339-J-21 80 farragut St. Fili Permit Stephen Selleck 2004-0001

Department of Planning & Development Lee D. Urban, Director



Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP Planning

John N. Lufkin Economic Development

CITY OF PORTLAND

January 30, 2004

Mr. Stephen Selleck 80 Farragut Street Portland, ME 04103

RE: Fill Permit Application, 80 Farragut Street (#2004-0001) (CBL 339J021)

Dear Mr. Selleck,

On January 30, 2004, the Portland Planning Authority granted approval for a fill permit at #80 Farragut Street with the following conditions:

- 1. Prior to soil disturbance, erosion control measures shall be installed using best management practices.
- 2. A copy of the deed containing a written description of the easement shall be submitted to the City.
- 3. The swale shall maintain a positive slope in order to convey any sheet runoff it may collect.

The approval is based on the submitted site plan. 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 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. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.

If there are any questions, please contact the Planning Staff.

Sincerely,

Ålexander Jaegerman

Planning Division Director



ST. GERMAIN & ASSOCIATES, INC.

FACSIMILE TRANSMITTAL

To: Jay Rey rolls Fax: 756-8258
From: Stephen Sellerb Date: 02/02/04
Re: 80 tarragut Pages: (including cover) 7
cc:
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle
Jer your reguest I have Send you (Sook/pages) legal Cerciptions for my property on 80 Fouragest St
call gas house any greations, placede
Den

St. Germain & Associates, Inc. • 846 Main St., Suite 3 • Westbrook, Maine 04092 Telephone: (207) 591-7000 • Fax: (207) 591-7329 info@stgermain.com

8K 6 6 3 5 PG 9 0 6 2

003433

STATUTORY WARRANTY DEED

WOLF ASSOCIATES, INC., a corporation organized under the laws of the State of Maine, whose mailing address is One Dana Street, in the City of Portland, County of Cumberland and State of Maine, for consideration paid, GRANT with WARRANTY COVENANTS TO:

M. G.A.
STEPHEN/SELLECK and NATALIE/SELLECK, as joint tenants, whose mailing address is 16A South Street, in the Town of Yarmouth, County of Cumberland and State of Maine, the following described real estate:

A certain lot or parcel of land with the buildings thereon situated on the northeasterly side of Farragut Street, formerly known as Naphen Street, in the City of Portland, County of Cumberland and State of Maine, being Lots 105, 107, 109 and 111 on Plan of Lenoxdale, recorded at Cumberland County Registry of Deeds in Plan Book 11, Page 15, to which Plan reference is hereby made for a more particular description.

Said premises are conveyed subject to restrictions of record and two (2) certain easements recorded at the Cumberland County Registry of Deeds in Book 2272, Page 99 and Book 3673, Page 290.

Being a portion of the premises conveyed to grantors herein by deed of Terrence K. Baker et al dated April 1, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7122, Page 346.

This conveyance is made subject to the current real estate taxes to the City of Portland, which the grantees herein by their acceptance of this deed hereby assume and agree to pay.

WITNESS my hand this 24th day of January, 1989.

WOLF ASSOCIATES, INC.

BY: Wolf /

Alan E. Wolf

THE STATE OF MAINE

Cumberland, ss. January 20, 1989

Then personally appeared the above-named ALAN E. WOLF and acknowledged the foregoing instrument to be his free act and deed.

Before me,

RECEIVED

RECORDED REGISTRY OF DEEDS

1989 JAH 24 PH 1: 10

Attorney at Law/Notary Public

1 Hours W. CLOUTTER

CUMBERLAND COUNTY

Iranes & Walch

SELLECK2.FRM.DMK.1 01.26.00

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Portland, a body politic and corporate in the County of Cumberland, State of Maine, in consideration of one dollar (\$1.00) and other valuable consideration paid by Stephen M. Selleck and Natalie Selleck of Portland, County of Cumberland, State of Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey and forever quitclaim to the said Stephen M. Selleck and Natalie Selleck, their heirs and assigns, a certain lot or parcel of land described in Schedule A, attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said City of Portland has hereunto caused this instrument to be signed by Duane G. Kline, its duly authorized Director of Finance, this 26th day of Sanuary 2000.

CITY OF PORTLAND

Duante G. Kline
Director of Finance

STATE OF MAINE CUMBERLAND, ss.

1-26-20 [Date]

Personally appeared the above-named Duane G. Kline in his capacity as the Director of Finance of the City of Portland, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the City of Portland.

Before me,

Notary Public Attorney at Law

DUANE G. KLINE

FINANCE DIRECTOR

Printed Name

O:\WP\DONNA\DEED\SELLECK2.DED

Luke Street – Tax Acquired Property Sale Deed Description Tax Map 339 J 21-24. 01/26/00 Cary

Four certain contiguous lots or parcels of land situated on the southeasterly side of Luke Street in the City of Portland, Cumberland County, and State of Maine, bounded and described as follows:

Beginning at the westerly corner of lot numbered 106 on the southeasterly side of said Luke Street as shown on a plan titled "Lenoxdale Portland Maine Realty Development Corporation", dated May 1906, drawn by Tilton McClintock, and recorded in the Cumberland County Registry of Deeds in Plan Book 11, Page 15;

Thence running N61°08'11"E one hundred (100.00) feet concurrently along the southeasterly side of Luke Street and along the northwesterly line of lots numbered 106, 108, 110, and 112 to the northerly corner of lot numbered 112 as shown on said plan;

Thence running \$26°40'49"E one hundred six and thirty-two hundredths (106.32) feet along the easterly line of lot 112 to the easterly corner of lot numbered 112;

Thence running S61°08'11"W one hundred (100.00) feet along the southeasterly line of lots numbered 112, 110, 108, and 106 to the southerly corner of lot numbered 106;

Thence running N26°40'49"W one hundred six and thirty-two hundredths (106.32) feet along the southwesterly line of lot numbered 106 to the point of beginning;

The above-described parcel of land-contains-ten-thousand-six-hundred twenty-four (10624) square feet, more or less.

The bearings referenced herein are magnetic 1996.

Being lots 106, 108, 110, and 112 as shown on said "Lenoxdale" plan. Said premises being the same described in a tax deed to the City of Portland dated July 19, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6783, Page 30.

Reserving to the City of Portland and its successors and assigns a Right-of-Way as described in a Certificate of Taking for the Presumpscot North Interceptor Sewer, and recorded in the Cumberland County Registry of Deeds in Book 3673, Page 290.

Reserving to the City of Portland and its successors and assigns any and all rights in Luke Street.

Luke Street - Tax Acquired Property Sale Deed Description Tax Map 339 J 21-24. 01/26/00

Also, reserving to said City of Portland and its successors and assigns an easement on the parcel of land described herein along the southeasterly side of Luke Street for the purpose of maintaining a turnaround for vehicles and equipment and to provide access to a drainage easement to be described herein, said turnaround easement measuring fifty-five (55) feet by thirty (30) feet, being bounded and described as follows:

Beginning at the westerly corner of lot numbered 106 on the southeasterly side of Luke Street as shown on said "Lenoxdale" plan;

Thence running N61°08'11"E fifty- five (55.00) feet along the southeasterly side of Luke Street to a point;

Thence running S26'40'49"E seventeen and thirty-five hundredths (17.35) feet to the northwesterly side of a drainage easement to be described herein;

Thence running S26°40'49"E twelve and sixty-five hundredths (12.65) feet through said drainage easement to a point;

Thence running S61°08'11"W fifty- five (55.00) feet through said drainage easement to a point on the southwesterly line of said lot numbered 106;

Thence running N26°40'49"W along the southwesterly line of said lot numbered 106 twelve and sixty-five hundredths (12.65) feet to the northwesterly side said drainage easement;

Thence N26°40'49"W along the southwesterly line of said lot numbered 106 seventeen and thirty-five hundredths (17.35) feet to the point of beginning.

The above-described parcel of land contains one thousand six hundred forty-eight (1648) square feet, more or less.

The bearings referenced herein are magnetic 1996.

Being a portion of lots 106, 108, and 110 as shown on said "Lenoxdale" plan. Said premises being the same described in a tax deed to the City of Portland dated July 19, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6783, Page 30.

Luke Street - Tax Acquired Property Sale Deed Description Tax Map 339 J 21-24. 01/26/00

Also, reserving to said City of Portland and its successors and assigns a drainage easement on a parcel of land southeasterly of Luke Street for the sole purpose of perpetually maintaining through, under and across said property a drainage ditch, or conduits or pipelines with all necessary fixtures and appurtenances being bounded and described as follows:

Commencing at the westerly corner of lot numbered 106 on the southeasterly side of Luke Street as shown on said "Lenoxdale" plan;

Thence running \$26°40'49"E along the southwesterly line of said lot numbered 106 seventeen and thirty-five hundredths (17.35) feet to the point of beginning;

Thence running N61°08'11"E through said turnaround easement fifty-five (55.00) feet to the northeasterly line of said turnaround easement;

Thence running S74°42'39"E sixty and forty-eight hundredths (60.48) feet to a point on the northeasterly line of lot numbered 112;

Thence running \$26°40'49"E forty six and eighty-one hundredths (46.81) feet along the northeasterly line of lot numbered 112 to the easterly corner of lot 112;

Thence running S61°08'11"W twenty-two and sixty-four hundredths (22.64) feet along the southeasterly line of lot numbered 112 to a point;

Thence running N42°25'05"W thirty-eight and fifty-one hundredths (38.51) feet to a point;

Thence running N74°42'39"W thirty and eighty-two hundredths (30.82) feet to a point;

Thence running S61°08'11"W forty-three and ninety-eight hundredths (43.98) feet to a point on the southwesterly line of lot numbered 106;

Thence running N26°40'49"W seventeen and thirty-seven hundredths (17.37) feet along the southwesterly line of lot numbered 106 to the southeasterly line of said turnaround easement;

Thence running N26°40'49"W twelve and sixty-five hundredths (12.65) feet concurrently along the southwesterly line of lot numbered 106 and along the southwest line of said turnaround easement to the point of beginning.

Luke Street – Tax Acquired Property Sale Deed Description Tax Map 339 J 21-24. 01/26/00

The above-described parcel of land contains four thousand fifty-one (4051) square feet, more or less.

The bearings referenced herein are magnetic 1996.

Being a portion of lots 106, 108, 110, and 112 as shown on said "Lenoxdale" plan. Said premises being the same described in a tax deed to the City of Portland dated July 19, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6783, Page 30.

Upon further condition which shall run with the land that the subject premises described herein shall remain open space and free from any buildings whatsoever with the exception of a building addition not to exceed 400 square feet to be attached to the principal structure and accessory buildings to the principal structure owned by Grantee as of the date of this deed, located on Tax Map and lots 339-J-49-50-51 as shown on the tax maps of the Tax Assessors for the City of Portland for the fiscal year 2000.

O; WP DONNA DEED SELLECK SCH

From:

Jay Reynolds

To:

"SteveS@stgermain.com"@Portland.gwgwia

Date: Subject: Mon, Dec 29, 2003 9:19 AM 80 Farragut Street Fill Permit

Hello Mr. Selleck.

Upon a site visit with the City's engineering review staff, the City has the following review comments pertaining to your fill permit application:

1. Filling of the swale is acceptable to the City with the following condition:

A. the swale will need to maintain a positive slope (towards the larger swale) in order to continue conveying any sheet runoff that it may collect (that runs off the City owned parcels adjacent to your lot).

B. It is the City's intent to keep this easement in place, in the event it is needed in the future. Please provide a copy of the written description of such easement (within deed).

Please confirm that you've received and are agreeable to these conditions, and upon receipt, I will prepare an approval letter for your files.

Sincerely,

Jay Reynolds
Development Review Coordinator
City of Portland
Planning and Development
(207) 874-8632
Jayjr@portlandmaine.gov

Fill 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 Fill Area: 80	Farracut	5+	Portla	nd	mt 04163
Total Cubic Yardage of Proposed Fill	Sq	uare Foot	age of Lot	0	
Tax Assessor's Chart, Block & Lot Chart# 339 Block# Lot#	Owner: Steph	en Se	lleck	Tel 5	ephone: {1-7000 -off}
Lessee/Buyer's Name (If Applicable)	Applicant nam telephone:	ne, address	5 &		less \$50.00 more \$100.00

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 of applicant:	Stolm	Sille	Date: V 18 03.	

This is not a permit. You may not commence ANY work until the permit is issued.

FILL PERMIT SUBMISSION

Your submission must include 4 copies of the site plan on 11" x 17" paper or greater.

A site plan shall include: The shape and dimension of the lot, area and limits of the property lines. Any site plan not drawn to scale will not be accepted.

- The following items are guidelines to help applicant(s) prepare a site plan for approval of land areas being filled. It is the applicant's responsibility to locate and assess all impacts as a result of the proposed filling and to acquire all applicable permits outside of the City of Portland review.
 Site plans shall contain the information suggested in the following guidelines:
 - 1. Fill elevations shall match and conform in height with the elevation of an existing road shoulder, an existing driveway or land abutting your property line. Embankments and sloped areas created by fill construction shall not exceed a 3:1 side slope or 33% grade. Areas steeper than 3:1 shall be stabilized using stone riprap, erosion control blankets, or an engineered retaining structure or system.
 - The filled area shall be graded such as to provide positive gravity drainage from a roadside, driveway, and buildings to a ditch line, culvert, wetlands, or a common drainage system located within or adjacent to the applicant's lot.
 - 3. Fill shall not be placed near, within, or block the flow path of an existing drainage course. Any filling or

alteration of a wetland, shoreland, or floodplain must be reviewed as a site plan application and may require additional permitting from the Maine Department of Environmental Protection.

A Site plan application includes, but is not limited to, the submission of a stamped boundary survey, a stamped professional engineered plan, stormwater management calculations, channel sizing, and associated details.

- 4. Siltation fence shall be installed and maintained at all times. The siltation fence shall be located along the entire downstream limits of the filled area or around the perimeter of the filled area to protect the disturbed area from siltation and possible erosion. Installation shall be initially reviewed by the Development Review Coordinator (DRC) prior to filling and must be in accordance with the Best Management Practices for Construction Erosion and Sediment Control. Silt fence may not be removed until the lawn area or disturbed area is 80% re-vegetated or is approved by the DRC.
- 5. The applicant shall disclose the amount, a description of type, and the origin of the proposed fill material. Fill material shall consist of non-contaminated soils free of large debris. Only under special exceptions shall sources of inert construction debris (asphalt, concrete, brick, mortar, ceramics, etc.) be utilized for fill. Special exceptions for fill material shall be reviewed by the Development Review Coordinator prior to actual placement for approval.
- 6. The fill material shall not remain exposed without a temporary erosion and sedimentation control or seeding application for more than 14 days. Temporary erosion control such as hay mulching must also occur on stock piled material if the time of exposure is to be greater than 14 days.
- 7. The filled area must be covered with 3-4" layer of loam material, free of clay, stone, roots, or wood debris. Loamed areas shall be seeded within 7 days following final grading or be covered with hay mulch until the area is ready for final seeding. If the area fails to grow grass within 14 days, the area shall be re-seeded.
- 8. The applicant shall complete all construction, grading, and seeding activities by September 1, or a date agreed to by the Development Review Coordinator. Failure to complete will require the applicant to apply for a permit extension.
- 9. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions. Also, a stamped boundary survey may be required depending on the location of fill areas.

Please take notice that these are only guidelines and that the review of each application is different and is dependent on field conditions and topography. Conditions or requirements requested may exceed these guidelines in certain circumstances.

ABSOLUTELY NO SITE WORK MAY BE DONE UNTIL THE PERMIT HAS BEEN ISSUED. THIS INCLUDES THE FOLLOWING:

BLASTING HAULING IN FILL TO THE SITE TREE CLEARING
ANY TYPE OF GRADING OR EARTHWORK

FILL PERMITS ARE VALID FOR ONE (1) YEAR FROM THE APPROVAL DATE. A ONE YEAR EXTENSION MAY BE GRANTED BY THIS DEPARTMENT IF REQUESTED BY THE APPLICANT IN WRITING PRIOR TO THE EXPIRATION DATE OF THE FILL PERMIT.

From:

"Stephen Selleck" <SSELLECK@worldnet.att.net>

To: Date: Portland.CityHall(JAYJR) Wed, Nov 26, 2003 10:44 AM

Subject:

Filling Drainage Easement - 80 Farragut Street

Per our conversation on November 26, 2003, I would like to formally request filling in the drainage easement located on side and rear of the tax acquired land I purchased a few years ago, The current construction of the extension of Farragut Street will resolve the past drainage problems and make the drainage swale around my house useless. The construction project underway extending Farragut Street has extensive fill materials readily available. I would like to fill that area immediately at my expense. See drawings on file in the Planning Office and Codes delineating the proposed fill area (I was unable to locate the cad drawing file at my home, but I have it in my office and also have several hard copies.)

At your convenience, please call, so I can coordinate the filling operations with the contractor.

Stephen Selleck 80 Farragut Street Portland, Me 04103 207-797-0724 207-838-9298 (Cell)





