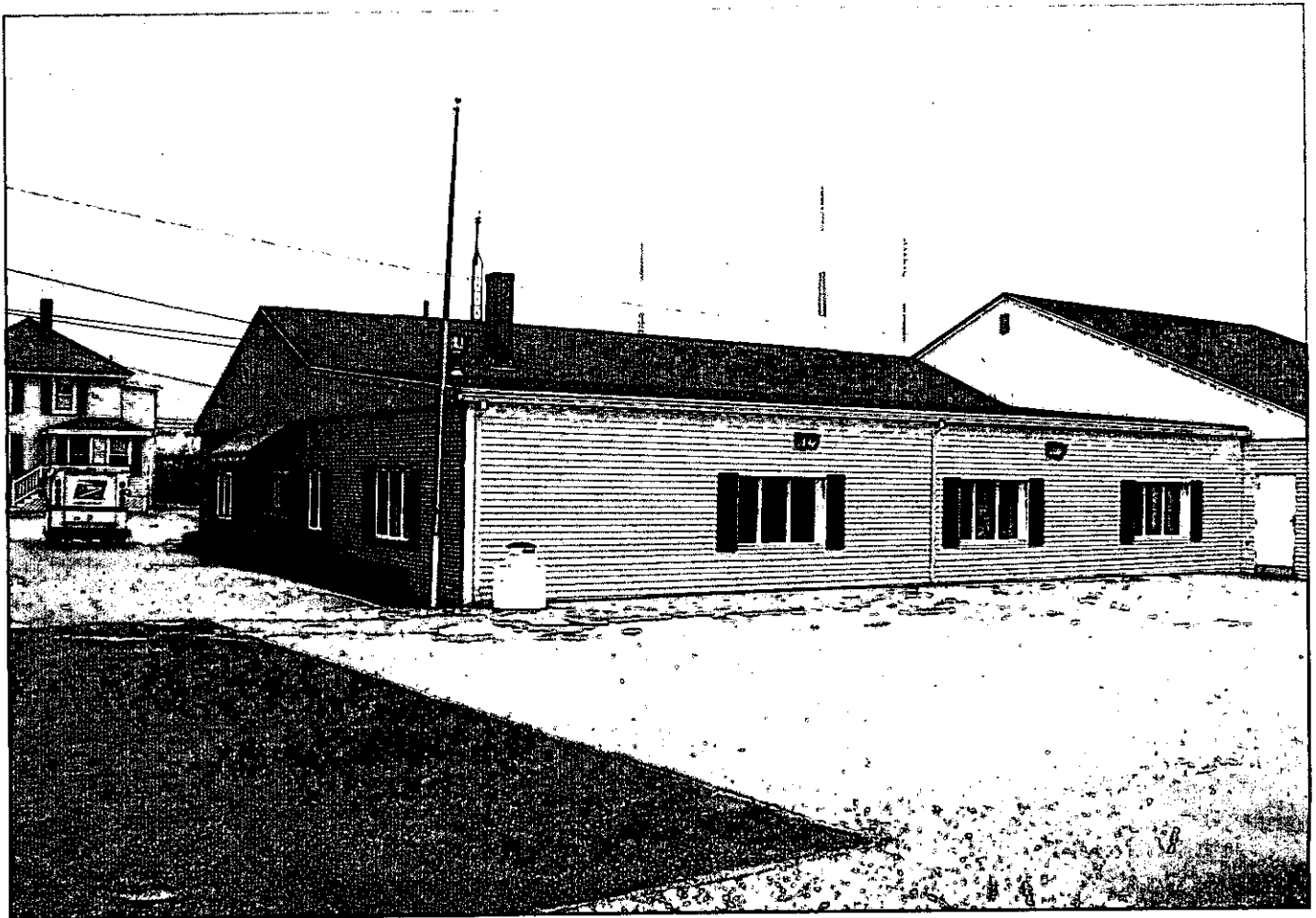
Jean Fraser

From: David Margolis-Pineo
To: Barbara Barhydt; Jean Fraser
Date: 5/3/2010 3:42 PM

May 3, 2010

To: Jean Fraser
Barbara Barhydt
From: David Margolis-Pineo
Re: Public Services Review Comments
Giroux Oil

The Department of Public Services has no further comments on this project,















6/15/18









