



CITY OF PORTLAND
Permitting and Inspections Department

6/5//2019

Ben Roper
Superior Roofing
21 Leighton Ave.
Portland, ME 04013

CBL: 312 A002001 & 306 A003001
Located at: 525 Riverside St & 21 Leighton Ave.

Mr. Roper:

The City of Portland has received several complaints regarding the condition of the above-referenced properties. An inspection of the properties by officials from the City's Planning and Urban Development and Permitting and Inspections Departments on 05/16/19 revealed that a number of violations of the City of Portland Code of Ordinances exist on these properties and need to be addressed.

Specifically, our visual inspection revealed clearing of vegetation, regrading, increasing the impervious surface on the site, filling a wetland, and using the land for exterior storage of commercial materials without having obtained site plan or other necessary approvals. Additionally, you told City Staff that the principal use of the building located at 21 Leighton Ave has been changed to a business occupancy without prior approval of that change of use. These actions violate a number of provisions in the City's Code of Ordinances, including: Chapter 14, Section 14-463 (relating to use and occupancy); Section 14-57, and the City's Site Plan ordinance at Sections 14-521 through 14-540.

Given the present condition of this Property, what appear to be multiple violations of City Code, and the significant public health and safety risks present there, you must take the following steps in order to bring the Properties into compliance:

1. Apply for an After-the-Fact Level II Site Plan review for the site alteration, which includes but is not limited to, the clearing of vegetation, regrading of the site, installing impervious materials, installation of drainage ways or driveways, filling a wetland and other site work by July 15, 2019. Please be aware that the site plan must be based upon a stamped survey of the site and the site plan must be prepared by a licensed civil engineer. The application is available online at: <https://portlandmaine.gov/754/Development-Review>
2. Apply for a change of use permit for any deviation from the approved use at these properties.

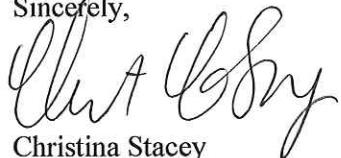
3. Apply for any applicable building permits for any building renovations done or proposed.
4. Submit evidence of all necessary approvals from the appropriate State agencies, particularly Maine's Department of Environmental Protection, relating to wetlands or storage of hazardous materials on the Properties.

When you met with City Staff on 05/16/19, you agreed to the immediate removal of the fill material from the wetlands adjacent to the stream and removal of stockpiled loam from around existing trees. This work must be completed immediately. You must also immediately provide erosion and sedimentation control measures in compliance with City Code, Chapter 32.

Any and all site work proposed in the future including but not limited to additional clearing, installation of fences, and/or laying of gravel or pavement, must be reviewed by the Planning & Urban Development Office through Site Plan review process of Article V of the Land Use Code. The site alteration work must meet the standards of review contained in Section 14-526 and the relevant standards in Portland's Technical Manual

Thank you for your prompt attention to these matters and for your expressed willingness to work cooperatively to promptly bring your properties into compliance. Please contact us with any questions and be aware that if you do not do the requested actions, we will pursue formal enforcement that may include fines.

Sincerely,



Christina Stacey
Zoning Specialist
Permitting and Inspections Department



Jodie Keene
Development Review Coordinator
Planning and Urban Development Department

cc: Keri Ouellette, Acting Director, Permitting and Inspections Department
Christine Grimando, Director, Planning Division, Planning and Urban Development Dept
Doug Roncarati, Water Resource Compliance, Department of Public Works
Randy McMullin, Division of Materials Management, DEP
Alison Sirois, Regional Licensing and Compliance Manager, Southern Maine
Bureau of Land Resources, Maine Department of Environmental Protection