

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION

PERMIT

081168

Permit Number: 081168

3-22

081168

This is to certify that THREE EIGHTY LLC / Dis... Construction Inc.
has permission to 2,800 S.F. Addition to an existing 6,000 S.F. Warehouse

AT 380 WARREN AVE 303 E001001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

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

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

OTHER REQUIRED APPROVALS

Fire Dept. Craig Cross

Health Dept. _____

Appeal Board _____

Other _____

Department Name

10/23/08

Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

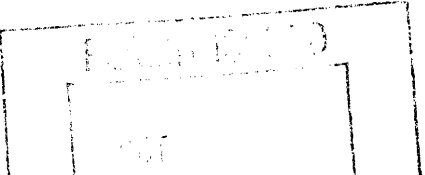
City of Portland, Maine - Building or Use Permit Application

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

Permit No: 08-1168	Issue Date:	CBL: 303 E001001 <i>+</i>
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Location of Construction: 380 WARREN AVE	Owner Name: THREE EIGHTY LLC	Owner Address: 120 EXCHANGE ST # 106	Phone:
Business Name:	Contractor Name: Biskup Construction, Inc.	Contractor Address: 16 Danielle Drive Windham	Phone: 2078929800
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Commercial	Zone: <i>B-4</i>

Past Use: Warehousing	Proposed Use: Warehousing - 2,800 S.F. Addition to an existing 6,000 S.F. Warehouse	Permit Fee: \$1,115.00	Cost of Work: \$102,000.00	CEO District: 5
Proposed Project Description: 2,800 S.F. Addition to an existing 6,000 S.F. Warehouse		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See Conditions</i>		
		INSPECTION: Use Group: <i>S-1</i> Type: <i>SB</i> <i>IBC 2003</i> Signature: <i>[Signature]</i> Signature: <i>[Signature]</i>		
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		

Permit Taken By: Idobson	Date Applied For: 09/16/2008	Zoning Approval		
<ol style="list-style-type: none">This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.Building permits do not include plumbing, septic or electrical work.Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. 		Special Zone or Reviews <input type="checkbox"/> Shoreland <i>N/A</i> <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Flood Zone <i>Panel 6 zone X</i> <i>just to make sure</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>2008-0035</i> Major <input type="checkbox"/> Minor <input checked="" type="checkbox"/> MM <input type="checkbox"/> <i>with conditions</i> Date: <i>9/16/08</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: _____	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>[Signature]</i>
		Date: _____		

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

- ☒ Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers
- ☒ Re-Bar Schedule Inspection: Prior to pouring concrete
- ☒ Foundation Inspection: Prior to placing ANY backfill for below grade occupiable space
- ☒ Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling
- ☒ Final inspection required at completion of work.
- ☒ The final report of Special Inspections shall be submitted prior to the final inspection or the issuance of the Certificate of Occupancy

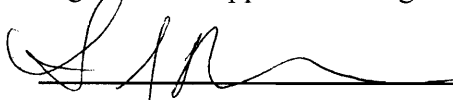
Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

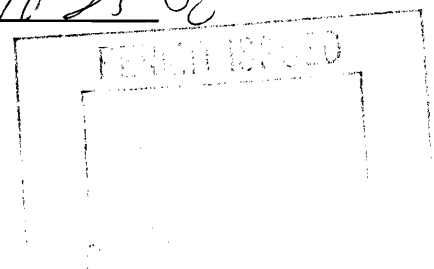
CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.


Signature of Applicant/Designee

10/23/08
Date


Signature of Inspections Official

10/23/08
Date



City of Portland, Maine - Building or Use Permit		Permit No: 08-1168	Date Applied For: 09/16/2008	CBL: 303 E001001
389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716				
Location of Construction: 380 WARREN AVE	Owner Name: THREE EIGHTY LLC	Owner Address: 120 EXCHANGE ST # 106	Phone:	
Business Name:	Contractor Name: Biskup Construction, Inc.	Contractor Address: 16 Danielle Drive Windham	Phone (207) 892-9800	
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Commercial		
Proposed Use: Warehousing - 2,800 S.F. Addition to an existing 6,000 S.F. Warehouse		Proposed Project Description: 2,800 S.F. Addition to an existing 6,000 S.F. Warehouse		
Dept: Zoning Status: Approved with Conditions Reviewer: Marge Schmuckal Approval Date: 09/16/2008 Note: Ok to Issue: <input checked="" type="checkbox"/> 2) Separate permits shall be required for any new signage. 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.				
Dept: Building Status: Approved with Conditions Reviewer: Tammy Munson Approval Date: 10/23/2008 Note: Ok to Issue: <input checked="" type="checkbox"/> 1) All special inspection reports must be submitted to this office for review within 48 hours of the inspection. A final special inspection report must be submitted prior to issuance of a certificate of occupancy. This report must demonstrate any deficiencies and corrective measures that were taken. 2) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.				
Dept: Fire Status: Approved with Conditions Reviewer: Capt Greg Cass Approval Date: 09/19/2008 Note: Ok to Issue: <input checked="" type="checkbox"/> 1) Hydrant on Warren Ave to be installed prior to C of O.				
Dept: Public Services Status: Approved with Conditions Reviewer: Tom Errico Approval Date: Note: Ok to Issue: <input type="checkbox"/>				
Dept: Zoning Status: Reviewer: Marge Schmuckal Approval Date: Note: Ok to Issue: <input type="checkbox"/>				
Dept: Parks Status: Approved Reviewer: Jeff Tarling Approval Date: Note: Ok to Issue: <input type="checkbox"/>				
Dept: Fire Status: Reviewer: Capt Greg Cass Approval Date: Note: Ok to Issue: <input type="checkbox"/>				
Dept: DRC Status: Approved with Conditions Reviewer: Philip DiPierro Approval Date: 10/09/2008 Note: Ok to Issue: <input checked="" type="checkbox"/>				

Location of Construction: 380 WARREN AVE	Owner Name: THREE EIGHTY LLC	Owner Address: 120 EXCHANGE ST # 106	Phone:
Business Name:	Contractor Name: Biskup Construction, Inc.	Contractor Address: 16 Danielle Drive Windham	Phone (207) 892-9800
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Commercial	

Dept: Planning **Status:** Approved with Conditions **Reviewer:** Jean Fraser **Approval Date:** 08/06/2008
Note: **Ok to Issue:** ☒

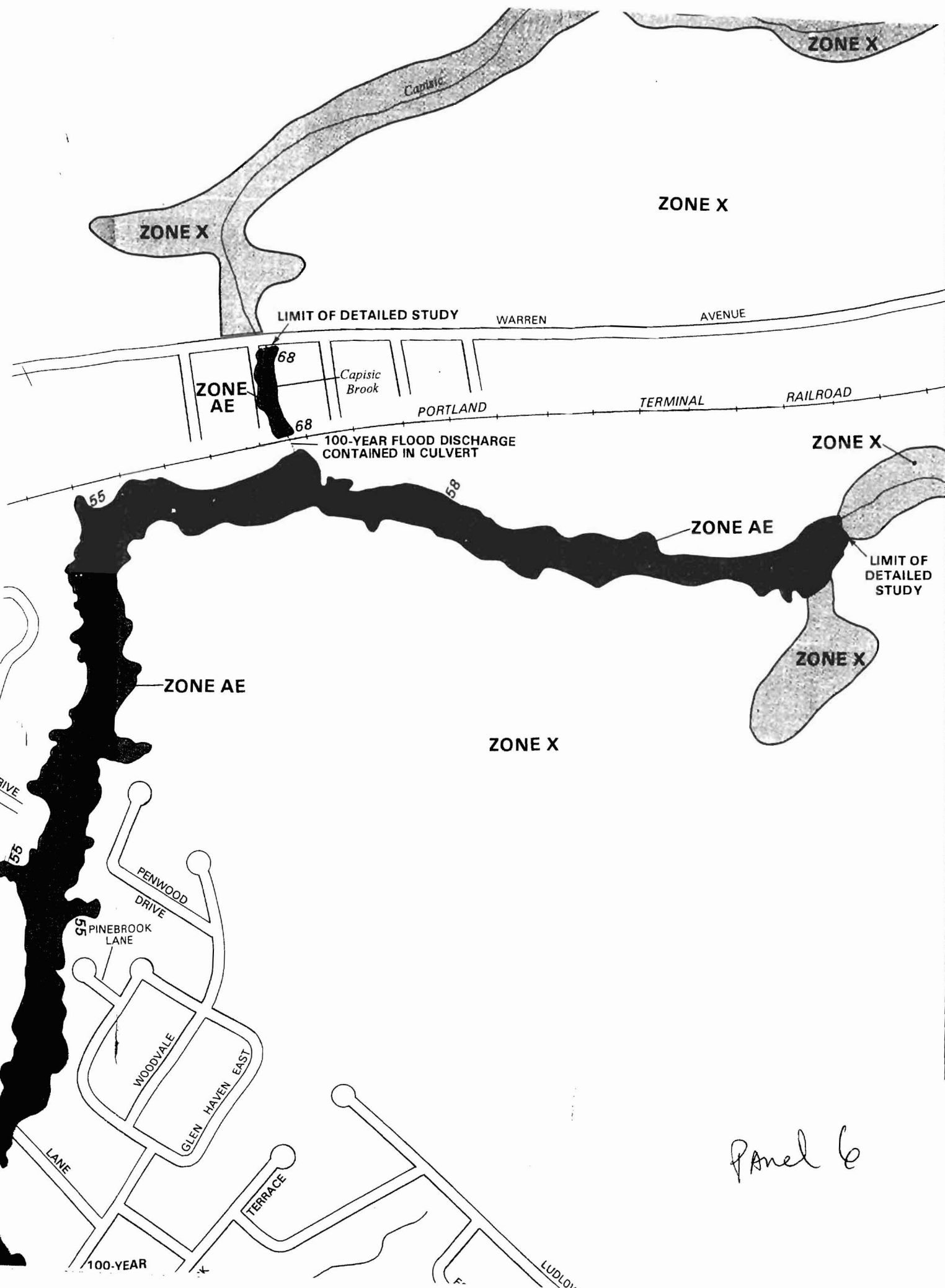
1) On August 6, 2008 the Portland Planning Authority approved a minor site plan for a 2800 sq ft warehouse addition (to be added to the existing 6000 sq ft warehouse that was approved in 2001) at the rear of 380 Warren Avenue, as submitted by Delta Realty Inc and shown on the approved plan prepared by Oak Engineers and dated July 25, 2008, with the following conditions:

- i. ☐ Truck backing maneuvers from Warren Avenue into the proposed site are prohibited; and
- ii. ☐ Tractor trailer trucks are prohibited from the proposed site (warehouse addition area to rear); and
- iii. ☐ The applicant shall be responsible for removing all signage at the Warren Avenue entrance that conflicts or is not appropriate for two-way driveway traffic operations. Removal of the signs shall be coordinated with the Department of Public Services.

The approval is based on the submitted site plan (C-100 Rev D; C-101 Rev D; C-102 Rev D). If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Comments:

9/16/2008-mes: On Sept 5, 2008 I received a stamped site plan from Jean that has not been dated yet. However, I can use it for my review and pass it on for further reviews.
DON'T ISSUE THE PERMIT UNTIL JEAN GIVES THE FINAL OK.



Panel 6

**CITY OF PORTLAND
RESPONSE TO CITY COMMENTS
FOR
WAREHOUSE ADDITION
380 WARREN AVE.
PORTLAND, MAINE**

L

6/25/08

Prepared by:

Oak Engineers, LLC
400 Commercial Street, Suite 401
Portland, Maine 04101
(207) 772-2891

Project 073013
June 20, 2008



E N G I N E E R S

Civil Engineers & Land Surveyors

June 20, 2008

Project 073013

Ms. Jean Fraser
Planner
City of Portland
389 Congress Street
Portland, Maine 04101-3509

RE: Proposed Warehouse Addition, 380 Warren Ave.
1D #2008-0035, CBL #303 E001001
Response to Staff Comments

Dear Jean:

Oh behalf of our client, Delta Realty, Oak Engineers, LLC (Oak) is submitting the following response and enclosed documents to staff comments received on April 18, 2008 and April 24, 2008.

CITY OF PORTLAND COMMENTS DATED APRIL 18, 2008

1. Enclosed is an updated, stamped survey clarifying all easements and updating existing conditions and ownerships. The plan shows the MDOT drainage easement that has been purchased from the applicant. Temporary construction easements are shown on the attached documents from MDOT. Copies of MDOT/Delta Realty easements are attached. Additionally, we have attached a copy of a letter from Penny Littell on City letterhead clarifying the vacation of Newcomb and Saville streets.
2. The FEMA Flood Zone maps have been investigated. It has been determined that the floor elevation of the warehouse is three feet above Warren Avenue. The Flood Zone maps incorrectly show the flooding area through the Warren Avenue Trade Center Condominium property, rather than through the existing swale between the Delta Realty property and the property to the east. Enclosed is a Google Earth image with a GIS overlay of FEMA Flood Zone data showing the site in relationship to the flood zone.
3. The existing ditch will not be impacted directly by construction activities. All construction activities stop at the top of the slope and do not impact the embankment. The contractor will install silt fence along the top of the embankment to prevent sedimentation of the ditch during construction. Once construction of the building is complete, the lawn area will be loamed, seeded and mulched. Once grass growth is established, the ditch will be permanently protected.

Brown's Wharf • Newburyport, MA 01950
T: 978.465.9877 • F: 978.465.2986

400 Commercial Street • Suite 404 • Portland, ME 04101
T: 207.772.2004 • F: 207.772.3248

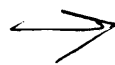
www.oakengineers.com

Ms. Jean Fraser
City of Portland

The enclosed MDOT easement information also shows improvements proposed by MDOT in association with their Warren Avenue improvements. This requires an extension of the existing stormdrain from Warren Avenue to a point at the back of the existing warehouse. Riprap ditch protection will be provided from the outlet of the stormdrain to the railroad property. MDOT will retain a drainage easement along the easterly property line for maintenance of their facility.

4. Enclosed is a copy of the existing maintenance agreement between the easterly abutter and Delta Realty. This is referenced on the survey and was executed in August 2004 and the city has a signed copy in their files.
5. The locations of the fire hydrants are shown on the plans. The proposed structure has access to the front (north side) from the proposed driveway and to the rear (south side) from access that was provided to the attached warehouse during the design of the existing, attached warehouse in 2001. Fire hydrant flow test reports are attached. All other fire department checklist items have been provided on the previously submitted plans.
6. The applicant (Art Girard-Delta Realty) proposes to store personal belongings in the proposed warehouse. The applicant is moving belongings from another Portland facility that has recently been sold. The personal belongings currently stored in the existing warehouse consist primarily of building supply materials and antique vehicles.
7. At this time there is no additional trip generation anticipated for this warehouse addition. The applicant is storing his personal belongings in the warehouse. The site design will allow for movement of single unit body trucks similar to UPS, FedEx, or large U-Hauls. It is not anticipated that trucks larger than this will need to access the facility.
8. Attached is legal documentation of reciprocal rights for Delta Realty and the Trade Center Condominium owners to use the vacated portion of Newcomb Street as a private way. This documentation is in the form of a letter, dated May 28, 2008, from Lawrence R. Clough, Delta Realty's Legal Councilor. To summarize, this letter states that, although the public rights to Newcomb Street have been vacated, the private rights remain in full force. This letter is referenced on the updated survey and references a 1911 subdivision plan which is in turn referenced by both the deeds for Delta Realty's property and the abutting Trade Center Condominium property.
9. No tractor trailers are anticipated to access the facility. The MDOT's Warren Avenue improvement plans have been received and reviewed. The site's access is proposed to be relocated slightly to the west to align with Newcomb Street across Warren Avenue. It is our understanding, based on the temporary construction easements that MDOT has obtained from the client, that MDOT has gone through the required right of way process and both Delta Realty and the Trade Center Condominium property owners will have the right to use the new shared entrance from Warren Ave.

Ms. Jean Fraser
City of Portland

10. The total floor area of the entire site including the proposed warehouse is 41,050 square feet.
11. The impervious surface calculations are attached and reflect the requirements of the City. 
12. The site plan has minimal landscaping improvements. These improvements have been shown on C101 and adequately shows grass areas, existing tree line; proposed plantings, erosion control, surface material, curbing, and lighting. Any dumpsters will be located within the building.

WOODARD & CURRAN COMMENTS DATED APRIL 24, 2008

1. The survey coincides with the City's NGVD 1929 datum and is tied to the Maine State Plane Coordinate System. This is noted on the plan.
2. Paving limits have been shown.
3. Parking stall depths have been revised.
4. The concrete pads have been labeled and detailed.
5. Detail A has been revised. The buildings will be connected.
6. The applicant installed granite curbing, esplanade and sidewalk along the front of the property as part of the approval in 2004. The improvements provided by the applicant are still in the early stages their life cycle and as such, the applicant does not feel they should have to contribute to the new improvements that only relocate the entrance.

CITY OF PORTLAND EMAIL DATED JUNE 4, 2008

1. Larry Clough's attached letter which asserts that private rights exist for abutters to use vacated portion of Newcomb Street is referenced by the updated survey. There is no specific reciprocal easement for shared use of the access drive; however, Delta Realty and the Trade Center Condominium Property owners have the right to use the abandoned portion of Newcomb Street as outlined in Mr. Clough's letter.
2. A traffic circulation plan is included on Sheet C-102 and shows the parking layout for both properties and directions of travel. The largest vehicles expected to use this entrance are single unit body trucks similar to UPS, FedEx, or large U-Hauls.

Ms. Jean Fraser
City of Portland

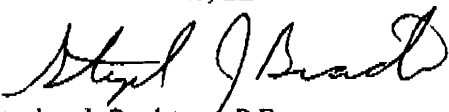
SUPPORTING DOCUMENTATION AND ATTACHED PLANS

1. MDOT Easements
 - a. Parcel No. 9: Temporary Construction Rights
 - b. Parcel No. 11: Drainage Easement and Temporary Construction Rights
2. Letter from Penny Littell clarifying the vacation of Newcomb and Saville streets
3. FEMA Flood Zone Map
4. Agreement for Stormwater Ditch Maintenance General Maintenance dated August 2004
5. Portland Water District Hydrant Flow Test Data
6. Letter from Lawrence R. Clough, dated May 28, 2008, documenting reciprocal private rights to use Newcomb Street as a private way.
7. A revised set of plans including:
 - a. C-100 Overall Site Plan and Details
 - b. C-101 Site Landscape Plan and Details
 - c. C-102 Impervious Area Calculations and Traffic Circulation Plan
 - d. An Updated Stamped Survey Plan from Lewis and Wasina, Inc.

I trust that the above discussion and enclosed document and plans adequately address the City's comments. If you have any questions, please feel free to give me a call.

Sincerely,

OAK ENGINEERS, LLC



Stephen J. Bradstreet, P.E.
Office Manager/Sr. Project Manager

SJB:sg
Enclosure



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
100 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

10/10/2016
10:00 AM

PIN: 010544.00
Re: Project: STP-1054(400)X
Town: Portland
Parcel No.: 09
Item No.:

Three Eighty, LLC
120 Exchange Street, #106
Portland, ME 04101

Dear Property Owner:

The Department's representative has explained to you the proposed construction and the effect it will have on your property. He/She has attempted to answer any questions you had. He/She has also explained the methods used in preparing our appraisal and the basis for our determination of just compensation for the land and rights to be acquired. He/She has made you an offer in the amount of \$ **250.00** which represents the just compensation as determined by a qualified appraiser and approved by one of the Department's review appraisers.

The land and/or rights to be acquired from you for this project are as follows:

Land: Fee	None (Land in fee as improved)
Easements:	N/A
Grading/Construction Rights:	Temporary Construction Rights = 2,720+ SF (1)
Buildings & Improvements:	None
Other Interests and/or Rights to be Acquired:	N/A



RECYCLING SYMBOL

The following is a statement by the Department of Transportation regarding the parcel or parcels of land above referenced:

A. The highest and best use of the property at the date of taking.

Commercial

B. The fair market value of the real property taken as of the date of taking.

\$ 250.00

C. Offering price.

\$ 250.00

Our representative has explained your recourse if the State's offer is not acceptable. The booklet "A Landowner's Guide to Property Acquisition Process" confirms the procedures available to you. If a copy of this booklet has not previously been given to you, please request one. He/She has also explained that the property owner or designated representative is responsible for informing any potential purchaser of the impending acquisition of land and/or rights as required by Title 23, M.R.S.A. Section 153-3(4).

A great deal of time has been spent in the effort to design an attractive, safe highway; also to design it in the manner that will cause the least damage to adjoining property; and finally to determine by properly made and carefully reviewed appraisals the just compensation due to the owners. We hope that we have accomplished our objective.

PROPERTY MARKERS: Action taken by the 115th Maine Legislature has revised Maine's landmark location law (14 M.R.S.A., Sec. 7554-A). The 115th Legislature now allows payment of "reasonable costs." Please be sure to inform our agents if your property markers do not appear on our plans. Please note, the Department does not set property pins. The Department will designate former locations of pins and markers on request.

Requests for payment of reasonable costs should be submitted in writing to the Department's Right of Way Division. Requests should be accompanied by a written estimate from a licensed surveyor, and if reasonable, will be paid based on the estimate. The Department reserves the right to request a second estimate and to require proof that a marker was disrupted if the location or existence of the original marker is in doubt. Any questions may be referred to the Right of Way Division; please ask for the Right of Way Agent assigned to this project.

Very truly yours,

Bernadette Fox
R/W Agent

By: 

BF:lp

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Three Eighty, LLC
Owner's Offer-Assent

PIN	:	010544.00
Project No.	:	STP-1054(400)X
Town	:	Portland
Parcel Item No.	:	09

WHEREAS, It has been determined that the public exigency requires the construction or reconstruction by altering, widening, changing the grade and changing the drainage or a portion of State Highway Warren Avenue in the Town of Portland, County of Cumberland and State of Maine.

WHEREAS, the necessary property has been surveyed, appraised and a plan drawn known as Right of Way Map, State Highway Warren Avenue, Project No. STP-1054(400)X, dated March 2006 on file in the office of the Department of Transportation, Right of Way Division, File No. 3-522.

WHEREAS, the undersigned do hereby acknowledge that Bernadette Fox, R/W Agent of the Maine Department of Transportation, met with/wrote to me/us and explained rights required, damages and all construction changes of location, grade, drainage and slopes.

NOW THEREFORE, the undersigned do hereby propose to the State of Maine:

1. That it acquire the necessary land and/or rights in land, including buildings, as depicted on the before mentioned Right of Way Map, by Eminent Domain on or about **August 2007**.
2. That it pay the undersigned the sum of \$ **250.00** at the time of acquisition.

Dated: 8/2/07

Witness:

[Signature]

Property Owner(s):

[Signature]

Nature of the Project

The project begins at approximately 0.33 miles east of the Maine Turnpike overpass and extends easterly 0.5 miles to include the intersection of Warren Avenue and Hicks Street. The subject of this appraisal report includes 28 properties impacted by the proposed center two way left hand turn lane for Warren Avenue in Portland, Maine. The overall right of way footprint will remain at 66-feet or 4 rods, however, the new center land will use much of the space typically used for a shoulder. Reconstruction proposed generally along the existing horizontal alignment to address geometric, drainage and pavement structure deficiencies. Additionally, the project will implement some aspects of access management reducing the number of and to clearly define commercial entrances. The end product will be a center two way left turning lane, two opposing traffic lanes, a small 3-foot shoulder, a curb, grassy strip, and another curb on both sides of the road.

Other proposed improvements include a new underground drainage system, upgrading a box culvert with a larger one to handle spring run-off. The City of Portland will implement some aspects of access management along this corridor including closing off open frontage into commercial sized entrances and limiting the number of entrances to each business.

Neighborhood Information

The subject properties are located in the City of Portland, one of 14 communities that make up the Greater Portland Area. The city is located in the southeastern part of Maine and bordered by the City of South Portland to the south, Westbrook to the west and Falmouth to the north. The Fore River splits the two Portland's and Casco Bay lies to the easterly. Portland is approximately 100 miles north of Boston and encompasses According to the United States Census Bureau, the city has a total area of 136.2 km² (52.6 mi²). 54.9 km² (21.2 mi²) of it is land and 81.2 km² (31.4 mi²) of it (59.65%) is water. Portland is located on a peninsula beside Casco Bay on the Gulf of Maine and the Atlantic Ocean.

Portland is accessible from I-95 (the Maine Turnpike), I-295, and U.S. Route 1. U.S. Route 302, a major travel route and scenic highway between Maine and Vermont, has its eastern terminus in Portland. Amtrak's Downeaster train service connects the city with Boston via coastal New Hampshire. Commercial air service is provided by Portland International Jetport, which is located west of the city's downtown district. Ferry service is available year-round to many destinations in Casco Bay. Since May 22, 2006, *The Cat* high speed ferry has offered car ferry service to Yarmouth, Nova Scotia, making the trip in five hours. Until 2005, Scotia Prince Cruises had offered service that took eleven hours.

Portland is the largest city in the U.S. state of Maine, with a 2004 population of 63,882. Portland is Maine's cultural, social and economic capital. Tourists are drawn to Portland's historic Old Port district along Portland Harbor, which is at the mouth of the



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
15 STATE HOUSE STATION
AUGUSTA, MAINE
04330-0015

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Re: PIN: 010544.00
Project: STP-1054(400)X
Town: Portland
Parcel No.: 11
Item No.:

Delta Realty Corp.
120 Exchange Street
Portland, ME 04101

Dear Property Owner:

The Department's representative has explained to you the proposed construction and the effect it will have on your property. He/She has attempted to answer any questions you had. He/She has also explained the methods used in preparing our appraisal and the basis for our determination of just compensation for the land and rights to be acquired. He/She has made you an offer in the amount of **\$ 18,000.00** which represents the just compensation as determined by a qualified appraiser and approved by one of the Department's review appraisers.

The land and/or rights to be acquired from you for this project are as follows:

Land: Fee	None (Land in fee as improved)
Easements:	Drainage Easement = 8,040+ SF (1)
Grading/Construction Rights:	Temporary Construction Rights = 2,805+ SF (1)
Buildings & Improvements:	None
Other Interests and/or Rights to be Acquired:	N/A



POST-CONSUMER WASTE

THE MAINE DEPARTMENT OF TRANSPORTATION IS AN AFFIRMATIVE ACTION - EQUAL OPPORTUNITY EMPLOYER

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A. The highest and best use of the property at the date of taking.

Commercial

B. The fair market value of the real property taken as of the date of taking.

\$ 18,000.00

C. Offering price.

\$ 18,000.00

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A great deal of time has been spent in the effort to design an attractive, safe highway; also to design it in the manner that will cause the least damage to adjoining property; and finally to determine by properly made and carefully reviewed appraisals the just compensation due to the owners. We hope that we have accomplished our objective.

PROPERTY MARKERS: Action taken by the 115th Maine Legislature has revised Maine's landmark location law (14 M.R.S.A., Sec. 7554-A). The 115th Legislature now allows payment of "reasonable costs." Please be sure to inform our agents if your property markers do not appear on our plans. Please note, the Department does not set property pins. The Department will designate former locations of pins and markers on request.

Requests for payment of reasonable costs should be submitted in writing to the Department's Right of Way Division. Requests should be accompanied by a written estimate from a licensed surveyor, and if reasonable, will be paid based on the estimate. The Department reserves the right to request a second estimate and to require proof that a marker was disrupted if the location or existence of the original marker is in doubt. Any questions may be referred to the Right of Way Division; please ask for the Right of Way Agent assigned to this project.

Very truly yours,

Bernadette Fox
R/W Agent

By: 
10/10/11

BF:lp

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Delta Realty Corp.

Owner's Offer-Assent

PIN	:	010544.00
Project No.	:	STP-1054(400)X
Town	:	Portland
Parcel/Item No.	:	11

WHEREAS, It has been determined that the public exigency requires the construction or reconstruction by altering, widening, changing the grade and changing the drainage or a portion of State Highway Warren Avenue in the Town of Portland, County of Cumberland and State of Maine.

WHEREAS, the necessary property has been surveyed, appraised and a plan drawn known as Right of Way Map, State Highway Warren Avenue, Project No. STP-1054(400)X, dated March 2006 on file in the office of the Department of Transportation, Right of Way Division, File No. 3-522.

WHEREAS, the undersigned do hereby acknowledge that Bernadette Fox, R/W Agent of the Maine Department of Transportation, met with/wrote to me/us and explained rights required, damages and all construction changes of location, grade, drainage and slopes.

NOW THEREFORE, the undersigned do hereby propose to the State of Maine:

1. That it acquire the necessary land and/or rights in land, including buildings, as depicted on the before mentioned Right of Way Map, by Eminent Domain on or about **August 2007**.
2. That it pay the undersigned the sum of **\$ 18,000.00** at the time of acquisition.

Dated: 5/2/07

Witness:

Bernadette Fox

Property Owner(s):

Carl S. Fox

Nature of the Project

The project begins at approximately 0.33 miles east of the Maine Turnpike overpass and extends easterly 0.5 miles to include the intersection of Warren Avenue and Hicks Street. The subject of this appraisal report includes 28 properties impacted by the proposed center two way left hand turn lane for Warren Avenue in Portland, Maine. The overall right of way footprint will remain at 66-feet or 4 rods, however, the new center land will use much of the space typically used for a shoulder. Reconstruction proposed generally along the existing horizontal alignment to address geometric, drainage and pavement structure deficiencies. Additionally, the project will implement some aspects of access management reducing the number of and to clearly define commercial entrances. The end product will be a center two way left turning lane, two opposing traffic lanes, a small 3-foot shoulder, a curb, grassy strip, and another curb on both sides of the road.

Other proposed improvements include a new underground drainage system, upgrading a box culvert with a larger one to handle spring run-off. The City of Portland will implement some aspects of access management along this corridor including closing off open frontage into commercial sized entrances and limiting the number of entrances to each business.

Neighborhood Information

The subject properties are located in the City of Portland, one of 14 communities that make up the Greater Portland Area. The city is located in the southeastern part of Maine and bordered by the City of South Portland to the south, Westbrook to the west and Falmouth to the north. The Fore River splits the two Portland's and Casco Bay lies to the easterly. Portland is approximately 100 miles north of Boston and encompasses According to the United States Census Bureau, the city has a total area of 136.2 km² (52.6 mi²). 54.9 km² (21.2 mi²) of it is land and 81.2 km² (31.4 mi²) of it (59.65%) is water. Portland is located on a peninsula beside Casco Bay on the Gulf of Maine and the Atlantic Ocean.

Portland is accessible from I-95 (the Maine Turnpike), I-295, and U.S. Route 1. U.S. Route 302, a major travel route and scenic highway between Maine and Vermont, has its eastern terminus in Portland. Amtrak's Downeaster train service connects the city with Boston via coastal New Hampshire. Commercial air service is provided by Portland International Jetport, which is located west of the city's downtown district. Ferry service is available year-round to many destinations in Casco Bay. Since May 22, 2006, *The Cat* high speed ferry has offered car ferry service to Yarmouth, Nova Scotia, making the trip in five hours. Until 2005, Scotia Prince Cruises had offered service that took eleven hours.

Portland is the largest city in the U.S. state of Maine, with a 2004 population of 63,882. Portland is Maine's cultural, social and economic capital. Tourists are drawn to Portland's historic Old Port district along Portland Harbor, which is at the mouth of the

Corporation Counsel

Gary C. Wood



CITY OF PORTLAND

Associate Counsel

Charles A. Lane

Elizabeth L. Boynton

Donna M. Katsiaficas

Penny Littell

July 6, 2001

Arthur P. Girard, President
Delta Realty Company Inc.
120 Exchange Street
Suite 204
Portland, ME 04101

Re: Street Vacation Saville and Newcomb Street

Dear Mr. Girard:

In preparing for a Planning Board presentation relative to your request for the street vacation of portions of the above streets, the City determined the area of the streets of interest to you were "deemed vacated" by the state legislature in 1997. Any paper streets not specifically continued by the City of Portland at that time were deemed vacated. While the City continued the portions of Saville and Newcomb Streets on the opposite side of Warren Ave, it did not reserve any rights to the portions of these streets on your side of Warren Ave.

I enclose a copy of the Council Order on file with the Registry of Deeds. This is the only document the City has to pass on to you showing, through the omission of Saville and Newcomb Streets as laid out in the Meadow Park subdivision, that it no longer has any rights in these streets.

Thank you for your attention to the matter. Please feel free to contact me should you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Penny Littell".

Penny Littell

Associate Corporation Counsel

PL:hs

Attachments

cc: Jonathan Spence

Jon Giles

C:\OFFICE\PENNY\LTRS\girard070501.doc

84
ORDER

**ORDER EXCEPTING STREETS FROM DEEMED
VACATION - SPONSORED BY ROBERT B. GANLEY,
CITY MANAGER.**

IN THE CITY COUNCIL

September 3, 19 97

Attest: Nadeen M. Daniels
Nadeen M. Daniels

Yeas

Nays

A TRUE COPY. ATTEST
NADEEN M. DANIELS
CITY CLERK, PORTLAND, ME

Nadeen M. Daniels

C
O
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C
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L

Councilor Harlow motioned to suspend the rules seconded
by Councilor Mavodones. Passed 9-0

Councilor Harlow motioned to take Order 84 out of order;
seconded by Councilor McDonough. Passed 9-0.

Councilor Harlow motioned to Amend Order 84, to change
Dudley Street to read continued/vacate continue 340 feet
from intersection of Lee Street; vacate remainder to Elmore
Street. Fern Street to read Continue not Vacate Rosedale

BK13326PG022

City of Portland, Maine

BY THE CITY COUNCIL

ORDER EXCEPTING STREETS FROM DEEMED VACATION

ORDERED, pursuant to 20 M.R.S.A. §3032.2, the streets indicated on Attachment A are hereby excepted from the operation of 20 M.R.S.A. §3032.1, for a period of twenty (20) years.

SEAL

A TRUE COPY. ATTEST
NADEEN M. DANIELS
CITY CLERK, PORTLAND, ME

Nadeen M. Daniels

Street to read Continue/Vacate, not Vacate; Second Street,
Peaks Island to read Continue, not Vacate;
seconded by Councilor McDonough. Passed 9-0.

Motion to Pass Order 84 as amended made by Councilor
Kane; seconded by Councilor Dawson. Passed 9-0.

U
P
P
F
A TRUE COPY. ATTEST
MADE/ET M. DANIELS
CITY CLERK, PORTLAND, ME

Maureen M. Daniels

Virginia Street	The Pines-Section C Revised	17	6	Continue	
Tampa Street	The Pines-Section D Revised	17	7	Continue	
Kansas Avenue	The Pines-Section D Revised	17	7	Continue	
Utah Street	The Pines-Section D Revised	17	7	Continue	
Montana Street	The Pines-Section D Revised	17	7	Continue	
Racine Avenue	The Pines-Section D Revised	17	7	Continue	
Nevada Avenue	The Pines-Section D Revised	17	7	Continue	
Illinois Avenue	The Pines-Section D Revised	17	7	Continue	
Wyoming Avenue	The Pines-Section D Revised	17	7	Continue	
Florida Avenue	The Pines, Section A	16	29	Continue	
Dakota Street	The Pines, Section A	16	29	Continue	
Idaho Street	The Pines, Section A	16	29	Continue	
Burnside Avenue	The Pines, Section A	16	29	Continue	
Centennial Street Rear, Peaks Island	Thomas Trott	3	42	Continue	
Alice Street	Valley View Heights	47	6	Continue	
Centennial Street Rear, Peaks Island	Varde Place	90	15	Continue	
Varde Place, Peaks Island	Varde Place	90	15	Vacate	
Prentiss Street	Veranda Park	10	55	Continue	
Ash Street	Wadco Park	12	17	Vacate	
Gertrude Avenue	Wadco Park	12	17	Continue	
Greenville Street	Wadco Park	12	17	Vacate	
Wadco Street	Wadco Park	12	17	Vacate	
Loring Avenue	Wadco Park	12	17	Continue	
Thurlow Street	Wadco Park	12	17	Continue	
Lyon Street	Wadco Park	12	17	Vacate	
Topsham Street	Wadco Park	12	17	Continue	
Rye Road	Wadco Park	12	17	Continue	
Wingate Circle	Wadsworth Heights - Section B	124	65	Continue	
Booth Street	Warren Avenue Terrace	12	2	Vacate	
Saville Street	Warren Avenue Terrace	12	2	Continue	
Newcomb Street	Warren Avenue Terrace	12	2	Continue	
Cranston Street	Washington Avenue Gardens	14	46	Continue	
Pawluet Street	Washington Avenue Gardens	14	46	Continue	
Providence Street	Washington Avenue Gardens	14	46	Continue	
Oakwood Avenue	Washington Park	10	123	Continue/Vacate	Continue 50' from Chesley Street; vacate remainder
Beachwood Avenue	Washington Park	10	123	Continue	
Joseph Avenue	Washington Terrace	13	72	Continue	
Anthony Avenue	Washington Terrace	13	72	Continue	
Veteran Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Upper Meridian Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Orchard Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Proposed Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Adams Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Welch Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Meridian Street, Peaks Island	Welch E. Hilborn Heirs	13	117	Continue	
Jackson Boulevard, Cushings Island	Whitehead Passage Subdivision	106	9	Continue	
Whitehead Avenue, Cushings Island	Whitehead Passage Subdivision	106	9	Continue	
Spring Cove Avenue, Cushings Island	Whitehead Passage Subdivision	106	9	Continue	
Unnamed 1, Cushings Island	Whitehead Passage Subdivision	106	9	Continue	
Beach Street, Peaks Island	William H. Sargent	9	7	Continue	Road between Whitehead Ave and Jackson Blvd Also known as portion of Sargent Road
Windsor Terrace	Windsor Heights	10	83	Continue	
Chester Street	Windsor Heights	10	83	Continue	
Ocean Street, Peaks Island	Woodbury Farm	8	51	Continue	
Mariner Court, Peaks Island	Woodbury Farm	8	51	Continue	
Unnamed 1, Peaks Island	Woodbury Farm	8	51	Continue	
Dedham Street	Woodfords Gardens	13	75	Continue	North from Mariner below Ocean Street
Sargus Street	Woodfords Gardens	13	75	Continue	
Randolph Street	Woodfords Gardens	13	75	Continue	
Natick Street	Woodfords Gardens	13	75	Continue	
Newell Avenue	Woodfords Gardens	13	75	Continue	

1/16/98 10:00 AM by [illegible] [illegible]

Accepted by [illegible]

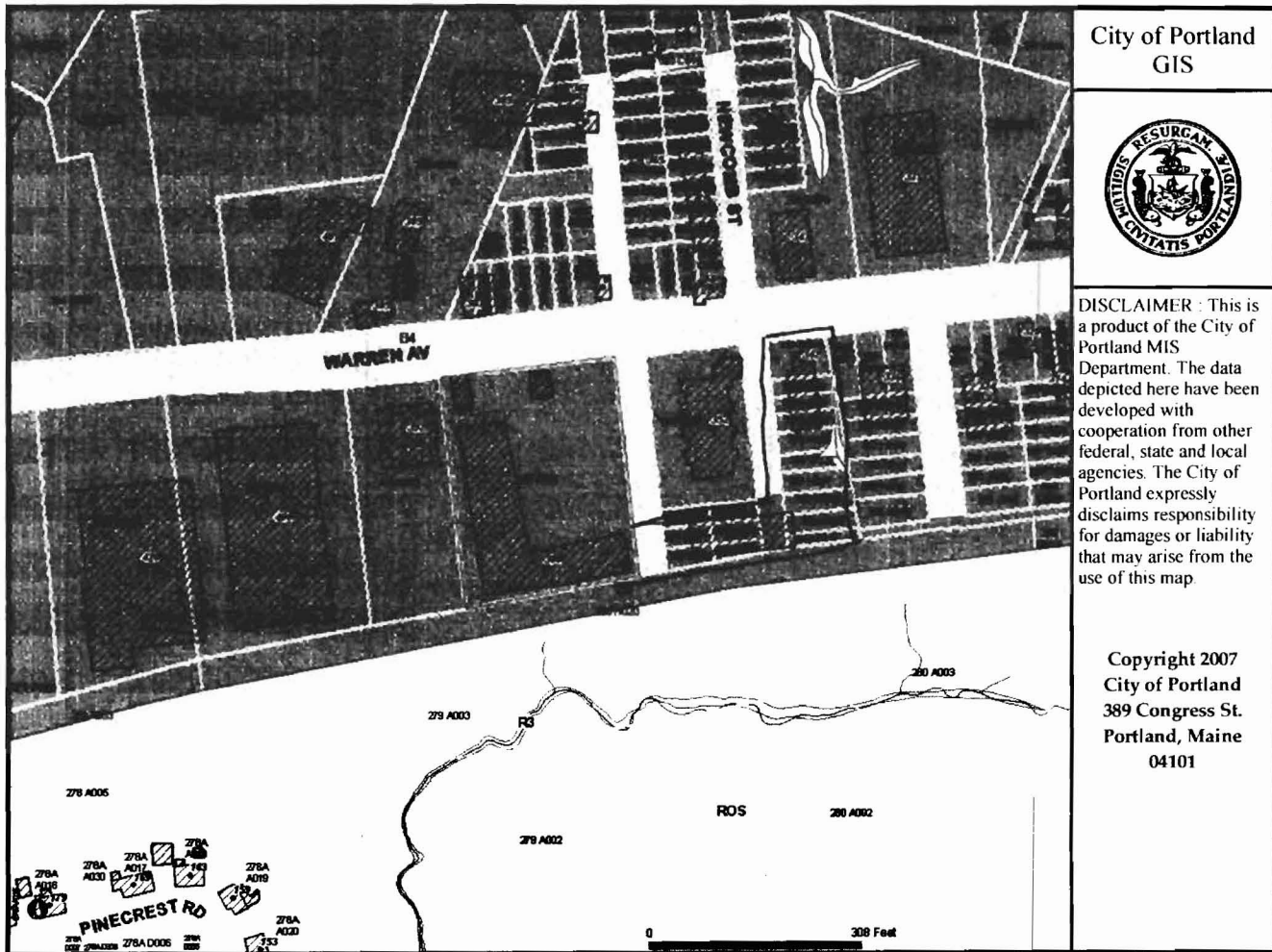
2013092700000

Holbrook Street	Woodfords Gardens	13	75	Continue	
Hughelm Street	Woodfords Gardens	13	75	Continue	
Harmony Road	Woodfords Gardens	13	75	Continue	
Lynn Street	Woodfords Gardens	13	75	Continue	
Brantree Street	Woodfords Gardens	13	75	Continue	
Beverly Street	Woodfords Gardens	13	75	Continue	
Melville Street	W.P. Goss Land	12	46	Continue	
Unnamed 1, Peaks Island	W.S. Trefethen Estate	13	97	Vacate	Parallel and south of Prince Avenue
Reed Avenue, Peaks Island	W.S. Trefethen Estate	13	97	Continue	Also part of Skilling Farm Book 11 Page 97
Extension Prince Avenue, Peaks Island	W.S. Trefethen Estate	13	97	Continue	
Unnamed 3, Peaks Island	W.S. Trefethen Estate	13	97	Continue	From Reed East to high tide mark
Unnamed 2, Peaks Island	W.S. Trefethen Estate	13	97	Continue	Connects Reed & Prince
Seashore Avenue Extension, Peaks Island	W.S. Trefethen Homestead Land	6	33	Continue	
Third Street, Peaks Island	W.S. Trefethen Homestead Land	6	33	Continue	
Second Street, Peaks Island	W.S. Trefethen Homestead Land	6	33	Continue	
B Street, Peaks Island	W.S. Trefethen Homestead Land	6	33	Continue	

* As approved by the Portland City Council on 9/3/97.

RECEIVED
1997 SEP 17 PM 3:40
CHUBBERLAND COUNTY
John B. Smith

3K13326PGU3U



11/11/03
1601
Signature
6600 D

AGREEMENT
STORMWATER DRAINAGE DITCH MAINTENANCE
GENERAL MAINTENANCE

IN CONSIDERATION OF site plan approval granted by the Planning Board (or Planning Authority, where applicable) of the City of Portland to a plan entitled Delta Realty Warehouse Facility dated December 4, 2003 as amended and filed with the City of Portland, Department of Planning and Development, 389 Congress Street, Portland, Maine and pursuant to a condition thereof, **DELTA REALTY CO. INC.**, a Maine corporation also sometimes referred to as Delta Realty Corp. with an address at 120 Exchange Street in Portland, Maine, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

That it will, at its own cost and expense and at all time in perpetuity, maintain in good repair and in proper working order the stormwater drainage ditch, as shown on said plan, including but not limited to the outlet(s) therefrom. Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto to the extent of natural historic flows into said ditch, further, that the said City of Portland, said persons in lawful possession and said abutters, or any of them, may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a reasonable time to perform, the said City of Portland, by its authorized agents or representatives, may, but is not obligated to enter upon said premises to maintain, repair, or replace said stormwater drainage ditch in the event of any failure or neglect thereof, the reasonable cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon demand.

Notwithstanding any other provision of this Agreement, this Agreement shall not confer upon the City of Portland or any other person the right to utilize said stormwater drainage ditch for public use or for the development of any other property, and the Owner shall bear no financial responsibility by virtue of this Agreement for enlarging the capacity of said surface water drainage ditch for any reason whatsoever beyond natural historic levels.

Furthermore, the Owner will, at its own cost and expense and at all time in perpetuity, maintain free from garbage, litter, refuse, junk and discarded miscellaneous items, the ditch portion of its property. Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto; further, that the said City of Portland, said persons in lawful possession and said abutters, or any of them, may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction subject to any applicable obligation to contribute to such costs by abutters or other parties utilizing said system arising out of flows in excess of natural, historic levels; further, that after giving the Owner written notice and a reasonable time to perform, the said City of Portland, by its authorized agents or representatives, may, but is not obligated to enter upon said premises to remove such garbage, litter, refuse, junk and discarded miscellaneous items thereon in the event of any failure or neglect to perform under this Agreement, the reasonable cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon demand.

This Agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon its successors and assigns as their interests may from time to time appear.

Dated at Portland, Maine this day of August, 2004.

WITNESS

DELTA REALTY CO. INC.

By: Arthur P. Girard
Arthur P. Girard, its President

STATE OF MAINE
CUMBERLAND, ss.

Dated: , 200

Personally appeared the above-named Arthur Girard in his said capacity, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.

Before me.

Attorney at Law



Portland Water District
Hydrant and the flow test data if existing

WATER-PORTLAND/DEERING (Area: 27)

<u>Pres.</u> <u>Zone</u>	<u>Activity</u>	<u>Insp. #</u>	<u>Insp. Date</u>	<u>Date</u> <u>Completed</u>	<u>Static</u> <u>Psi</u>	<u>Res.</u> <u>Psi</u>	<u>Flow Hvd.</u>	<u>Coef.</u>	<u>Pito 1</u> <u>Press.</u>	<u>Pito2</u> <u>Press.</u>	<u>Flow</u> <u>@ 20</u>	<u>Flow</u> <u>gpm</u>	<u>Inspection Comments</u>
ISF: Total 2													
POD-HYD01319	WARREN AVE	480' W OF HICKS ST @ #238											
267	HYTEST	21598	07/18/1994		80	0	POD-HYD01319	0.90	59.00	0	0.00	1288	
		21599	08/15/1989		67				49.00			1174	
POD-HYD01320	WARREN AVE	1430' E OF GROVE ST @ #392											
267	HYTEST	33766	05/13/2004	05/13/2004	79	0	POD-HYD01320	0.90	65.00	0	0.00	1352	
		21602	06/19/1996		80	75	POD-HYD01619		53.00		4.672.00	1221	
		21601	07/18/1994		82	0	POD-HYD01320		69.00		0.00	1393	
		21600	10/10/1989		72				63.00			1331	

Total for WATER-PORTLAND/DEERING: 2

Grand Total: 2

TOMPKINS, CLOUGH, HIRSHON & LANGER, P.A.

Counselors at Law
Three Canal Plaza
P.O. Box 15060
Portland, Maine 04112-5060

Lawrence R. Clough
David M. Hirshon
Leonard W. Langer
Marshall J. Tinkle*

Tel: (207) 874-6700
Fax: (207) 874-6705
E-Mail: lrclough@tchl.com
* also licensed in MA and DC

May 28, 2008
Via Email

Timothy Albair, President
TIMOTHY J. ALBAIR CONSTRUCTION CO., INC.
10 Alexander Dr.
Cape Elizabeth, ME 04107

**Re: Status of Newcomb Street as a Private Way
Delta Realty Co., Inc.**

Dear Tim:

In response to your inquiry on behalf of Art Girard of Delta Realty, Newcomb Street is a private way which is shown on the subdivision plan of Warren Avenue Terrace dated April 1911 as recorded in the Cumberland County Registry of Deeds in Plan Book 12, Page 2 (copy enclosed).

Both of the deeds into Delta Realty and the abutting Warren Avenue Trade Center Condominium refer to this plan.

Under the *Callahan v. Ganneston Park Dev. Corp.* decision of the Maine Supreme Court, people who acquire lots by reference to a recorded subdivision plan automatically have the right to use all the roads and ways shown on the Plan. Due to the title difficulties created by un-built paper streets created by *Ganneston Park*, the state adopted legislation that provided for the vacation of public and private rights in paper streets.

The public rights in Newcomb Street were not preserved by the Portland City Council under the provisions of 23 M.R.S.A. § 3032(2) based on a letter dated July 6, 2001 from the City of Portland, and accordingly, any public rights in Newcomb Street would now have expired.

However since it appears that an access drive had been constructed or used by September 29, 1997 and the abutters had not taken the required action, the private rights remain in full force and effect. *Hartwell v. Stanley*, 790 A.2d 607 (2002). *Glidden v. Belden*, 684 A.2d 1306 (Me. 1996). As stated by the Court in *Glidden*:

Section 3033 invites any person claiming to own a way vacated under section 3032 to record in the registry of deeds a notice whose form and content is stipulated in the statute. Notice also must be given to the relevant current record owners and their mortgagees. Those who receive notice and who claim a private right in the vacated way will forever be barred from maintaining an action at law or equity regarding that right unless they file in the registry of deeds where the relevant subdivision plan was recorded a statement under oath 'specifying the nature, basis and extent of [their] claimed interest'

Timothy Albair, President
May 28, 2008
Page 2

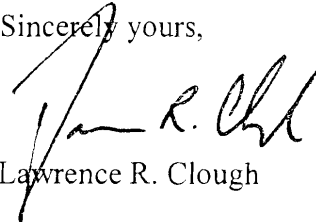
within one year from the date of the recording of the notice. A claimant's asserted right will be lost unless, within 180 days of the recording of their statement, the claimant commences an action in equity to establish it.

There is no evidence that this notice was ever sent and a title search in the Cumberland Registry shows that it was not recorded. Accordingly as stated by the Court in *Glidden*:

[S]ection 3032(1-A) does not operate alone to vacate private rights in proposed, unaccepted ways. Section 3032(1-A) clearly states that "[a] way or portion of a way considered vacated under this subsection is subject to section 3033. The Superior Court correctly concluded that although the public's incipient rights in the range-way may have been extinguished by operation of section 3032, the Hartwells' **private rights had not been extinguished because Stanley did not comply with the statutory procedure for doing so under section 3033** by filing a notice of his claim to own the range-way. [emphasis added].

Accordingly the private rights in Newcomb Street remain in effect notwithstanding the vacation of the public rights under 23 M.R.S.A. § 3032(2).

Sincerely yours,



Lawrence R. Clough

LRC/sdm

Enclosure

cc: ✓ Mr. Arthur P. Girard
John Mahoney, Oak Engineers

56	55	54	53	52	40	28	27	26	25	40	2	1	Land
30	30	30	30	40		40	30	30	40		40	45	

WARREN AVE.

TO PORTLAND AND
RIVERTON STREET CARS
AT FOREST AVE

40	30	30	40
100	99	98	97
3200	2400	2400	3200
40	30	30	40
101	70	70	96
2100		2100	30
102			95
103			94
104			93
105			92
106			91
107	2100	2100	90
70	70		30
108	2780	2451	89
42.2	70.17	70.14	32.8

SAVILLE

40	30	30	40
80	79	78	77
3200	2400	2400	3200
40	30	30	40
81	70	70	76
2100		2100	30
82	✓		75
83	✓		74
84			73
85	✓		72
86	✓		71
87	2100	2100	70
70	70	70	30
88	1968	1723	69
70.10	70.08		32.0

NEWCOMB

40	46
60	59
3200	3868
40	50.69
61	2747
30	92.45
62	2800
30	94.21
63	2853
30	95.97
64	2905
30	97.73
65	2958
30	99.49
66	3011
30	101.25
67	3064
30	103.01
68	3117
30	104.10

WARREN AVE. TERRACE

PORTLAND, MAINE

OWNED BY

J. W. WILBUR

SCALE OF FEET



April, 1911

Ernest W. Branch, Civil Engineer
73 Tremont st, Boston Mass

BOSTON AND MAINE

RAILROAD

Drawn by and S. E. Registry of Titles
Revised August 3, 1911 at 9:00 A.M.
and recorded in Plan Book 15 Page 2
Attest: Frank P. Leland, Register

Corporation Counsel

Gary C. Wood



CITY OF PORTLAND

Associate Counsel

Charles A. Lane
Elizabeth I. Boynton
Donna M. Katsiaficas
Penny Littell

July 6, 2001

Arthur P. Girard, President
Delta Realty Company Inc.
120 Exchange Street
Suite 204
Portland, ME 04101

Re: Street Vacation Saville and Newcomb Street

Dear Mr. Girard:

In preparing for a Planning Board presentation relative to your request for the street vacation of portions of the above streets, the City determined the area of the streets of interest to you were "deemed vacated" by the state legislature in 1997. Any paper streets not specifically continued by the City of Portland at that time were deemed vacated. While the City continued the portions of Saville and Newcomb Streets on the opposite side of Warren Ave, it did not reserve any rights to the portions of these streets on your side of Warren Ave.

I enclose a copy of the Council Order on file with the Registry of Deeds. This is the only document the City has to pass on to you showing, through the omission of Saville and Newcomb Streets as laid out in the Meadow Park subdivision, that it no longer has any rights in these streets.

Thank you for your attention to the matter. Please feel free to contact me should you have further questions.

Sincerely,

Penny Littell
Associate Corporation Counsel

PL:hs

Attachments

cc: Jonathan Spence

Jon Giles

O:\OFFICE\PENNY\LTRS\girard070501.doc



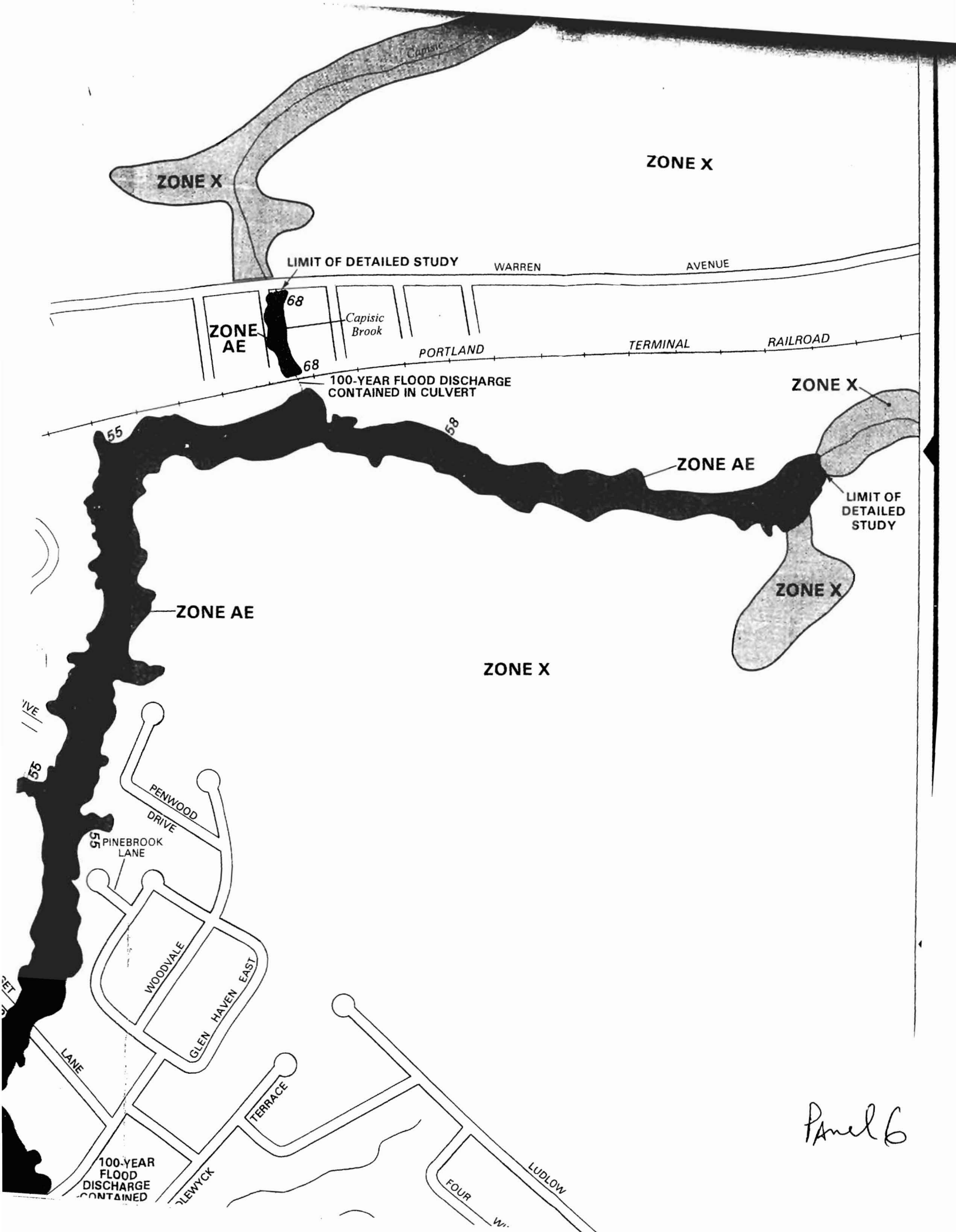
1500

1000 1000 1000 1000

1000 1000 1000

1000 1000 1000

1000 1000 1000 1000 1000 1000





State of Maine
Department of Public Safety
Construction Permit



Reviewed
for Barrier
Free

17930

Not Sprinkled

DELTA REALTY ADDITION
Located at: 380 WARREN AVENUE
PORTLAND
Occupancy/Use: INDUSTRIAL

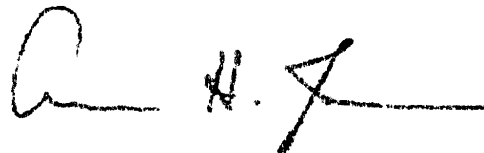
Permission is hereby given to:

DELTA REALTY LLC
SUITE 204
120 EXCHANGE STREET
PORTLAND, ME 04101

to construct or alter the afore referenced building according to the plans hitherto filed with the Commissioner and now approved. No departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provision of Title 25, Chapter 317, Section 2448 and the provisions of Title 5, Section 4594 - F. Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit will expire at midnight on the 24 th of February 2009

Dated the 25 th day of August A.D. 2008


Commissioner

Copy-2 Architect

Comments

JAMES M. STREETER

66 GARSOE STREET
PORTLAND, ME 04103



Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov

Planning and Urban Development

Penny St. Louis Littell, Director

Planning Division

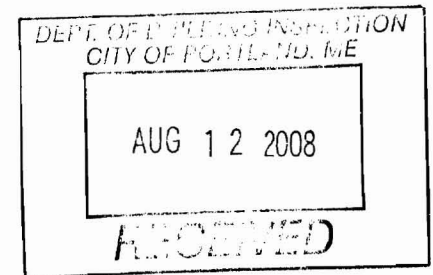
Alexander Jaegerman, Director

August 6, 2008

Stephen J Bradstreet, PE
Oak Engineers
400 Commercial Street, Suite 404
Portland, ME 04101

Delta Realty Co Inc.
120 Exchange Street, Suite 204
Portland, ME 04101

RE: Warehouse Addition, Rear of 380 Warren Avenue
CBL: #303 E001001
Application ID: #2008-0035



Dear Mr Bradstreet,

On August 6, 2008 the Portland Planning Authority approved a minor site plan for a 2800 sq ft warehouse addition (to be added to the existing 6000 sq ft warehouse that was approved in 2001) at the rear of 380 Warren Avenue, as submitted by Delta Realty Inc and shown on the approved plan prepared by Oak Engineers and dated July 25, 2008, with the following conditions:

- i. Truck backing maneuvers from Warren Avenue into the proposed site are prohibited; and
- ii. Tractor trailer trucks are prohibited from the proposed site (warehouse addition area to rear); and
- iii. The applicant shall be responsible for removing all signage at the Warren Avenue entrance that conflicts or is not appropriate for two-way driveway traffic operations. Removal of the signs shall be coordinated with the Department of Public Services.

The approval is based on the submitted site plan (C-100 Rev D; C-101 Rev D; C-102 Rev D). If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
2. 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.

3. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
4. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874- 8728.

Sincerely,



Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhsdt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Services Director
Kathi Earley, Public Works

Bill Clark, Public Works
Michael Farmer, Public Works
Jim Carmody, City Transportation Engineer
Jane Ward, Public Works
Captain Greg Cass, Fire Prevention
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy Project File

Comment Submitted

Applicant: Delta Realty

Date: 4/1/08

Address: 380 Warren Ave

C-B-L: 303-E-00 / plus

CHECK-LIST AGAINST ZONING ORDINANCE many smaller lots

Date - Existing Development on site #08-1168

Zone Location -

B-4 Public works

Interior or corner lot -

OK Per I'm not sure The streets have been vacated - The map I have shows differently 40' x 70' OK

Proposed Use/Work -

to construct 2800^{sq} Addition to an existing warehouse used to store materials & equipment

Sewage Disposal -

Lot Street Frontage - 60' min

Front Yard - min 20' - 20' + shown OK

Rear Yard - 20' min - 21' scaled

Side Yard - in 2 stories - 10' min - 25' scaled from side entry

Projections - side & front entry

Width of Lot - 60' min = over 100'

Height - 65' MAX - 21' 6" at highest - shed roof

Lot Area - min 10,000^{sq} - 142,500^{sq} given

Lot Coverage Impervious Surface - 80% MAX or 79.4% given

Area per Family - N/A

Off-street Parking - 1 per 1,000^{sq} - 3 new being shown

→ Loading Bays - 2 shown - 14' x 50' min only shown 10' wide

Site Plan -

#2008-0035

Shoreland Zoning/ Stream Protection -

N/A outside of Area see Engineer's depiction of where the AE Zone is

Flood Plains -

panel 6 - AE Zone

60' given - 1st floor shall be at 70' min - is outside

MAXIMUM Floor area

41,050

142,800^{sq}

= 28.73%

55 or 55% MAX

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2008-0035

Date: 4/1/2008

This new project is located within the B-4 Zone - A Zoning Analysis has not been submitted with this application. The impervious surface ratio has not been provided. The maximum floor area (F.A.R.) has not been submitted .

Two loading bays are being shown on the elevation plans - the required size for loading bays is 14' x 50'. The plans should be revised to show that the loading bay requirements are being met.

This property has an area of flood plain connected with it as shown on Panel 6. The site plan should delineate the location of the AE flood zone. If the new addition is within the flood zone, the minimum first floor elevation shall be a minimum of 2 feet above the elevation of the flood zone. A certificate of elevation shall be filled out after the floor is poured in order to document the elevation height. ✕

The colored street map that is in my office shows that the Saville & Newcomb Streets were not vacated in 1997. Further verification to confirm that these streets have been vacated should be submitted for review.

Marge Schmuckal
Zoning Administrator



BISKUP CONSTRUCTION, INC.

16 DANIELLE DRIVE WINDHAM, MAINE 04062

TEL. (207) 892-9800 FAX (207) 892-9895

Portland Fire Department

Project location: 380 Warren Avenue Rear

Owner: Delta Realty Co., Inc.
120 Exchange St.
Suite 204
Portland, ME 04101
828-4650

Architect: James M. Streeter PE
66 Garsoe Street
Portland, ME 04103
797-3093

2,800 S.F. addition to an existing 6,000 S.F. warehouse
IBC 2003 classification: S-1
NFPA 101 classification: Storage

Fire Protection: None

Please see architectural plans for Life Safety Plan

Please see attached Construction Permit from State Fire Marshall's Office.

Sincerely,

James I. Biskup



Certificate of Design Application

From Designer:

ARON S. WILSON / ASSOCIATED DESIGN PARTNERS INC.

Date:

9/12/08

Job Name:

DELTA REALTY ADDITION

Address of Construction:

380 WARREN AVE

2003 International Building Code

Construction project was designed to the building code criteria listed below:

Building Code & Year 2003 IBC Use Group Classification (s) S-1

Type of Construction VB

Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the 2003 IRC No

Is the Structure mixed use? No If yes, separated or non separated or non separated (section 302.3) _____

Supervisory alarm System? No Geotechnical/Soils report required? (See Section 1802.2) Y

Structural Design Calculations

_____ Submitted for all structural members (106.1 - 106.11)

Design Loads on Construction Documents (1603)

Uniformly distributed floor live loads (7603.11, 1807)

Floor Area Use	Loads Shown
<u>LIGHT STORAGE</u>	<u>125 PSF</u>
_____	_____
_____	_____
_____	_____
_____	_____

Wind loads (1603.1.4, 1609)

ASCE 7-05/6.5 Design option utilized (1609.1.1, 1609.6)

94 Basic wind speed (1809.3)

1.0 Building category and wind importance Factor, I_w
table 1604.5, 1609.5)

B Wind exposure category (1609.4)

+1-0.18 Internal pressure coefficient (ASCE 7)

Pv = 22-e Component and cladding pressures (1609.1.1, 1609.6.2.2)

Pv = 22-e Main force wind pressures (7603.1.1, 1609.6.2.1)

Earth design data (1603.1.5, 1614-1623)

1617.4 Design option utilized (1614.1)

B Seismic use group ("Category")

0.37/0.16 Spectral response coefficients, S_D & S_{D1} (1615.1)

D Site class (1615.1.5)

<u>0.2</u>	Live load reduction
<u>20 PSF</u>	Roof live loads (1603.1.2, 1607.11)
<u>50.4</u>	Roof snow loads (1603.7.3, 1608)
<u>6.0</u>	Ground snow load, P_g (1608.2)
<u>50.4</u>	If $P_g > 10$ psf, flat-roof snow load P_f
<u>1.0</u>	If $P_g > 10$ psf, snow exposure factor, C_e
<u>1.0</u>	If $P_g > 10$ psf, snow load importance factor, I_s
<u>1.2</u>	Roof thermal factor, C_t (1608.4)
<u>50.4</u>	Sloped roof snowload, P_s (1608.4)
<u>B</u>	Seismic design category (1616.3)
<u>OMF/OCBF</u>	Basic seismic force resisting system (1617.6.2)
<u>3/5</u>	Response modification coefficient, R , and deflection amplification factor, C_d (1617.6.2)
<u>1617.4</u>	Analysis procedure (1616.6, 1617.5)
<u>V = C_e W</u>	Design base shear (1617.4, 1617.5.1)

Flood loads (1803.1.6, 1612)

N.H. Flood Hazard area (1612.3)

60' +/- Elevation of structure

Other loads

NA Concentrated loads (1607.4)

NA Partition loads (1607.5)

NA Misc. loads (Table 1607.8, 1607.6.1, 1607.7,
1607.12, 1607.13, 1610, 1611, 2404)



Accessibility Building Code Certificate

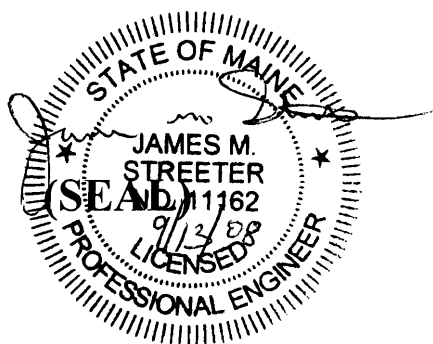
Designer: James M. Streeter PE

Address of Project: 380 Warren Avenue Rear

Nature of Project: 2,800 S.F. addition to an existing

6,000 S.F. warehouse

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act. Residential Buildings with 4 units or more must conform to the Federal Fair Housing Accessibility Standards. Please provide proof of compliance if applicable.



Signature: 

Title: Professional Engineer

Firm: J.M. Streeter Architectural Engineer

Address: 66 Garsoe Street

Portland, ME 04103

Phone: 797-3093

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov



Certificate of Design

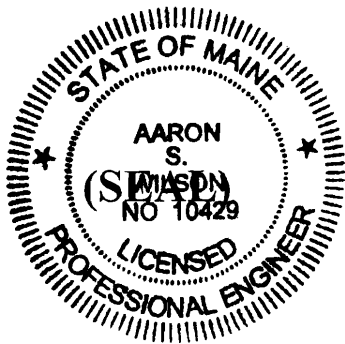
Date: 9/12/08

From: Aaron S. Wilson / ASSOCIATED DESIGN PARTNERS INC.

These plans and / or specifications covering construction work on:

DELTA RENTAL ADDITION
FOUNDATION ONLY

Have been designed and drawn up by the undersigned, a Maine registered Architect / Engineer according to the **2003 International Building Code** and local amendments.



Signature: A. S. Wilson

Title: Engineer

Firm: ASSOCIATED DESIGN PARTNERS INC

Address: 80 LEGATION RD

FALMOUTH ME 04105

Phone: 207 878-1751

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov



To: Marge Schmuckal, Dan Goyette, Jim Carmody, Tom Errico; Mike Farmer; Jeff Tarling; Greg Cass, Penny Littell

From: Jean Fraser

Date: June 24, 2008

Additional information submitted for the following project:

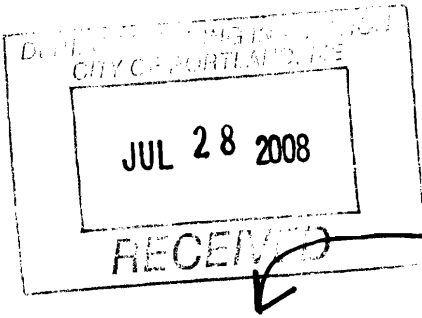
Application ID #: 2008-0035

Project Name: Warehouse Addition

Project Address: 380 Warren Avenue

Comments needed by: Preliminary discussion next week (July 2);
final comments in 2 weeks (July 9)

This is a response to my letter of April 18, 2008 (copies sent electronically to you), to Dan Goyette comments of April 24, 2008 and to traffic and rights of access issues raised by Tom Errico and Jim Carmody at a site meeting on May 12, 2008.



TO Inspections



To: Marge Schmuckal, Jim Carmody, Tom Errico; Greg Cass cc Barbara Barhydt
From: Jean Fraser
Date: July 25, 2008

Additional information submitted for the following project:

Application ID #: 2008-0035
Project Name: Warehouse Addition
Project Address: 380 Warren Avenue

This had a final review last week and I sent them the following e-mail on July 18th; we just need to check it one last time and if necessary can discuss it further at Dev Rev on July 30th (I will not get to that meeting until 11am- ish):

SENT JULY 18TH;
Hello John,

This e-mail confirms our recent telephone conversation regarding the revisions and conditions for this project; please note there is one more that I did not mention but is minor (requested by Zoning Administrator to meet zoning requirements).

Proposed conditions (which would be listed in the Approval letter):

1. That a condition of the site plan approval shall be that truck backing maneuvers from Warren Avenue into the proposed site are prohibited.
2. That a condition of the site plan approval shall be that tractor trailer trucks are prohibited from the proposed site (warehouse addition area to rear).
3. That the applicant shall be responsible for modifying the existing one-way regulatory signage near the site entrance at Warren Avenue. The applicant shall submit a plan/sketch of signage changes to be reviewed and approved by the City Transportation Engineer prior to the issuance of any Certificate of Occupancy for the warehouse addition.

Requested revisions to the Site Plan:

1. That conditions 1 and 2 above be written on the final site plan;
2. That the aisle width between the new and old parking stalls shall be 24 feet and meet the City's Design and Technical standards for parking (including size of parking space).
3. [I forgot to mention this during our conversation] Mark on the site plan the loading bay for the warehouse addition- it should be 50 feet by 14 feet.
4. Provide new hydrant on Warren Street on the side of the development near Newcomb Street.
5. (preferable but optional) Note on plan near entrance off of Warren saying that the access is 2-way near Warren Ave and one way within the Trade Center site and revised signing will be installed as per the site plan approval condition. [This will avoid the applicant having to submit amended plans when the signs are agreed]



Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

Meeting Information

DATE: 6/21/07

LOCATION: rear of 342 Warren Ave

PEOPLE PRESENT: Tim Albert - Steve Bradstreet

Barbara Bahlhdt - Marge Schmuckal

ZONE: B-4

TOTAL 142,872

Exst imperv. 95,353

proposed imp 99,520

DISCUSSION:

- 2800^{sq} warehouse in rear proposed
- 20' rear shown - 20' required
- 69.66% impervious being shown - 80% req - 69.66%
- 10' Side Req - 20' being shown
- probably can be done AS A minor site plan review
- show 3 New PARKING SPACES or show A PARKING ANALYSIS for the entire lot
- ASK Jim Camody about traffic
- lighting - must be full cutoffs
- Stormwater Review required? ASK Dan Goyette

Please note: this meeting is not an pre-approval of any ordinances. No project can be approved without going thru the appropriate reviews. This meeting is only to outline the City processes to go through based on the information given at this meeting. Any changes to that information may change the process requirements. Please check ordinances that are on-line for further information at www.portlandmaine.gov.

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number	1 of 1
Parcel ID	303 H001001
Location	342 WARREN AVE
Land Use	RETAIL & PERSONAL SERVICE

Owner Address	DELTA REALTY CORP 120 EXCHANGE ST PORTLAND ME 04101
---------------	-----------------------------------------------------------

Book/Page	20175/176
Legal	303-H-1 TO 5 WARREN AVE 344-348 NEWCOMB ST 15468 SF

B-4

Current Assessed Valuation

Land	Building	Total
\$149,000	\$173,610	\$322,610

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	2005	1	4397	1

Total Acres	Total Buildings	Sq. Ft.	Structure Type	Building Name
0.355	4397		OFFICE WAREHOUSE	POKER CHIP SHOWROOM

Exterior/Interior Information

Section	Levels	Size	Use
1	01/01	2760	WAREHOUSE
1	01/01	800	MULTI-USE OFFICE
1	01/01	837	MULTI-USE SALES

Height	Walls	Heating	A/C
16	METAL-LIGHT	HEAT PUMP	NONE
8	METAL-LIGHT	HOT AIR	CENTRAL
8	FRAME	HOT AIR	CENTRAL
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE

Building Other Features

Line	Structure Type	Identical Units
1	OVERHEAD DOOR - WD/MT	2

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
2005	ASPHALT PARKING	3000	1

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2008-0035

Date: 4/1/2008

This new project is located within the B-4 Zone - A Zoning Analysis has not been submitted with this application. The impervious surface ratio has not been provided. The maximum floor area (F.A.R.) has not been submitted .

Two loading bays are being shown on the elevation plans - the required size for loading bays iw 14' x 50'. The plans should be revised to show that the loading bay requirements are being met.

This property has an area of flood plan connected with it as shown on Panel 6. The site plan should delineate the location of the AE flood zone. If the new addition is within the flood zone, the minimum first floor elevation shall be a minimum of 2 feet above the elevation of the flood zone. A certificate of elevation shall be filled out after the floor is poured in order to document the elevation height.

The colored street map that is in my office shows that the Saville & Newcomb Streets were not vacated in 1997. Further verification to confirm that these street have been vacated should be submitted for review.

Marge Schmuckal
Zoning Administrator

4/16/08

From: "John I. Mahoney" <john.mahoney@oakengineers.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 4/16/2008 7:59:16 AM
Subject: RE: 380 Warren Avenue Warehouse Addition

Jean:

The impervious percentages for the entire 3.27 acre parcel on 380 Warren Avenue are as follows:

In 1997:	85.1%
Existing Conditions:	75.7%
Proposed Conditions:	79.4%

Vehicular Access:

We anticipate that the majority of the trucks accessing the site will be box trucks similar in size to a UPS truck. These vehicles will be able to turn around in the access to the three proposed parking spaces.

Larger vehicles such as tractor trailers will back into the site from Warren Avenue and exit forwards.

All vehicles will use an existing curb cut to access the site. This curb cut, along with new sidewalk and granite curb, was installed in 2001 when the existing warehouse to the north of the proposed warehouse was constructed.

Please let me know if you need anything else.

John I. Mahoney, E.I.T., LEED, A.P.
Project Engineer

Oak Engineers
400 Commercial Street
Suite 404
Portland, Maine 04101
T: (207) 772-2004
F: (207) 772-3248
T: (207) 831-6165

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

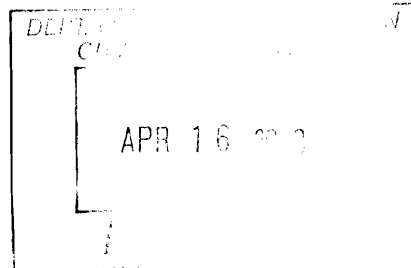
From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Tuesday, April 15, 2008 9:45 AM
To: John I. Mahoney
Subject: 380 Warren Avenue Warehouse Addition

Hello John

I am the planner assigned to this project.

I will telephone you this afternoon after I have visited the site- I do have a few questions.

As Barbara mentioned, I am awaiting reviewer comments and then will respond more formally.



MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2008-0035

Date: 4/16/2008

On 4/16/08 I received further information which states that the post project impervious surface will be 79.4% which meets the 80% maximum.

There was no further information showing tht the minimum loading bay requirements would be met. No information was submitted showing that the maximum floor area ratio (F.A.R.) was being met.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2008-0035

Date: 4/16/2008

380 Warner Ave

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Marge Schmuckal
Zoning Administrator

→ 7/22/08 -
28.77 by
vehicle - min or
7/22/08

From: Marge Schmuckal
To: Jean Fraser
Date: 7/22/2008 4:05:44 PM
Subject: Fwd: RE: 380 Warren Ave

Thank you - this addresses the F.A.R. (floor area ratio) - Did you get anything further about the minimum loading bay size - I think they were going to draw it on new plans (14' x 50')
Marge

>>> Jean Fraser 7/18/2008 4:29:18 PM >>>

I thought I had forwarded this to you but can find no record of doing so....is this adequate to meet your comments in UI (#2008-0035)?

thanks
Jean

>>> "John I. Mahoney" <john.mahoney@oakengineers.com> 7/16/2008 12:44:39 PM >>>
Jean:

Thanks for the update. The floor area calculations that you requested are as follows:

Total area of the site:	142,872
SF	
Total floor area including the new warehouse:	41,050 SF
Floor area ratio:	$41,050 / 142,872 = .287$ or 28.7
percent	

John I. Mahoney, E.I.T., LEED, A.P.
Project Engineer

Oak Engineers
400 Commercial Street
Suite 404
Portland, Maine 04101
T: (207) 772-2004
F: (207) 772-3248
T: (207) 831-6165

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

From: Jean Fraser [<mailto:JF@portlandmaine.gov>]
Sent: Tuesday, July 15, 2008 4:41 PM
To: John I. Mahoney
Subject: 380 Warren Ave

Hello John,

Firstly, I confirm that this is an administrative review and will not go to the Planning board unless the applicant wishes to appeal a condition or some other party requests it be referred to the Board.

Re the Review, I am sorting out some issues tomorrow with my colleagues (where our requirements conflict and we need to resolve) and the Zoning Administrator is still needing the calculations that shows that with this additional floorspace the maximum floor area ratio (F.A.R.) is being met (our letter had requested further info but it is still

unclear).

I will try and call you tomorrow (in between many meetings...) to run through the few residual issues.

Jean (Fraser)
Planner
874 8728

From: Jean Fraser
To: Schmuckal, Marge
Date: 7/18/2008 4:29:18 PM
Subject: Fwd: RE: 380 Warren Ave

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thanks
Jean

>>> "John I. Mahoney" <john.mahoney@oakengineers.com> 7/16/2008 12:44:39 PM >>>
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Project Engineer

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Jean (Fraser)
Planner
874 8728

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

Zoning Copy

2008-0035

Application I. D. Number

3/27/2008

Application Date

Delta Realty Co

Applicant

120 Exchange St. Ste 204, Portland, ME 04101

Applicant's Mailing Address

Warehouse Facility

Project Name/Description

Consultant/Agent

Agent Ph:

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

380 - 380 Warren Ave, Portland, Maine

Address of Proposed Site

303 E001001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): ☐ New Building ☒ Building Addition ☐ Change Of Use ☐ Residential ☐ Office ☐ Retail

☐ Manufacturing ☒ Warehouse/Distribution ☒ Parking Lot ☐ Apt 0 ☐ Condo 0 ☐ Other (specify) _____

142500

0

B4

Proposed Building square Feet or # of Units

Acreage of Site

Proposed Total Disturbed Area of the Site

Zoning

Check Review Required:

- | | | |
|-------------------------------------------------------------|---------------------------------------------------|------------------------------------------------------|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Zoning Conditional - PB | <input type="checkbox"/> Subdivision # of lots _____ |
| <input type="checkbox"/> Amendment to Plan - Board Review | <input type="checkbox"/> Zoning Conditional - ZBA | <input type="checkbox"/> Shoreland |
| <input type="checkbox"/> Amendment to Plan - Staff Review | | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> After the Fact - Major | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Flood Hazard |
| <input type="checkbox"/> After the Fact - Minor | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Site Location |
| | <input type="checkbox"/> Traffic Movement | <input type="checkbox"/> Other _____ |
| | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |

Fees Paid: Site Plan **\$400.00** Subdivision _____ Engineer Review _____ Date **3/27/2008**

Zoning Approval Status:

Reviewer _____

- ☐ **Approved** ☐ **Approved w/Conditions** ☐ **Denied**
See Attached

Approval Date _____ Approval Expiration _____ Extension to _____ ☐ Additional Sheets Attached

☐ Condition Compliance

signature

date

Performance Guarantee

☐ **Required***

☐ **Not Required**

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

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



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: 380 Warren Avenue Rear		
Total Square Footage of Proposed Structure/Area 2,800 S.F.		Square Footage of Lot 142,500 S.F.
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 303 E 1	Applicant *must be owner, Lessee or Buyer* Name Delta Realty Co., Inc. Address 120 Exchange St. Suite 204 City, State & Zip Portland, ME 04103	Telephone: 207-828-4650
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$102,000.00 C of O Fee: \$ 75.00 Total Fee: \$ 1,040.00
Current legal use (i.e. single family) Warehousing + 75 If vacant, what was the previous use? Warehousing Proposed Specific use: additional warehousing \$115 Is property part of a subdivision? NO If yes, please name Project description: 2,800 S.F. addition to an existing 6,000 S.F. warehouse.		
Contractor's name: Biskup Construction, Inc. Address: 16 Danielle Drive City, State & Zip Windham, ME 04062 Telephone: 892-9800 Who should we contact when the permit is ready: Jim Biskup Telephone: 892-9800 Mailing address: 16 Danielle Drive, Windham ME 04062		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: [Signature] Date: 9/15/08

This is not a permit; you may not commence ANY work until the permit is issued

SEP 16 2008



Package Industries, Inc.

15 Harback Road Sutton, MA, 01590

TEL: 508-865-5871 FAX: 508-865-9130 Email: sales@pkgmail.com

Letter of Certification

Customer

Biskup Construction Inc.
16 Danielle Drive
Windham, ME 04062

Project

Delta Realty
Warren Avenue
Portland, ME 04103

Date: 8-28-2008

Project ID: 0808-035

Overall Building Description

Width	Length	Lt. Eave	Rt. Eave	Lt. Pitch	Rt. Pitch	Peak Height	Peak Offset
40.00 ft.	70.00 ft.	18.17 ft.	21.50 ft.	1.00:12	1.00:12	21.50 ft.	40.00 ft.

This is to certify the above referenced building and its components have been designed in accordance with Package Industries, Inc.'s standard design practices and established pertinent procedures and recommendations of the following Organizations and/or Specifications.

American Institute of Steel Construction (AISC)
American Welding Society Structural Welding Code(AWS D1.1)
American Society for Testing and Materials (ASTM)
American Iron and Steel Institute (AISI)
Metal Building Manufacturers Association(MBMA)
AISC Category MB Manufacturers Certification

Design Data

Building Code:
IBC 03

Building Classification Category:
Standard

Building End Use:
Storage

Loads and Codes

SNOW LOADS

Ground Snow (Pg): 60.00	Snow Sloped Roof Factor (Cs): 1.00
Snow Exposure Factor (Ce): 1.00	Snow Sloped Roof Snow (Ps): 50.40
Snow Thermal Factor (Ct): 1.20	Design Roof Snow : 50.40
Snow Importance Factor (Is): 1.00	% Snow Used in Seismic: 20.00
Snow Flat Roof Snow (Pf): 50.40	

ROOF DEAD, COLLATERAL, LIVE LOADS

Dead Load: 3.00	Live Load: 20.00
Collateral Load: 3.00	Live Load Reduction Taken: No

WIND LOADS

Basic Wind Speed: 94.00	Building Enclosure: C - closed
Wind Exposure: B	Importance (Iw): 1.00
Wind Directionality Factor (Kd): 0.85	Reference Wind Pressure (Pv): 22.620
Wind Topographic Factor (Kzt): 1.00	Internal Pressure Coeff. (GCpi): +/-0.18

SEISMIC LOADS

Seismic Hazard Group: 1	Response Modification (OMF), R: 3.00
Seismic Importance (Ie): 1.00	Response Modification (OCBF), R: 5.00
0.2 Sec Spectral Response (Ss): 0.3680	Seismic Response Coefficient (OMF), Cs: 0.12



Package Industries, Inc.

15 Harback Road Sutton, MA, 01590

TEL: 508-865-5871 FAX: 508-865-9130 Email:sales@pkgmail.com

1.0 Sec Spectral Response (S_1): 0.0980	Seismic Response Coefficient (OCBF), C_s : 0.07
Design Spectral Response (S_d): 0.37	Deflection Amplification (OMF), C_d : 3.00
Design Spectral Response (S_{d1}): 0.16	Deflection Amplification (OCBF), C_d : 4.50
Seismic Design Category: B	Design Base Shear (V) = $C_s * W$:
Soil Profile: D	Analysis Procedure: 1617.4

AUXILARY LOADS

None

Additional Structural Material may be fabricated and provided for use in a Package Industries, Inc. building by any of the following fabricators:

Panels and Trims

Metl-Span I, Inc.	Lewisville, TX
MBCI/NCI Building Components	Rome, NY
MBCI/NCI Building Components	Richmond, VA
MBCI/NCI Building Components	Atlanta, GA

Barjoist and Decking

CMC Joist Company	Hope, Arkansas
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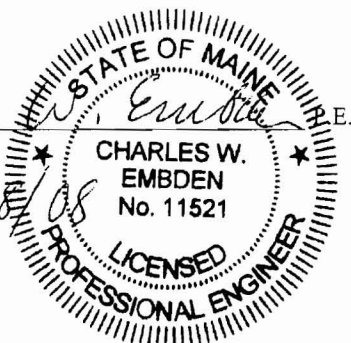
This Letter of Certification applies solely to the building and its component parts as furnished by Package Industries, Inc., and specifically excludes any foundation, masonry, general contract work, materials or components not furnished by Package Industries, Inc., or any unauthorized modifications to framing systems furnished by Package Industries, Inc.. Inspections and/or erection certifications are not by Package Industries, Inc..

The Design and Certification for this project is in accord with the provisions and loads specified in the Order Documentation. The buyer is responsible for verifying that the specified loads above are in compliance with the local regulatory authorities. Structural steel system not specifically detailed for seismic resistance.

Sincerely,

Charles W. Embden

8/28/08



**STATEMENT OF SPECIAL
CONSTRUCTION MONITORING**

PROJECT: Delta Realty Addition
380 Warren Ave, Portland, Maine

PERMIT APPLICANT: Jim Biskup – Biskup Construction
APPLICANT'S ADDRESS: 16 Danielle Dr, Windham, ME 04062

STRUCTURAL ENGINEER OF RECORD

Foundations: Associated Design Partners, Inc
Pre-Fabricated Steel Building: Package Industries, Inc.

CONTRACTOR: Biskup Construction

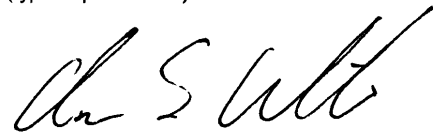
This Statement of Special Construction Monitoring is submitted as a condition for building permit issuance in accordance with Section 1704.0 of the 2003 International Building Code. It includes the Schedule of Special Construction Monitoring and Testing as applicable to this project. Also included is a listing of agents and other approved agencies to be retained for conducting the monitoring and testing applicable to this project.

The Special Construction Monitoring Coordinator shall keep records of all observations listed herein, and shall furnish field reports to the Registered Design Professional of Record. All discrepancies shall be brought to the immediate attention of the Contractor for correction, and to the Registered Design Professional of Record. If the discrepancies are not corrected, the discrepancies shall be brought to the attention of the Registered Design Professional of Record. Interim reports shall be submitted to the Registered Design Professional of Record monthly, unless more frequent submissions are requested.

The Special Construction Monitoring program does not relieve the Contractor of his or her responsibilities. Job site safety is solely the responsibility of the Contractor. Materials and activities covered under the monitoring schedule are not to include the Contractor's equipment and methods used to erect or install the materials listed.

Prepared by:

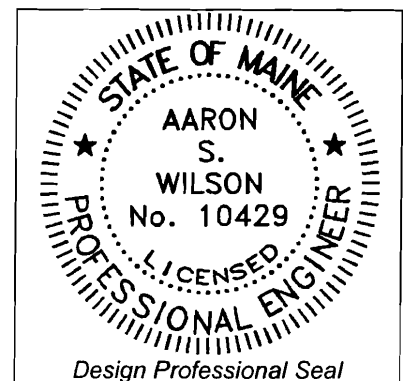
Aaron S. Wilson
(type or print name)



Signature

9/12/08

Date



Owner's Authorization:

Building Official's Acceptance:



Signature

Date

Signature

Date

SPECIAL CONSTRUCTION MONITORING AGENTS

This Statement of Special Construction Monitoring / Quality Assurance Plan includes the following building systems:

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Soils and Foundations
<input checked="" type="checkbox"/> Cast-in-Place Concrete Retaining walls
<input type="checkbox"/> Precast Concrete
<input type="checkbox"/> Masonry
<input checked="" type="checkbox"/> Structural Steel
<input type="checkbox"/> Cold-Formed Steel Framing | <input type="checkbox"/> Spray Fire Resistant Material
<input checked="" type="checkbox"/> Wood Construction
<input type="checkbox"/> Exterior Insulation and Finish System
<input type="checkbox"/> Mechanical & Electrical Systems
<input type="checkbox"/> Architectural Systems
<input type="checkbox"/> Special Cases |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

AGENT	FIRM	CONTACT INFORMATION
1. Engineer of Record (Foundations & Wood Framing)	Associated Design Partners	80 Leighton Rd Falmouth ME 04105 Ph: 878-1751
2. Special Construction Monitoring Coordinator	Associated Design Partners	80 Leighton Rd Falmouth ME 04105 Ph: 878-1751
3. Field Monitor	S.W. Cole	286 Portland Road Gray, ME 04039-9586 P: (207) 657.2866
4. Testing Agency	S.W. Cole	286 Portland Road Gray, ME 04039-9586 P: (207) 657.2866
5. Engineer of Record (Pre-Fab Metal Building)	Package Industries, Inc	15 Harback Rd Sutton, MA 01590 PH. (508) 865-5871

Note: The testing agency shall be engaged by the Owner or the Owner's Agent, and not by the Contractor or Subcontractor whose work is to be inspected or tested. Any conflict of interest must be disclosed to the Building Official, prior to commencing work.

QUALITY ASSURANCE FOR LATERAL SYSTEMS

Quality Assurance for Seismic Requirements

Seismic Design Category *B*
Quality Assurance Plan Required (Y/N) *N*

If seismic design category C, and plan is not required, explain (see exceptions to 1705.1)

Description of seismic force resisting system and designated seismic systems:
Ordinary Steel Moment Frames, Ordinary Concentric Steel Braced Frames.

Quality Assurance for Wind Requirements

Basic Wind Speed (3 second gust) *94MPH*
Quality Assurance Plan Required (Y/N) *N*

Description of wind force resisting system and designated wind resisting components:
Ordinary Steel Moment Frames, Ordinary Concentric Brace Frames at metal building.

Statement of Responsibility

Each contractor responsible for the construction or fabrication of a system or component designated above must submit a Statement of Responsibility in accordance with section 1705.3, and 1706.3 of the 2003 IBC code.

The qualifications of all personnel performing Special Inspection and testing activities are subject to the approval of the Building Official. The credentials of all Inspectors and testing technicians shall be provided if requested.

Key for Minimum Qualifications of Inspection Agents:

When the Registered Design Professional in Responsible Charge deems it appropriate that the individual performing a stipulated test or inspection have a specific certification or license as indicated below, such designation shall appear below the *Agency Number* on the Schedule.

PE/SE	Structural Engineer – a licensed SE or PE specializing in the design of building structures
PE/GE	Geotechnical Engineer – a licensed PE specializing in soil mechanics and foundations
EIT	Engineer-In-Training – a graduate engineer who has passed the Fundamentals of Engineering examination

American Concrete Institute (ACI) Certification

ACI-CFTT	Concrete Field Testing Technician – Grade 1
ACI-CCI	Concrete Construction Inspector
ACI-LTT	Laboratory Testing Technician – Grade 1&2
ACI-STT	Strength Testing Technician

American Welding Society (AWS) Certification

AWS-CWI	Certified Welding Inspector
AWS/AISC-SSI	Certified Structural Steel Inspector

American Society of Non-Destructive Testing (ASNT) Certification

ASNT	Non-Destructive Testing Technician – Level II or III.
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International Code Council (ICC) Certification

ICC-SMSI	Structural Masonry Special Inspector
ICC-SWSI	Structural Steel and Welding Special Inspector
ICC-SFSI	Spray-Applied Fireproofing Special Inspector
ICC-PCSI	Prestressed Concrete Special Inspector
ICC-RCSI	Reinforced Concrete Special Inspector

National Institute for Certification in Engineering Technologies (NICET)

NICET-CT	Concrete Technician – Levels I, II, III & IV
NICET-ST	Soils Technician - Levels I, II, III & IV
NICET-GET	Geotechnical Engineering Technician - Levels I, II, III & IV

Exterior Design Institute (EDI) Certification

EDI-EIFS	EIFS Third Party Inspector
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TABLE 1 – SCHEDULE OF SPECIAL CONSTRUCTION MONITORING

MATERIAL / ACTIVITY		EXTENT of MONITORING (Continuous, Periodic, Other, Exempt, None)	COMMENTS	AGENT #	DATE COMPLETED	REV #
1704.3 STEEL CONSTRUCTION						
1. Material Verification of high strength bolts, nuts, and washers.	a. Identification markings to conform to ASTM standards specified in the approved construction documents.	Periodic	Provide inspection reports for field installed bolts to Agent 5 also.	3		
	b. Manufacturers Certificate of Compliance required.	Other	Fabricator to provide Certificate to Agent 1.	5		
2. Inspection of High – Strength Bolting	a. Bearing type connections	Periodic	Provide inspection reports to Agent 5 also.	3		
	b. Slip – critical connections	None	No S-C connections in building			
3. Material Verification of structural steel	a. Identification marking to conform to ASTM standards specified in the contract documents.	Exempt	Fabricator is AISC certified.			
	b. Manufacturers certified mill test Reports.	Exempt	Fabricator to provide Certificate to Agent 1.	5		
4. Material Verification of weld filler materials:	a. Identification marking to conform to AWS standards specified in the contract documents.	Exempt	Fabricator is AISC certified.			
	b. Manufacturers Certificate of Compliance required.	Exempt	No field welding. Shop welding performed by AISC certified fabricator			
5. Inspection of Welding – Structural Steel	a. Single Pass fillet welds < 5/16"	Exempt	No field welding. Shop welding performed by AISC certified fabricator			
	b. Roof deck welds	Periodic	Provide inspection reports to Agent 5 also.	3		
6. Inspection of Steel Frame Joint details for compliance with approved documents.	a. Bracing / moment frame connections	Periodic	Provide inspection reports to Agent 5 also.	3		
	b. Member locations	Periodic	Provide inspection reports to Agent 5 also.	3		
	c. Application of joint details at each connection.	Periodic	Provide inspection reports to Agent 5 also.	3		

TABLE 1 – STATEMENT OF SPECIAL INSPECTIONS, cont.

MATERIAL/ACTIVITY		EXTENT of INSPECTION (Continuous, Periodic, Other, None)	COMMENTS	AGENT #	DATE COMPLETED	REV #
1704.4 CONCRETE CONSTRUCTION						
1. Inspection of reinforcing steel, including placement.		Periodic		3		
2. Inspection of reinforcing steel welding		None	No welding of rebar specified in contract drawings			
3. Inspect bolts embedded into concrete prior to and during placement of concrete where allowable loads have been increased.		None	Allowable loads have not been increased for lateral loads.			
4. Verify concrete mix design(s)		Periodic	SER to review and approve mix design(s) prior to delivery. Field agent to verify delivery ticket matches approved mix design.	1,3		
5. Sample fresh concrete for strength tests, perform slump and air content tests, and determine temperature of concrete.		Continuous		3,4		
6. Inspection of concrete placement for proper techniques.		Continuous		3		
7. Inspection for maintenance of specified curing temperature and techniques.		Periodic		3		
1704.5 MASONRY CONSTRUCTION - Level 1 Special Inspection for non-essential facility – 1704.5.2						
1. As Masonry Construction begins, the following shall be verified to ensure conformance	a. Proportions of site-prepared mortar	None				
	b. Construction of mortar joints	None				
	c. Location of reinforcement	None				
	d. Pre-stressing technique	None	No pre-stressing in building			
	e. Grade and size of pre-stressing tendons.	None	No pre-stressing in building			
2. The Inspection program shall verify the following:	a. Size and location of structural elements.	None				

TABLE 1 – STATEMENT OF SPECIAL INSPECTIONS, cont.

MATERIAL/ACTIVITY		EXTENT of INSPECTION (Continuous, Periodic, Other, None)	COMMENTS	AGENT #	DATE COMPLETED	REV #
	b. Type, size, and location of embedded anchors.	None				
	c. Size, grade, and type of reinforcing	None				
1704.5 MASONRY CONSTRUCTION - Level 1 Special Inspection for non-essential facility – 1704.5.2						
2. The Inspection program shall verify the following, cont:	d. welding of reinforcing bars	None				
	e. Protection of Masonry during cold weather (temp. below 40 deg F.)	None				
	f. Application and measurement of pre- stressing reinforcement	None	No pre-stressing in building			
3. Prior to grouting, the following shall be verified to ensure compliance.	a. Grout space is clean	None				
	b. Placement of reinforcement	None				
	c. Proportions of site-prepared grout	None				
	d. Construction of mortar joints	None				
4. Grout placement shall be verified to ensure compliance with code and construction document provisions.		None				
5. Preparation of any grout specimens, mortar specimens and/or prisms shall be observed		None				
6. Compliance with required inspection provisions of the construction documents and the approved submittals shall be verified.		None				
1704.6 WOOD CONSTRUCTION						
1. Horizontal Diaphragms and Vertical Shearwalls	a. Inspect sheathing size, grade, and thickness for conformance with construction documents.	None				
	b. Inspect sheathing fastener size and pattern for conformance with construction documents.	None				
	c. Verify attachment to supporting elements is per contract documents.	None				
2. Wood truss fabricator certification / quality control procedures	Verify shop fabrication and quality control procedures for wood truss plant.	None				
3. Material Grading	Verify material grading for sawn lumber for compliance with construction documents. Verify manufactured lumber (LVL's, PSL's) for conformance with	None				

TABLE 1 – STATEMENT OF SPECIAL INSPECTIONS, cont.

MATERIAL/ACTIVITY		EXTENT of INSPECTION (Continuous, Periodic, Other, None)	COMMENTS	AGENT #	DATE COMPLETED	REV #
	construction documents.					
1704.6 WOOD CONSTRUCTION						
4. Wood Connections	Verify that connections are made as shown in the contract documents. For connections not specifically detailed, verify conformance with IBC 2003 Ch. 23	None				
5. Framing	Verify that framing is installed in accordance with construction documents.	None				
6. Pre-Fabricated Wood Trusses	Inspect truss and all bracing installation. Bracing to be installed per fabricator's recommendations and BCSI 1-03	None				
1704.7 SOILS						
1. Site Preparation	Inspect preparation of site for conformance with Geotechnical recommendations prior to placement of prepared fill.	Periodic		3		
2. Fill Placement	During Fill Placement verify that material and lift thickness comply with approved Geotechnical report.	Periodic		3		
3. In-Place Soil Density	Verify compliance of in-place compacted dry density with approved Geotechnical report.	Periodic		3		
1704.7 PILE FOUNDATIONS						
	Record installation and testing of procedures of each pile. Submit reports to building official and EOR. Reports to include pile tip cutoff elevation relative to a common benchmark.	None	No Piles on Job			
1704.10 ARCHITECTURAL WALL PANELS AND VENEERS						
	Verify compliance of attachment of interior and exterior Architectural veneers to supporting structure for building in Seismic Design Category E or F.	None	Building is Seismic Design Category B			

TABLE 1 – STATEMENT OF SPECIAL INSPECTIONS, cont.

MATERIAL/ACTIVITY		EXTENT of INSPECTION (Continuous, Periodic, Other, None)	COMMENTS	AGENT #	DATE COMPLETED	REV #
1704.11 SPRAYED FIRE- RESISTANT MATERIAL	a. Verify conformance of the prepared surface with manufacturer's specifications prior to application of material.	None	No Sprayed Fire-Resistant material in building.			
	b. Verify that substrate's ambient temperature meet manufacturer's specifications.	None				
	c. Verify that material thickness meets design specifications.	None				
	d. Verify that the material density meets the design specifications. Test in accordance with ASTM E 605.	None				
	e. Verify that bond strength between material and substrate is greater than or equal to 150 psf. Test in accordance with ASTM E 736 and IBC 2003 1704.11.5.1 – 1704.11.5.2	None				
1704.12 EXTERIOR AND INSULATION AND FINISH SYSTEMS (EIFS)	Verify conformance of EFIS installation with manufacturers and design specifications.	None	No EIFS on building.			
1704.13 SPECIAL CASES COLD FORMED METAL FRAMING						
1. Framing	Verify member size, thickness, material, and spacing is in accordance with design specifications and drawings.	None				
2. Framing Connections	Verify that member connections are in accordance with design specifications and drawings.	None				
3. Welding	Verify welding of cold formed members is in accordance with design specifications and AWS standards.	None				

TABLE 1 – STATEMENT OF SPECIAL INSPECTIONS, cont.

MATERIAL/ACTIVITY		EXTENT of INSPECTION (Continuous, Periodic, Other, None)	COMMENTS	AGENT #	DATE COMPLETED	REV #
4. Light Gage Trusses	a. Verify that light gage trusses are design in accordance with the loads specified on the contract documents.	None				
	b. Verify that light gage trusses and truss bracing is installed per manufacturers specifications, contract documents, and BCSI 1-03 guidelines.	None				
1704.10 SMOKE CONTROL						
	a. Test ductwork for leakage and recode device locations prior to concealment of mechanical systems.	None				
	b. Prior to building occupation, perform pressure difference testing, flow measurements and detection, and control monitoring.	None				



State of Maine
Department of Public Safety
Construction Permit



Reviewed
for Barrier
Free

17930

Not Sprinkled

DELTA REALTY ADDITION
Located at: 380 WARREN AVENUE
PORTLAND
Occupancy/Use: INDUSTRIAL

Permission is hereby given to:

DELTA REALTY LLC
SUITE 204
120 EXCHANGE STREET
PORTLAND, ME 04101

to construct or alter the afore referenced building according to the plans hitherto filed with the Commissioner and now approved.

No departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provision of Title 25, Chapter 317, Section 2448 and the provisions of Title 5, Section 4594 - F.

Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit will expire at midnight on the 24 th of February 2009

Dated the 25 th day of August A.D 2008

Commissioner

Copy-2 Architect

Comments

JAMES M. STREETER

66 GARSOE STREET
PORTLAND, ME 04103



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Planning and Urban Development
Penny St. Louis Littell, Director

Planning Division
Alexander Jaegerman, Director

August 6, 2008

Stephen J Bradstreet, PE
Oak Engineers
400 Commercial Street, Suite 404
Portland, ME 04101

Delta Realty Co Inc.
120 Exchange Street, Suite 204
Portland, ME 04101

RE: Warehouse Addition, Rear of 380 Warren Avenue
CBL: #303 E001001
Application ID: #2008-0035

Dear Mr Bradstreet,

On August 6, 2008 the Portland Planning Authority approved a minor site plan for a 2800 sq ft warehouse addition (to be added to the existing 6000 sq ft warehouse that was approved in 2001) at the rear of 380 Warren Avenue, as submitted by Delta Realty Inc and shown on the approved plan prepared by Oak Engineers and dated July 25, 2008, with the following conditions:

- i. Truck backing maneuvers from Warren Avenue into the proposed site are prohibited; and
- ii. Tractor trailer trucks are prohibited from the proposed site (warehouse addition area to rear); and
- iii. The applicant shall be responsible for removing all signage at the Warren Avenue entrance that conflicts or is not appropriate for two-way driveway traffic operations. Removal of the signs shall be coordinated with the Department of Public Services.

The approval is based on the submitted site plan (C-100 Rev D; C-101 Rev D; C-102 Rev D). If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
2. 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.

3. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
4. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874- 8728.

Sincerely,



Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Services Director
Kathi Earley, Public Works

Bill Clark, Public Works
Michael Farmer, Public Works
Jim Carmody, City Transportation Engineer
Jane Ward, Public Works
Captain Greg Cass, Fire Prevention
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File

TOTAL AREA = 35,683± S.F.

2690± S.F.(2)
AC.

LOT PLAN THIS AREA
"SURVEY FOR DANA REALTY CO., INC."
PLAN BOOK 203, PAGE 701

Mulched Flowerbed
(with 3 beehives)

Granite Curb

20' DRAIN. EASE.
TO
CITY OF PORTLAND
BK. 8272, PG. 263
DATE 11-17-2010

DRAINAGE

EASEMENT

P.I.N. 010544.00

○ - RAILROAD SPIKE

△ - CONTROL MONUMENTS

DEPARTMENT OF TRANSPORTATION - CENTERLINE CONTROL

MAINE STATE COORDINATE SYSTEM - ZONE

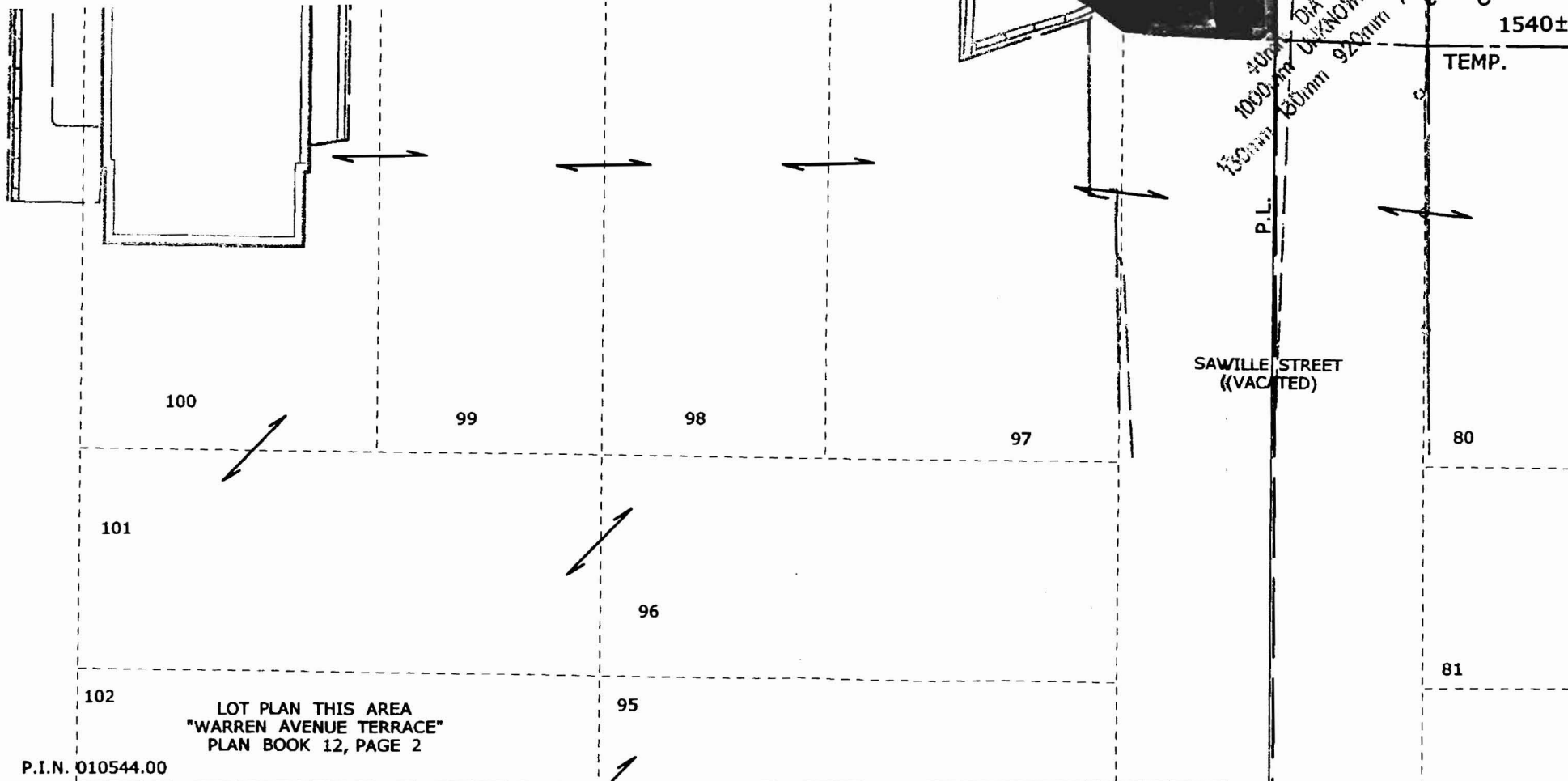
IE CONTROL MONUMENTS

TRAVERSE CONTROL POINTS

NORTH		EAST		NUMBER	NORTH		EAST	

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION - AUGUSTA, ME 04333-0016
RIGHT OF WAY MAP
WARREN AVENUE

DODT AND



P.I.N. 010544.00

LOT PLAN THIS AREA
"WARREN AVENUE TERRACE"
PLAN BOOK 12, PAGE 2

AN THIS AREA
AVENUE TERRACE"
BOOK 12, PAGE 2

ONUMENTS

POINTS

EAST

STATE OF MAINE DEPARTMENT OF TRANSPORTATION

16 STATE HOUSE STATION - AUGUSTA, ME 04333-0016

RIGHT OF WAY MAP

WARREN AVENUE

PORTLAND

CUMBERLAND COUNTY

FEDERAL AID PROJECT NO. STP-1054(400)X

DATE: MARCH 2006

SCALE: 1 = 250

DAVID A. COLE

COMMISSIONER

PLAN BOOK PAGE

COUNTY
INSTRUMENT DA1



NORTH



6. FERTILIZ
18.4 LB
7. LIMESTO
AT 138
8. MULCH
9. WINTER
OR STR.
10. ALL ERO
AFTER F
REPLACI
11. SEEDED
WORK.
MAINTEN
ANY AR
SEEDING
12. TEMPOR
GRADING
13. THE CO
DURING
14. EROSION
a)
A)
b)
c)
d)
e)
C)
f)

PLANT

1. PLANTII
2. ALL PL
SOUND,
MEASUI
STOCK,
3. ALL PL
REMOVI
GIRDLE
UTILIZI
4. BACKFI
SHALL
ROOT &
AND IN
5. ALL PL
SHALL
APPLIC
FEED V
INSTRU
6. THREE



WARREN AVENUE

THE ACCESS IS TWO WAY NEAR WARREN AVE AND ONE WAY WITHIN THE TRADE CENTER SITE AND SIGNAGE WILL BE ADJUSTED AS APPROVED BY THE CITY AS PER SITE PLAN APPROVAL CONDITIONS

INSTALL NEW HYDRANT AND VALVE

90' TO
FIRE HYDRANT

745' TO
FIRE HYDRANT

SAVILLE STREET VACATED
BY THE CITY OF PORTLAND
IN 1997

NEWCOMB STREET VACATED
BY THE CITY OF PORTLAND
IN 1997

DELTA REALTY CO. INC.
7571/292
1.97 ACRES
H0.009 S.F.

ALL FEATURES NOT SHOWN FOR THIS PROJECT
PAVEMENT SHOWN PER PREVIOUS SITES

TOTAL AREA 3.28 ACRES

NOTE: ALL ONSITE SOILS ARE
BgB AND BuC2 OR BELGRADE
VERY FINE SANDY LOAM
THESE SOILS ARE CONSIDERED
HYDROLOGIC GROUP B

DELTA REALTY CO. INC.
15800/107
AREA INCLUDING PORTION OF
NEWCOMB ST
1.03 ACRES
SC 152 S.F.

PROPOSED
WAREHOUSE
2,800 S.F.

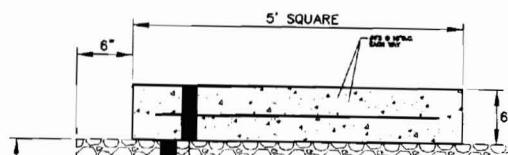
OVERALL SITE PLAN

SCALE: 1" = 30'

NOTES: CONDITIONS OF SITE PLAN APPROVAL

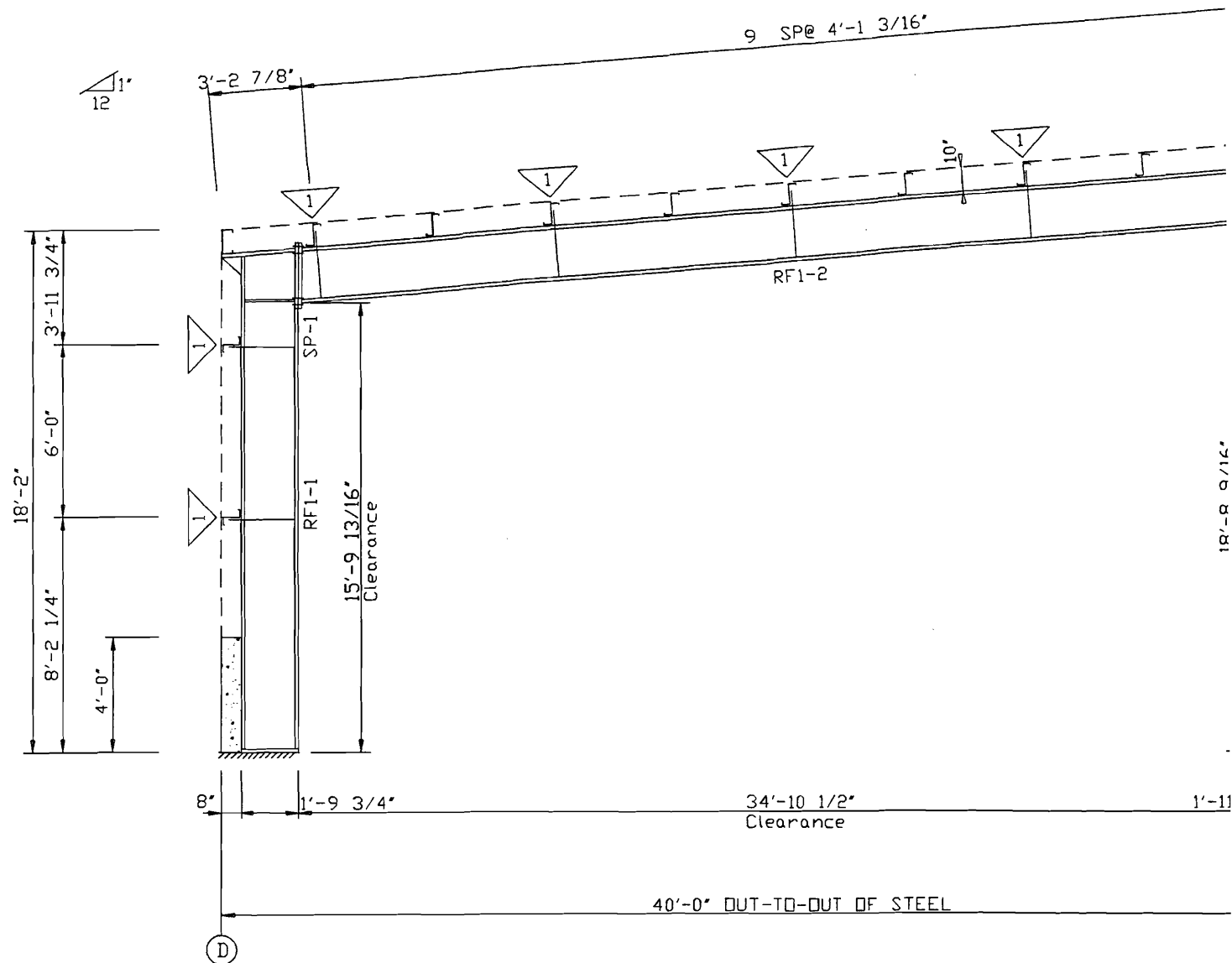
1. TRUCK BACKING MANEUVERS FROM WARREN AVENUE INTO THE PROPOSED SITE ARE PROHIBITED.
2. TRACTOR TRAILER TRUCKS ARE PROHIBITED FROM THE PROPOSED SITE (WAREHOUSE ADDITION TO REAR).

SCALE: HORIZONTAL



FLANGE BRACE TABLE			
▽ ID	MARK	LENGTH (in)	SIDES
1	FB6A	42.130	1
2	FB7A	43.250	1
FBxA - 2"x2"x1/8"			
FBxB - 2-1/2"x2-1/2"x3/16"			

PIECE
RF1-1
RF1-2
RF1-3



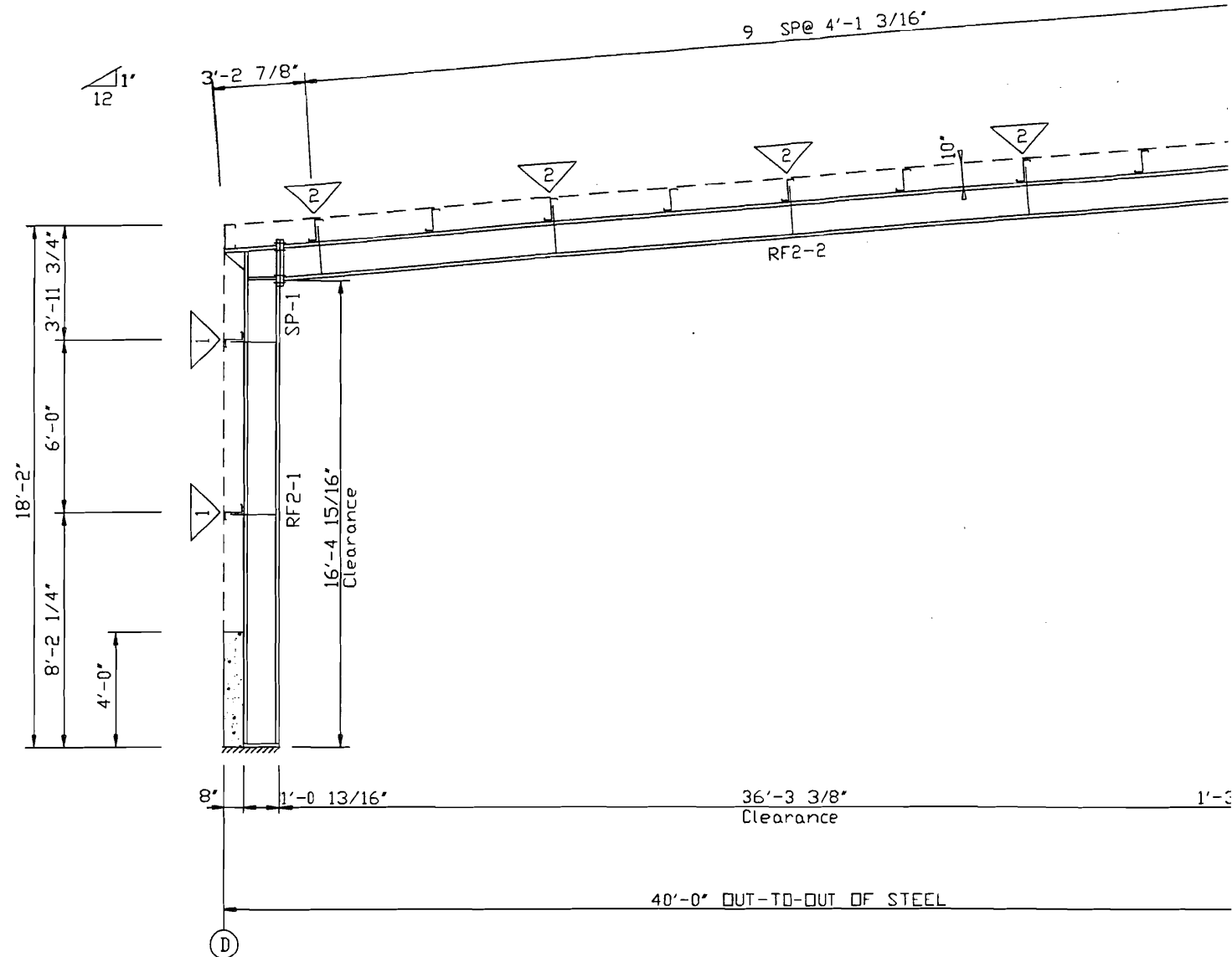
BUILDING CROSS SECTION

SPlice BOLTS						
Splice Mark	Quan		-----Bolt-----			
	Top	Bot/Int	Type	Dia	Len	
SP- 1	4	4	0	A325	0.750	2.00
SP- 2	4	4	0	A325	0.750	2.25

FLANGE BRACE TABLE			
▽ ID	MARK	LENGTH (in)	SIDES
1	FB2A	27.130	1
2	FB4A	27.750	1
3	FB3A	27.630	1
4	FB5A	28.750	1

FBxA - 2"x2"x1/8"
 FBxB - 2-1/2"x2-1/2"x3/16"

PIECE
RF2-1
RF2-2
RF2-3

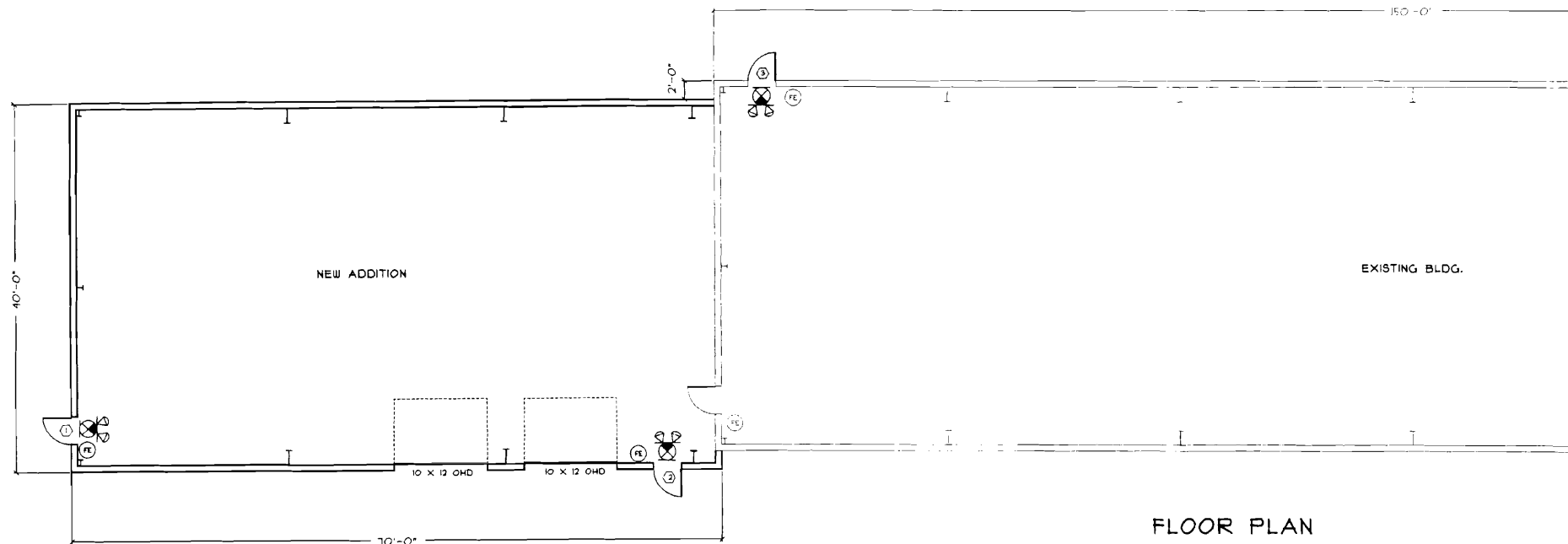


BUILDING CROSS SECTION

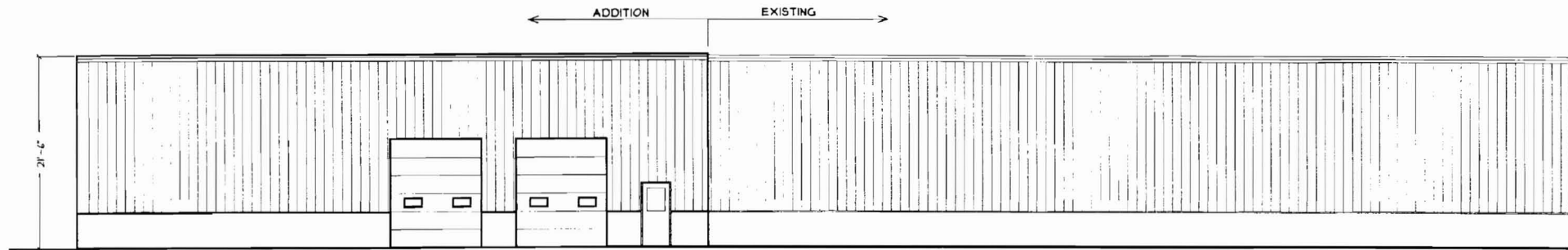
IBC 2003: CODE DATA	
OCCUPANT LOAD - TABLE 1004.1.2	19
USE GROUP CLASSIFICATION - SECTION 31	S-1
TYPE OF CONSTRUCTION - TABLE 503	V-B
ACTUAL BUILDING AREA	6800 S.F.
BUILDING AREA LIMITATION - TABLE 503	1000 S.F.
STREET FRONTAGE INCREASE - 5042	NA
AUTOMATIC SPRINKLER SYS. INCREASE - 5043	NONE
ALLOWABLE BUILDING AREA	1000 S.F.
BUILDING HEIGHT	27'-6"
FIRE SUPPRESSION:	
FIRE WALLS & PARTY WALLS	NA
STAIR ENCLOSURES	NA
SHAFTS	NA
EXIT ACCESS CORRIDORS	NA
INTERIOR LOAD BEARING WALLS	NA
STRUCTURAL MEMBER SUPPORTING WALLS	NA
FLOOR CONSTRUCTION	NA
ROOF CONSTRUCTION	NA
INCIDENTAL SPACES	NA
ACCESSORY USE	NA
FIRE EXTINGUISHERS	SEE FLOOR PLAN
GENERAL NOTES	

NFPA 101: CODE DATA - 2006 EDITION	
OCCUPANT LOAD - TABLE 1.3.1.2	NA
USE GROUP CLASSIFICATION	STORAGE
TYPE OF CONSTRUCTION	V (1000)
ACTUAL BUILDING AREA	6800 S.F.
BUILDING HEIGHT	27'-6"
FIRE SUPPRESSION:	NONE
FIRE WALLS & PARTY WALLS	NA
STAIR ENCLOSURES	NA
SHAFTS	NA
EXIT ACCESS CORRIDORS	NA
INTERIOR LOAD BEARING WALLS	NA
STRUCTURAL MEMBER SUPPORTING WALLS	NA
FLOOR CONSTRUCTION	NA
ROOF CONSTRUCTION	NA
INCIDENTAL SPACES	NA
ACCESSORY USE	NA
FIRE EXTINGUISHERS	SEE FLOOR PLAN
GENERAL NOTES	

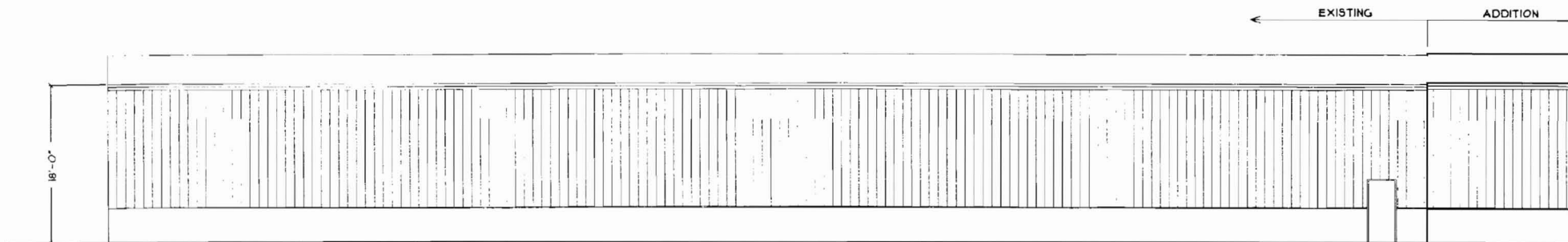
IECC - 2003 CLIMATE ZONE 15	
WINDOW TO WALL RATIO (WWR)	5.10 %
SLAB OR BELOW GRADE WALL REQUIRED "R" VALUE	0
SLAB OR BELOW GRADE WALL ACTUAL "R" VALUE	10
ROOF ASSEMBLIES REQUIRED "R" VALUE	20
ROOF ASSEMBLIES ACTUAL "R" VALUE	20
FLOORS OVER UNCOND. SPACE REQUIRED "R" VALUE	NA
FLOORS OVER UNCOND. SPACE ACTUAL "R" VALUE	NA
ABOVE GRADE WALLS REQUIRED "R" VALUE	13
ABOVE GRADE WALLS ACTUAL "R" VALUE	13
CMU OR MASONRY WALLS REQUIRED "R" VALUE	5
CMU OR MASONRY WALLS ACTUAL "R" VALUE	5
WINDOWS & GLASS DOORS REQUIRED SHGC	ANY
WINDOWS & GLASS DOORS REQUIRED "U" VALUE	.1
PASS DOORS ACTUAL "U" VALUE	.4
OVERHEAD DOORS ACTUAL "U" VALUE	.04
WINDOWS ACTUAL "U" VALUE	NA



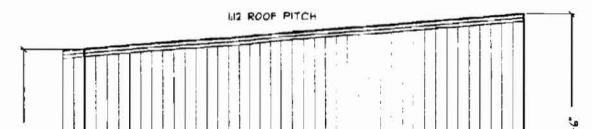
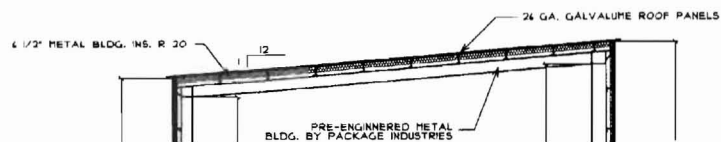
FLOOR PLAN

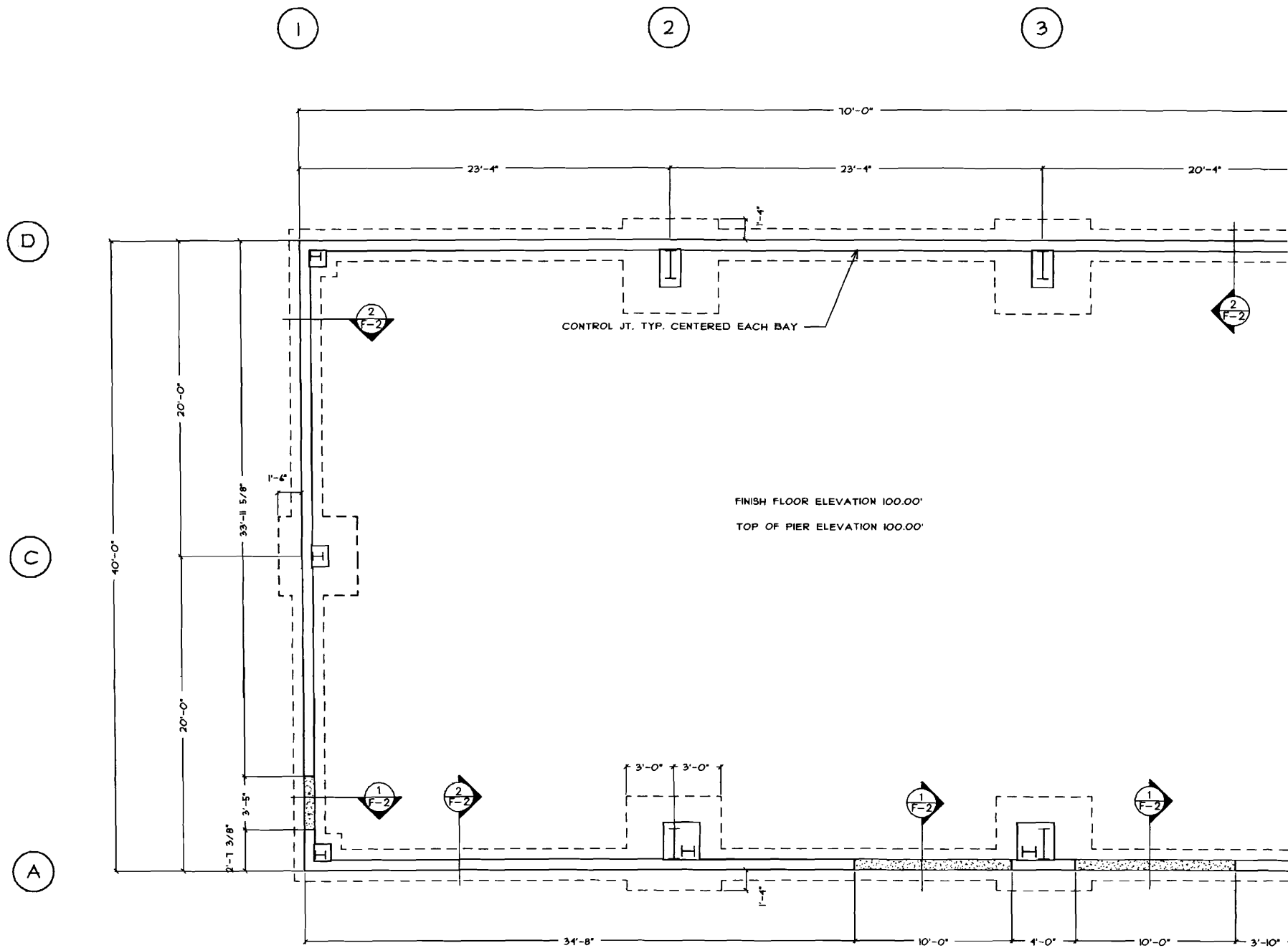


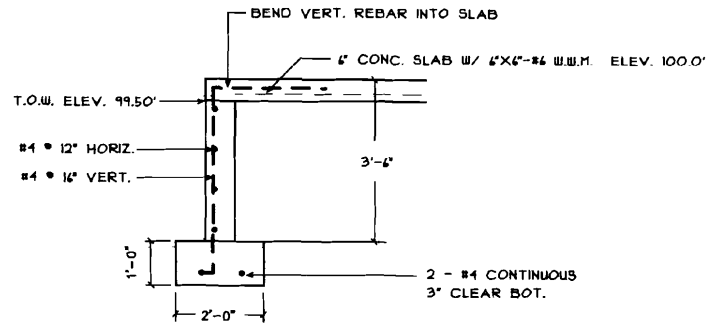
NORTH ELEVATION



SOUTH ELEVATION

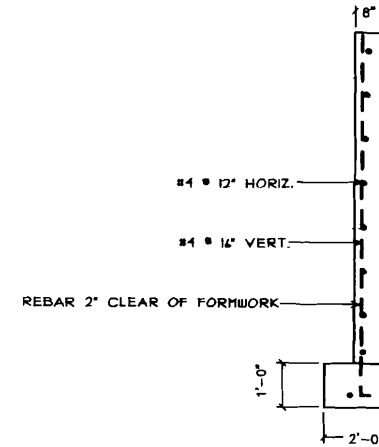
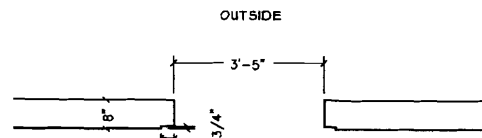






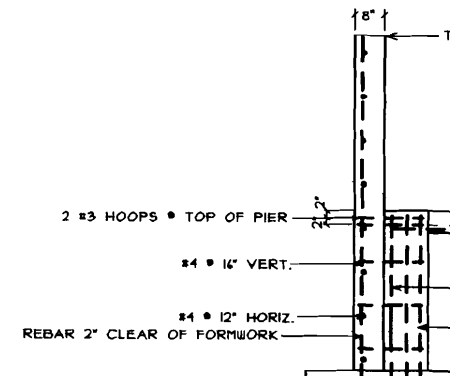
SECTION THRU DOOR OPENINGS

SCALE: 1/2"=1'-0"



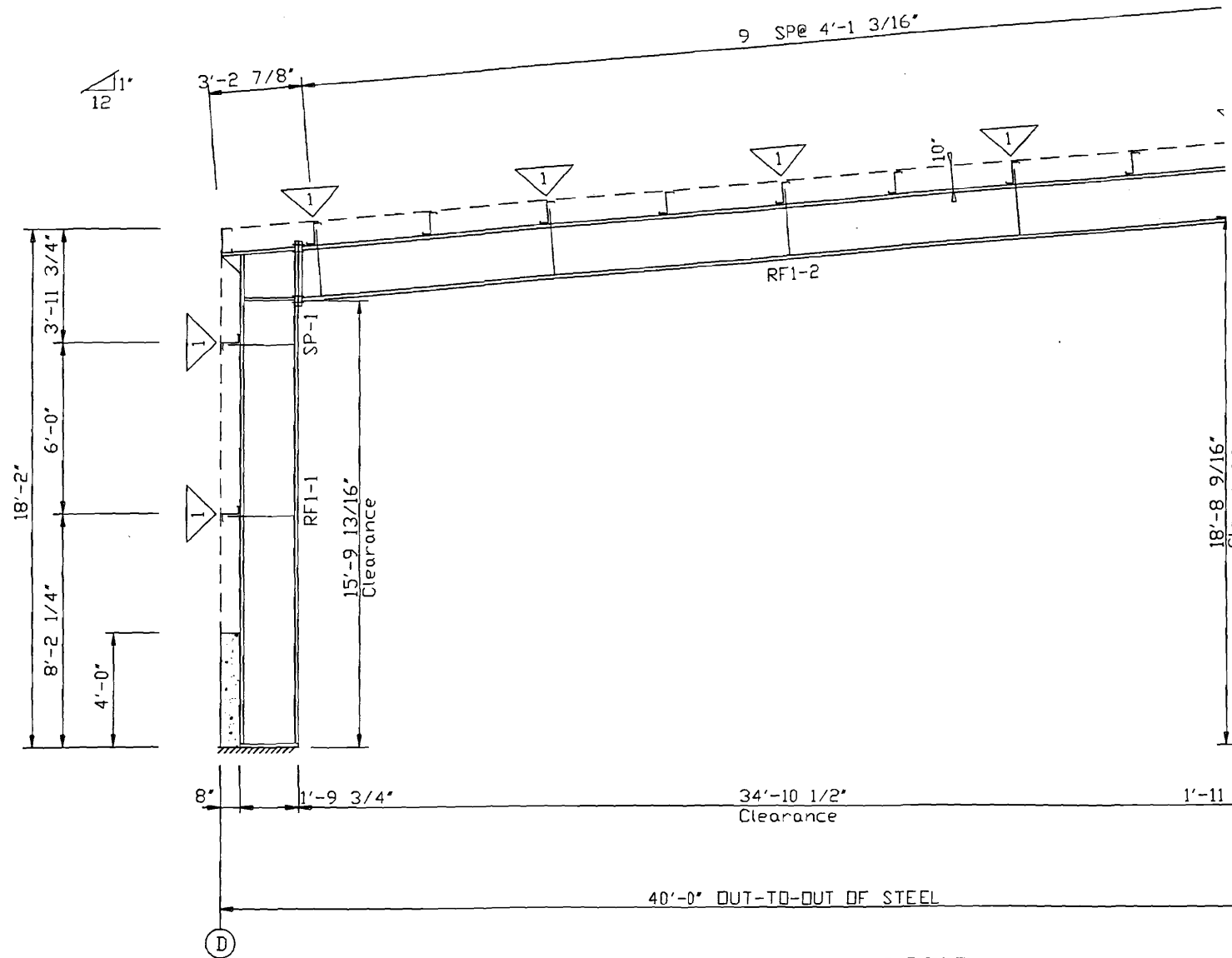
WALL 9

SCALE: 1/2"



PIECE	
RF1-1	
RF1-2	
RF1-3	

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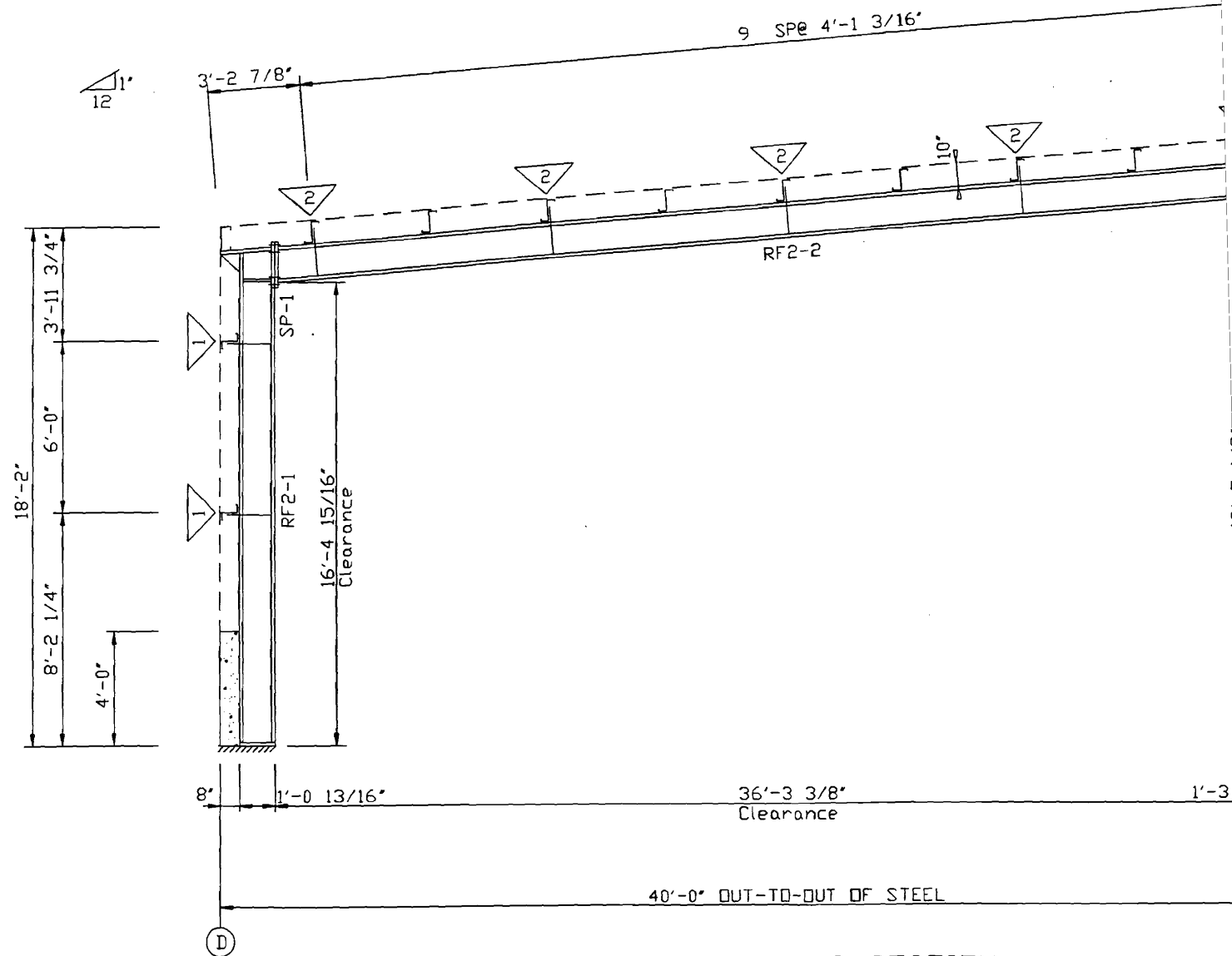
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PIECE
RF2-1
RF2-2
RF2-3



BUILDING CROSS SECTION