

Division of Housing & Neighborhood Service
Mark Adelson, Director



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

Inspection Services
P. Samuel Hoffses
Inspector of Buildings

CITY OF PORTLAND

28 June, 1999

Geoff Gregler
Air Temp
11 Wallace Ave.
South Portland, ME 04106

RE: 66 Milliken Rd., Portland, ME 333-K-025

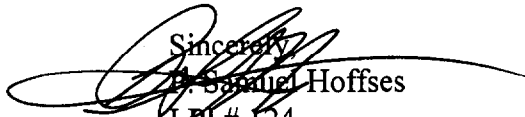
Dear Sir:

As per our meeting today with Mr. Dana Tuttle, State of Maine, Plumbing Inspector and Mr. Calvin Coolidge Brown, Operations Manager of Durastone, I will be issuing an internal Plumbing Permit #6935 for the installation of a proposed discharge pump system designed by Mr. Harold Shackelford, P.E. #2638.

The drawing designed by Mr. Shackelford, P.E. was reviewed and approved by Mr. Tuttle and myself pursuant to Section 7.L and Chapter 15 of the State of Maine Internal Plumbing Rules Chapter 238.

This permit is being issued with the understanding that all piping shall be done to Mr. Shackelford requirements and all discharges from the proposed system shall be done in accordance with the approved drawings and requirements as set forth by Steve Harris, Sr. Engineer, Portland Public Works Department.

If you have any questions on this matter, please call me at 874-8704.

Sincerely,

P. Samuel Hoffses
LPI # 124

cc: Joseph E. Gray, Jr., Director of PUD
Mark Adelson, Director of HCS
Ms. Penny Littell, Corp. Counsel
Mr. Dana Tuttle, State Plumbing Inspector
Mr. Steve Harris, Sr. Engineer

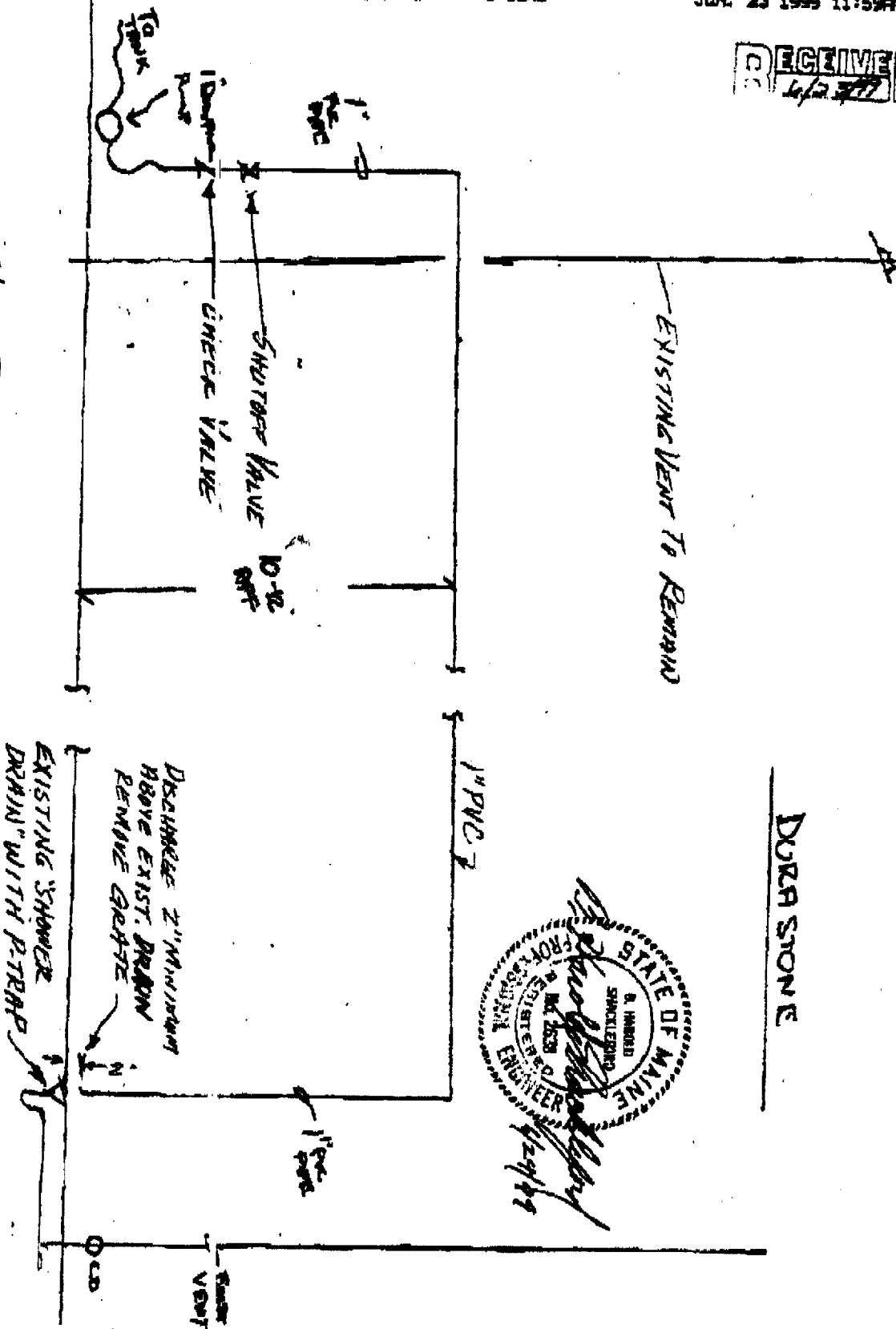
FROM: AIRTEMP INC

FIG NO. : 871 1345

JUN. 23 1999 11:59AM P1

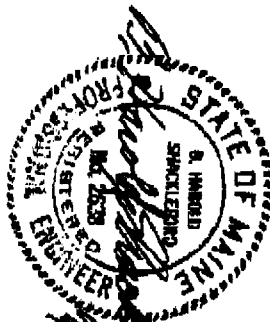
RECEIVED
6/23/99

Elevation



SIMONS STREET E 364

DURASTONE



CITY OF PORTLAND, MAINE

PLANNING BOARD

Jaimey Caron, Chair
Deborah Krichels, Vice Chair
Kenneth M. Cole III
Cyrus Y. Hagge
Erin Rodriguez
Mark Malone
Orlando E. Delogu

March 1, 2000

Peter Bolduc
Meguire Hill Farm
P.O.Box 219
Mechanic Falls, ME 04256

re: Reuse of 66 Milliken Street

Dear Mr. Bolduc:

On February 22, 2000, the Portland Planning Board voted unanimously (6-0; Malone absent) to approve your application to reuse the site and building at 66 Milliken Street. The Board found that the application met the standards of the Site Plan ordinance of the Land Use code and DEP Site Location of Development..

The approval was granted for the project with the following conditions:

- i. The design engineer of record, BH2M, shall provide a certification upon completion of construction that the work is in substantial conformance to the approved plans and that all conditions of approval have been satisfied.
- ii. That all floor drains in the building be permanently sealed to the satisfaction of the Public Works Department, Engineering Division.
- iii. That prior to issuance of a building permit, the applicant will submit for Planning staff review and approval the lighting specifications for the proposed wall mounted fixtures.
- iv. That the Planning Board approval is for a "grain-related" process only.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report # 7-00, which is attached.

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

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 1.7% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

2. 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.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work'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 preconstruction meeting.
5. 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 (who is located at DeLuca Hoffman at 775-1121) must be notified five (5) working days prior to date required for final site inspection. 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 the Planning Staff.

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
Sarah Hopkins, Senior Planner
P. Samuel Hoffses, Building Inspector
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Development Review Coordinator
William Bray, Director of Public Works
Nancy Knauber, Associate Engineer
Jeff Tarling, City Arborist
Charlie Lane, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention

Inspection Department
Lee Urban, Director of Economic Development
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter File

Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

Steven & Sandra Capriola
23 Saugus Street
Portland, ME 04103

February 22, 1999

RE: Maine Rubber, Int., I-M Zone - 333-K-25 & 33-A-13

Dear Mr & Mrs Capriola,

I am in receipt of your letter dated Feb. 19, 1999. Please note that as a Zoning Administrator I am required to interpret and enforce the Land Use Zoning Ordinance as it is written. I cannot ignore what is written or enforce it in an arbitrary manner. It is the job of the Planning Division and Planning Board to enact written changes or new guidelines. The final approval on those changes lies on the shoulders of the City Council.

It is my understanding that there is some new text amendments being proposed to the City Council concerning the dilemma you have written me. It has had the first reading before the Council, and will have a second reading before the Council on March 1, 1999. At that meeting public comments are taken prior to action on the proposal. I encourage you and your neighbors to participate.

Whatever the outcome of this Council action, it is my job to enforce their decisions by way of the Zoning Ordinance. I intend to continue that responsibility. I will, however, pass on your letter and comments to the Planning Division so that they are aware of your specific concerns. Thank you for your comments.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: Robert Ganley, City Manager
Charlie Harlow, City Councilor
Joseph Gray, Jr., Dir. of Planning & Urban Dev.
Gary Wood, Corporation Council
Alex Jaegerman, Chief Planner
Sarah Hopkins, Senior Planner
Penny Littell, Corporation Council
Mark Adelson, Housing & Neighborhood Services
File

23 Saugus Street
Portland, ME 04103

E-mail: SSCapriola@aol.com

Feb. 19, 1999

Marge Schmukal
Zoning Administrator
Portland City Hall
389 Congress St.
Portland, ME 04101

*Received
2/22/99*

Ms. Schmukal,

Maine Rubber is planning to relocate their existing factories in Westbrook and Scarborough to the Durastone building on Milliken St. off Riverside Industrial Parkway. This site borders on large, growing residential communities in north Portland, in particular Riverton and North Deering.

Our neighborhoods are clean and quiet and make its citizens proud to be living in the city of Portland. We understand that we are next door neighbors to an area currently zoned as a medium impact industrial (IM) zone. Historically this industrial zone has been of the light impact type, until rezoned in or around 1994. Current use in this zone is of the light impact type and many of us have built homes in this area of Portland with this in mind and for the most part have been at ease with our "industrial" neighbors. However, we never expected a tire factory to move in next door. Our concerns are that this factory will produce excessive noise and odor that will negatively impact our quality of life and the value of our homes. In addition, hazardous and cancer causing compounds will be used at this facility.

At an informational meeting, organized by councilor Charlie Harlow and held on Feb. 2nd of this year, Maine Rubber and Wishcamper Properties (who will actually purchase the site and lease to Maine Rubber) presented their case to many concerned residents in this area. They did their best to alleviate our fears about noise and odor pollution. Unfortunately we are not convinced that there will be no impact on our neighborhood.

We are asking that the city of Portland ensure its tax paying residents that a factory of this type will not be allowed to set up shop within such close proximity to our family oriented neighborhood. We ask that the city accomplish this by denying this company (and any similar type company) from occupying this site by either setting strict guidelines for smell and sound emitting from the site or by re-zoning the area as an industrial light impact (IL) zone.

Thank you for your consideration in this very important matter.

Sincerely,

Steven Capriola
Steven Capriola

Sandra Capriola
Sandra Capriola

Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

Sally A. Hauber
171 Regan Lane
Portland, ME 04103

February 26, 1999

RE: Maine Rubber, Int., I-M Zone - 333-K-25 & 333-A-13

Dear Sally Hauber,

I am in receipt of your letter dated Feb. 24, 1999. Please note that as a Zoning Administrator I am required to interpret and enforce the LandUse Zoning Ordinance as it is written. I cannot ignore what is written or enforce the Ordinance in an arbitrary manner. It is my interpretation that Maine Rubber is a permitted use in the I-M Zone as it is written today. It would be subject to the external effects requirements within this zone. It is the job of the Planning Division and Planning Board to enact written changes or new guidelines. The final approval on those changes lies on the shoulders of the City Council.

It is my understanding that there is some new text amendments being proposed to the City Council concerning the dilemma you have outlined. It has had the first reading before the Council, and will have a second reading before the Council on March 1, 1999. At that meeting public comments are taken prior to action on the proposal. I encourage you and your neighbors to participate.

Whatever the outcome of this Council action, it is my job to enforce their decisions by way of the Zoning Ordinance. I intend to continue that responsibility. Thank you for your comments.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: Tom Kane, Mayor
George Campbell
Karen Geraghty
Cheryl Leeman
Charles Harlow
Philip Dawson
Nicholas Mavodones, Jr.
James Cloutier
Nathan Smith
William Norbert
Robert Ganley, City Manager

Joseph Gray, Jr., Dir. Planning & Urban Dev.
Alex Jaegerman, Chief Planner
Planning Board Members:
John Carroll
Jaimey Caron
Kenneth Cole III
Cyrus Hagge
Deborah Krichels
Erin Rodriguez
Mark Malone