

333A-B-5

1999-0129

~~XXXXX XXXXXXXXXX~~
333-A-B-5

232 Riverside Ind. Pkway
Bld. Addition /warehouse
Abatement Professionals

on Spreadsheet

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

October 9, 2002

Mr. Robert Rickett
Abatement Professionals Corp.
232 Riverside Industrial Parkway
Portland, ME 04103

RE: Filling at 232 Riverside Industrial Parkway

Dear Mr. Rickett:

Thank you for your phone response and letter in reference to the filling at 232 Riverside Industrial Parkway.


After looking further into this area, it is unclear as to whether this fill is located on your property, or if it encroaches into a city right of way. The City's public works department also alerted me that there is a sanitary sewer line in this area that would be affected by the amount of fill placed in this area.

Because of the proximity to the drainage course and the sewer line, the City requests that you apply for an amended minor site plan as part of the resolution to this matter. Plans should be stamped by a professional engineer, and should include, but not be limited to the following:

1. Location of fill,
2. Applicable boundary information,
3. Slope stabilization details,
4. Erosion control measures.

Please contact me at 874-8632 if you have any questions.

Sincerely,


✓ Jay Reynolds

Development Review Coordinator

cc: Lee Urban, Planning and Development Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
Marge Schmuckal, Zoning Administrator
Todd Merkle, Public Works
File

ABATEMENT PROFESSIONALS

FACSIMILE TRANSMITTAL SHEET

To: Jay Reynolds	From: Robert W. Rickett, Jr. - President
FAX NUMBER: 756-8258	Date: 10/03/02
COMPANY: City of Portland	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER: 878-5922	RE: Filing at 232 Riverside Ind Parkway

- URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY
 PLEASE RECYCLE

NOTES/COMMENTS:

CONFIDENTIAL



232 Riverside Industrial Parkway, Portland, ME 04103

Tel. (207) 878-5922 • Fax (207) 878-5458

October 3, 2002

Jay Reynolds
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Filling at 232 Riverside Industrial Parkway

Dear Mr. Reynolds:

Please except this letter as a follow up to your letter dated 9/24/02. Regarding my property located at 232 Riverside Industrial Parkway, Portland, Maine.

Approximately three years ago we had a building permit to construct an addition to our facility, during that construction process there were several loads of fill that were moved to allow for the foundation. This fill was placed in an area where current activity was taking place at the time.

Earlier this year I had Les Wilson & Son's of Westbrook come to clean up the area, as this area was starting to get overgrown, and was starting to cause a safety issue for our employees when exiting our place of business.

At the time when Les Wilson had completed the grading, Glidden Excavating was starting a small project down the street from us and noticed that our newly cleaned area looked like a place for them to dump several loads of clean fill that was being excavated.

Glidden, after speaking with my warehouse foreman, phoned me to ask if it was all right for them to dump the 8-10 loads of fill. I told him that as long as it was legal, I had no problem with it. Glidden informed me that we would need to put up a silt fence, which we had left from when the addition had been completed.

I am very sorry to learn that there has been a problem with what was done.

I have had a conversation with Les Wilson and Son's of Westbrook, and they will be coming to my property during the week of October 6, 2002. They will be bringing a backhoe to make sure that there will not be any fill blocking the drainage in that area. They will be installing stone to make a place for the water to drain and will also be installing seed and mulch to all of the sloped areas.

I hope that this plan is sufficient for you and the city. Please feel free to contact me if you need anything further.

Regards,

A handwritten signature in black ink, appearing to read 'Robert W. Reynolds', is written over a horizontal line.

RWRJR
President

ABATEMENT PROFESSIONALS

FACSIMILE TRANSMITTAL SHEET

To: Jay Reynolds	From: Robert W. Rickett, Jr. - President
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 PLEASE RECYCLE

NOTES/COMMENTS:

CONFIDENTIAL



232 Riverside Industrial Parkway, Portland, ME 04103

Tel. (207) 878-5922 • Fax (207) 878-5458

October 3, 2002

Jay Reynolds
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Filling at 232 Riverside Industrial Parkway

Dear Mr. Reynolds:

Please except this letter as a follow up to your letter dated 9/24/02. Regarding my property located at 232 Riverside Industrial Parkway, Portland, Maine.

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RWRJR
President

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

STOP WORK NOTICE

September 24, 2002

Abatement Professionals Corp.
232 Riverside Industrial Parkway
Portland, ME 04103

RE: Filling at 232 Riverside Industrial Parkway

Dear :

It was observed that filling is taking place on your property at 232 Riverside Industrial Parkway, and that a drainage course is being altered in as a result.

This is a **STOP WORK ORDER** pursuant to Section 14-522 of the Land Use Ordinance. **All filling must stop and the current erosion that's occurring must be corrected immediately. Furthermore, the material must be removed from the drainage course and the side slopes returned to their natural grade with vegetated cover by October 30, 2002.**

Should you wish to alter the drainage and grading of the site, you must apply for Site Plan Review with plans prepared by a professional engineer.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 121.5 of the Code. Please feel free to contact me at 874-8632, or Sarah Hopkins at 874-8720, if you wish to discuss the matter or have any questions.

Sincerely,

Jay Reynolds

Development Review Coordinator

cc: Lee Urban, Planning and Development Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
Marge Schmuckal, Zoning Administrator
Fred Gallant, Maine Department of Environmental Protection
File



CITY OF PORTLAND

October 8, 1999

Philip Doughty
Philip J. Doughty Associates
364 U.S. Route One
Falmouth, ME 04105

re: Abatement Professionals Building Addition at 232 Riverside Parkway

Dear Mr. Doughty:

On October 8, 1999 the Portland Planning Authority approved your Site Plan application to construct an addition at 232 Riverside Street.

The Planning Staff will contact you regarding the assessment of an engineering and inspection fee. However, a performance guarantee will not be required.

1. 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 Works 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.)

O:\PLAN\CORRESP\SECRETARY\FORMS\SITPLAN.WPD

cc: File-1.2.4

Enclosures

Very truly yours,
Phillip J. Doughty
Phillip J. Doughty, A.I.A.

Please contact me if there is anything further to discuss.

Accompanying this cover letter are two drawings. The first is a revision to the Titcomb Associates drawing left with you originally with a building plan correction. The second is our proposed site plan. The proposed plan indicates existing (pre) and post development ratios of pervious and impervious surfaces. It also indicates two roof drains which will drop within the building to an elbow which exits the building to a crushed rock bed to dissipate the energy of the water flow at grade.

Dear Sarah:

Project: Abatement Professionals — Riverside Drive Existing Building Expansion
RE: Site Plan Review

Sarah Green Hopkins
Planning Department
Portland (City of)
389 Congress Street
Portland ME 04101

September 30, 1999

990-010

364 U.S. Route One, Falmouth, ME 04105
Telephone: 207.781.5346
e-mail: pjd1108@aol.com
Fax: 207.781.2908

PDA Phillip J. Doughty Associates — Architects

PLANNING DEPARTMENT CHECKLIST AND WORKSHEET

ID Number

Application Date

Project Name/Description

Abatement Proj
Applicant

Applicant's Mailing Address

Consultant/Agent

Address of Proposed Site

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):

Office

Retail

New Building

Building Addition

Change of Use

Other (specify)

Manufacturing

Warehouse/Distribution

Parking Lot

Proposed Building Square Feet or # of Units

Acres of Site

Zoning

Final Review
(o.k., Condition
of Approval)

Complete Plan
(yes, no, n/a)

Staff Reviews
(dates, comment)

Planner:

I. Zoning Compliance

II. Site Plan Review

1. Vehicular Circulation/Connections

1a. Curbs and Sidewalks

2. Pedestrian Circulation/Connections

3-4. Bulk, Location, Height of Buildings

5a. Utilities: water, sewer, storm drains, electric gas, cable, phone, etc.

Waste stream protection?

→ curb at radius.

Fire Access? OK

- Steve will look

From: Anthony Lombardo
To: Sarah Hopkins
Date: Mon, Oct 4, 1999 9:07 AM
Subject: Abatement Professional Building Expansion...Riverside Industrial Prkwy

Sarah,
I have no issues related to this project.

CONFIDENTIALITY NOTICE: THIS FACSIMILE CONTAINS CONFIDENTIAL INFORMATION WHICH IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE(S) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR COPYING OF THIS FACSIMILE, OR THE TAKING OF ANY ACTION IN RELIANCE TO THE CONTENTS OF THIS TELECOPIED INFORMATION, MAY BE STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

copy of 0220

COMMENTS:

TO: Phil Oursky	FROM: ROBERT W. RICKETT, JR. PRESIDENT
ATTN:	DATE: 9/20/99
FAX#: 781-2908	PAGES: 25 INCLUDING COVER SHEET

FACSIMILE COVER SHEET

COPY

Notary Public/Notary at Law
LAWRENCE B. BROWN
NOTARY PUBLIC STATE OF MAINE
COMMISSION EXPIRES 12/31/96

Printed Name:

before me,

Then personally appeared the above named Robert W. Rickett, Jr. and acknowledged the foregoing instrument to be his free act and deed.

State of Maine
County of Cumberland,

December 5, 1996

Robert W. Rickett, Jr.
[Signature]

[Signature]

Witness:

Witness my hand and seal this 5th day of December, 1996.

This mortgage is upon the statutory condition, for any breach of which the mortgagor shall have the remedies provided by law.

Robert W. Rickett, Jr. of Wiscasset, Cumberland County, for consideration paid, grants to John E. Burdick of Saco, Florida, whose mailing address is John E. Burdick 4718 Hamlets Grove Drive, Saco, ME 04235, with mortgage covenants, to secure the payment of \$224,000 dollars in 15 years with 6.5 per cent interest per annum, payable in 180 installments, as provided in a certain note of even date, the land in the City of Portland, Cumberland County, State of Maine described on the attached schedule A.

MORTGAGE DEED

also hereby conveying, to be used in common with others entitled thereto, a right of way appurtenant to the parcel above conveyed, over that portion of the "DRIVEWAY", as shown on a plan of property in Portland, Maine, made for Cook Everett & Kennell by M. I. C. Jordan dated February 25, 1978, and recorded in Cumberland County Registry of Deeds in Plan Book 118, Page 34, which portion shall be all of said "DRIVEWAY", lying southeasterly of the following described line: The northerly terminus of said line shall be a point in the southeasterly side of the parcel above conveyed, 2 feet southeasterly therefrom from the northwest corner of the parcel conveyed and extending thence south 25° 25' West to the southeasterly side line of said "DRIVEWAY", as shown on said plan. Respecting the location of these parking stations numbered 18

beginning at a point where the division line between Lots #1 and #2 intersects the northwest side line of said Riverside Industrial Parkway, as shown on a plan of Riverside Industrial Parkway dated July 8, 1978, and recorded in Cumberland County Registry of Deeds in Plan Book 108, Page 6; thence southeasterly by said Riverside Industrial Parkway a distance of one hundred fifteen and thirty-four hundredths (115.34) feet as measured on the arc of said Parkway which has a radius of one thousand ninety-one and sixty-seven hundredths (1091.67) feet to a point located twenty-six and six hundredths (26.06) feet northeasterly of an iron pin; thence turning North 30° 25' West along the northeasterly line of land of Project #1, said line being determined by the approximate limit of pavement, the existing parking area of said Project #1, a distance of ninety-nine and twenty-seven hundredths (99.27) feet to a point; thence turning North 35° 35' East a distance of fifty-two and twenty-seven hundredths (52.27) feet to a point; thence North 33° 35' East a distance of fifty-one and fifty hundredths (51.50) feet to a point, said point being located on said division line between Lots #1 and #2 as described above; thence running by said division line South 46° 27' East a distance of one hundred twenty-one and seventy-two hundredths (121.72) feet to said Riverside Industrial Parkway to the point of beginning.

A certain lot of parcel of land situated on the westerly side of Riverside Industrial Parkway in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

The following lots of parcels of land in the City of Portland, Parcel #1; with Warranty Covenants, the land in City of Portland, Cumberland County, Maine conveyed to grantor in the deed of Area Development Council Project #1, Inc. dated December 16, 1977, and recorded in the Cumberland County Registry of Deeds in Book 449, Page 262, and more particularly described as follows:

SCHEDULE A TO MORTGAGE DEED

beginning at a point located on the easterly side line of land

and described as follows: Parcel #3: Grantor releases to grantee all right, title and interest of grantor in the lot or parcel of land in City of Portland, Cumberland County, Maine conveyed to grantor by Quitclaim Deed of the City of Portland, Maine dated October 29, 1986 recorded in the Cumberland County Registry of Deeds at Book 12023, Page 206,

Parcel #2: With Warranty Covenants, the land in City of Portland, Cumberland County, Maine conveyed to grantor by deed of John S. Coney, Jr. dated February 18, 1981 and recorded in the Cumberland County Registry of Deeds at Book 4743, Page 110, and more particularly described as follows: Parcel #1: With Warranty Covenants, the land in City of Portland, Cumberland County, Maine conveyed to grantor by deed of John S. Coney, Jr. dated February 18, 1981 and recorded in the Cumberland County Registry of Deeds at Book 4743, Page 110, and more particularly described as follows:

beginning at a point distant 80.25 feet, measured by the southerly side line of said Riverdale Industrial Parkway, in a westerly direction, by the arc of a convex curve having a radius of 1,021.87 feet, from an iron at the corner on said Parkway of land of the grantor and land now or formerly of David-Greene Co.;

then from said point of beginning and continuing by said distance of 154.66 feet, to the northeast corner of a lot conveyed by Area Development Council Project #1, Inc. to John S. Burtill by deed dated December 16, 1977 and recorded in the Cumberland County Registry of Deeds at Book 4149, Page 262; thence by the northeasterly side line of said Burtill lot M 46, 22.72 feet to a point at the northerly corner of said Burtill lot; thence through other land of the grantor on the following described courses and distances: N 53.35° E, 138.34 feet to a point; thence S 56° 08' 30" E, 101.57 feet to the point of beginning.

Said above described lot contains 16,352 square feet more or less. Said above described courses are based on a true meridian. Said parcel is conveyed subject to the following: subject to a portion of the City of Portland, Bailey Avenue Branch Sewer Right of Way which crosses two portions of the lot herein conveyed; an easement given by John S. Coney, Jr. to Portland Water District dated December 24, 1973, and recorded in the Cumberland County Registry of Deeds, in Book 4249, Page 206; an easement given by John S. Coney, Jr. to Central Maine Power Company and New England Telephone and Telegraph Company dated January 9, 1974 and recorded in the Cumberland County Registry of Deeds at Book 3518, Page 54; and subject to an easement given by John S. Coney, Jr. to Central Maine Power Company and New England Telephone and Telegraph Company dated August 5, 1975 and recorded in the Cumberland County Registry of Deeds at Book 3735, Page 20.

through 22 inclusive as shown on said plan. Parcel #2: With Warranty Covenants, the land in City of Portland, Cumberland County, Maine conveyed to grantor by deed of John S. Coney, Jr. dated February 18, 1981 and recorded in the Cumberland County Registry of Deeds at Book 4743, Page 110, and more particularly described as follows:

now or formerly Burtill; said point being located northwesterly along said boundary line, 72.99 feet from a point located on the northerly sideline of Riverside Industrial Parkway; thence north 69° 57' 34" west along the southerly sideline of said above mentioned easement, 189.33 feet to a point; thence north 20° 02' 26" west crossing over said easement area, 19.00 feet to a point; thence north 69° 57' 34" west along a line 13.00 feet southerly of and parallel to the northerly boundary line of land now or formerly Burtill, 184.67 feet to a point located on the easterly boundary line of Burtill; thence south 39° 45' 56" east along the easterly boundary line of Burtill, 13.81 feet to the point of beginning. Said parcel contains approximately 2171 sq. ft. Bearings are magnetic of the year 1985. Said easement being a portion of the Bailey Avenue Branch Sewer as shown in plan book 128, page 34 in the Cumberland County Registry of Deeds.