

344-D-28

2003-0198

2-8 Pennell Ave.

Duplex

Kenneth Ouellette

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

2003-0198  
Application I. D. Number  
  
09/23/2003  
Application Date  
  
Pennell Avenue Duplex  
Project Name/Description

Kenneth Ouellette  
Applicant  
3 High Bluff Lane, Scarborough, ME 04074  
Applicant's Mailing Address

Consultant/Agent  
Applicant Ph: (207) 756-9091 Applicant Fax: (207) 883-8194  
Applicant or Agent Daytime Telephone, Fax

2 - 8 Pennell Ave, Portland, Maine  
Address of Proposed Site  
344 D028001  
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  Other (specify) \_\_\_\_\_

2,240 s.f. Proposed Building square Feet or # of Units      Acreage of Site      R5 Zoning

**Check Review Required:**

- Site Plan (major/minor)       Subdivision # of lots \_\_\_\_\_       PAD Review       14-403 Streets Review
- Flood Hazard       Shoreland       Historic Preservation       DEP Local Certification
- Zoning Conditional Use (ZBA/PB)       Zoning Variance       Other \_\_\_\_\_

Fees Paid: Site Plan \$400.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date 09/25/2003

**DRC Approval Status:**

Reviewer \_\_\_\_\_

- Approved       Approved w/Conditions See Attached       Denied

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	



CITY OF PORTLAND

9-26

- ① Sanitation → Charlie?
- ② Zoning → Lot Line / Conformance? Change?
- ③ Access
  - 1) is the access ok from all? OK
  - 2) any curb cut on parcel? No
  - 3) easement needed? YES
- ④ Driveway is quite close to house... 000
- ⑤ Utilities →
  - 1) easement? (traverse)
  - 2) easement (S)
  - 3) found drain?
- ⑥ Drainage → what's next done?  
first site 000
- ⑦ L.S. → 2 trees (per unit)  
2 found. plantings (per unit)
- ⑧ Public Works Comments Get them
- ⑨ Curb + Sidewalk / N.A. ✓

MODE = MEMORY TRANSMISSION START=OCT-06 09:33 END=OCT-06 09:35

FILE NO.=030

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	a	98838194	002/002	00:01:17

-CITY OF PORTLAND -

\*\*\*\*\* -PLANNING DEPT. - \*\*\*\*\* 2077568258- \*\*\*\*\*

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 6, 2003

Mr. Kenneth Ouellette  
3 High Bluff Lane  
Scarborough, ME 04074

Dear Mr. Ouellette:

RE: Application for Minor Site Plan, 2-8 Pennell Avenue Duplex  
(CBL#344D028) (ID#2003-0198)

Thank you for your application for the 2-8 Pennell Avenue Duplex. Upon review, the City has the following comments:

1. Planning Comments:
  - a. Landscaping: Please provide the required landscaping on your site plan. A minimum of 2 Street Trees and 2 foundation plantings PER UNIT is required for minor development.
  - b. Parking/Access:
    - i. An easement will be required for access.
    - ii. The access way is very close to the existing building. Is there an alternate location available/possible?
  - c. Utilities:
    - i. An easement will be required for utilities.
    - ii. Are any foundation drains proposed? If so, please show the outlet.
    - iii. A capacity letter from the Portland Water District is needed.
  - d. Drainage: It appears that drainage will sheet flow onto the neighboring property. This plan will need to be modified to ensure the neighboring property(s) are not negatively impacted.

2. Public Works Comments:  
I have reviewed the plans and application dated 9/23/03 and offer the following comments:

Department of Planning & Development  
Lee D. Urban, Director



CITY OF PORTLAND

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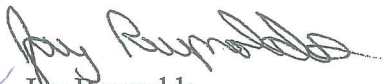
2. Public Works Comments:

I have reviewed the plans and application dated 9/23/03 and offer the following comments:

1. The plans need to specify the anticipated excavation limits in the paved roadway of Allen Avenue, in accordance with the City's Street Opening Ordinance.
2. The plans need to specify the limits of disturbed and repaired sidewalk and curbing, associated with the installation of utility services.
3. Construction details need to be included as part of the plan set for the proposed sidewalk repair/construction, granite curb installation/reset, paved driveway apron(within the Allen Avenue right of way), and the sanitary sewer connection.
4. The applicant must obtain a sanitary sewer capacity letter from Frank Brancely, at Public Works.
5. The applicant is advised to contact Carol Merritt regarding the permits and fees associated with excavation and construction within the public right of way.

Please feel free to call me at 874-8632 if you have any questions or comments.

Sincerely,



Jay Reynolds  
Development Review Coordinator

cc: Sarah Hopkins, Development Review Services Manager

Department of Planning & Development  
Lee D. Urban, Director



**CITY OF PORTLAND**

**Division Directors**  
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2. Public Works Comments:

I have reviewed the plans and application dated 9/23/03 and offer the following comments:

*FX# 883-8194*  
*756-9091*

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

**2003-0198**  
 Application I. D. Number  
**09/23/2003**  
 Application Date  
**Pennell Avenue Duplex**  
 Project Name/Description

**Kenneth Ouellette**  
 Applicant  
**3 High Bluff Lane, Scarborough, ME 04074**  
 Applicant's Mailing Address

*#68 Jim Robbins*

Consultant/Agent  
**Applicant Ph: (207) 756-9091 Applicant Fax: (207) 883-8194**  
 Applicant or Agent Daytime Telephone, Fax

**2 - 8 Pennell Ave, Portland, Maine**  
 Address of Proposed Site  
**344 D028001**  
 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  Other (specify) \_\_\_\_\_

**2,240 s.f.** Proposed Building square Feet or # of Units **\_\_\_\_\_** Acreage of Site **\_\_\_\_\_** **R5** Zoning

**Check Review Required:**

- Site Plan (major/minor)  Subdivision # of lots \_\_\_\_\_  PAD Review  14-403 Streets Review
- Flood Hazard  Shoreland  Historic Preservation  DEP Local Certification
- Zoning Conditional Use (ZBA/PB)  Zoning Variance  Other \_\_\_\_\_

Fees Paid: Site Plan **\$400.00** Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date **09/25/2003**

**Engineering Comments**

PUBLIC WORKS ENGINEERING REVIEW...10/2/03

I have reviewed the plans and application dated 9/23/03 and offer the following comments:

1. The plans need to specify the anticipated excavation limits in the paved roadway of Allen Avenue, in accordance with the City's Street Opening Ordinance.
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4. The applicant must obtain a sanitary sewer capacity letter from Frank Brancely, at Public Works.
5. The applicant is advised to contact Carol Merritt regarding the permits and fees associated with excavation and construction within the public right of way.

<b>Performance Guarantee</b>	<input type="checkbox"/> <b>Required*</b>	<input type="checkbox"/> <b>Not Required</b>	
* 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



# City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

<b>Address of Proposed Development:</b> <span style="float: right;">Zone: R5</span> Pennell Ave. Portland, ME		
<b>Total Square Footage of Proposed Structure:</b> 2240'	<b>Square Footage of Lot:</b> 6703SF	
<b>Tax Assessor's Chart, Block &amp; Lot:</b> Chart# 344 Block# D Lot#28	<b>Property owner's mailing address:</b> Kenneth W. Ouellette 3 High Bluff Lane Scarborough, ME 04074	<b>Telephone #:</b> (207) 756-9091
<b>Consultant/Agent, mailing address, phone # &amp; contact person:</b> Northeast Civil Solutions 153 US RTE 1 Scarborough, ME 04074 Jim Fisher @ 883-1000	<b>Applicant's name, mailing address, telephone #/Fax#/Pager#:</b> Kenneth W. Ouellette 3 High Bluff Lane Scarborough, ME 04074 Fx 883-8194/Cell 756-9091	<b>Project name:</b> Pennell Ave Duplex
<b>Proposed Development (check all that apply)</b> <input checked="" type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____ ) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____		
<b>Major Development (more than 10,000 sq. ft.)</b> <input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
<b>Minor Site Plan Review</b> <input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
<b>Plan Amendments</b> <input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)		

- Please see next page -

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

Kenneth W. Ouellette  
3 High Bluff Lane  
Scarborough, ME 04074  
(207)756-9091

Submittals shall include (9) separate folded packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

**Amendment to Plans:** Amendment applications should include 6 separate packets of the above (a, b, & c)  
**ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM**

**Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)**  
you may also visit the web site: [ci.portland.me.us](http://ci.portland.me.us) chapter 14

*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:



Date:

9-23-03

**This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.**

City of Portland  
Code Enforcement Office

Kenneth Ouellette  
3 High Bluff Ln  
Scarborough, ME 04074

September 23, 2003

Please find my enclosed application to construct a duplex on my lot on Pennell Ave. in Portland. I own the abutting property on Allen Ave and would like to run utilities to the proposed duplex through that property to avoid disturbing Pennell Ave as it has been repaved and does not have sewer available to my lot. Please contact me with any issues.

Sincerely,



Kenneth Ouellette  
756-9091

Pennell St Lot

## Warranty Deed

### Know All Men By These Presents

That **DLM Properties, Inc.** a Maine Corporation with a place of business at 252 U.S.Route 1, Scarborough, County of Cumberland and State of Maine,

For considerations paid grant to **Kenneth W. Ouellette** of Scarborough, County of Cumberland, State of Maine whose mailing address is 3 High Bluff Lane, Scarborough Maine 04074

with **Warranty Covenants, as joint tenants and not as tenants in common**

A certain lot or parcel of land, situated on the Westerly side of Pennell Avenue, in the City of Portland, County of Cumberland and State of Maine, and more particularly described as follows

SEE ATTACHED EXHIBIT A

Meaning and intending to convey the property that was conveyed to the above named Grantor by deed of John M Murphy dated February 7, 2002 and recorded in the Cumberland County Registry of Deeds Book 17300 Page 198

William J Speed  
Witness

DLM Properties Kevin  
DLM Properties  
BY Kevin D'Amboise its President D'Amboise

STATE OF MAINE  
County of Cumberland

On this      day of      , 2003, personally appeared before me the above named Kevin D'Amboise in his capacity and acknowledged the foregoing to be his free and deed.

\_\_\_\_\_  
Notary Public

A certain lot or parcel of land with the buildings thereon, situated on the westerly side of Pennell Avenue in the City of Portland, County of Cumberland and State of Maine, being a portion of Lots numbered 1 and 2 on plan of "The Holmsteads" made by E.C. Jordan & Co., dated September 1921, and recorded in Cumberland County Registry of Deeds, in Plan Book 14, Page 70 and bounded and described as follows:

Commencing on the westerly sideline of Pennell Avenue at a #5 rebar set at the northerly sideline of Pennell Avenue which is the northeasterly corner of lot 2 as shown on plan of "The Holmsteads"; thence S 71° 15' 12" W by the northwesterly boundary of said Lot 2 and Lot 1 as shown on plan of "The Holmsteads" to the westerly corner of Lot 1; thence S 07° 51' 00" E by the westerly boundary of Lot 1, a distance of fifty-two and thirty-nine hundredths (52.39) feet to a #5 rebar set and other land now of John M. Murphy; thence N 71° 36' 53" E by said other land of John M. Murphy a distance of thirty-four and fifteen one hundredths (34.15) feet to a #5 rebar set; thence S 82° 20' 38" E by said other land of John M. Murphy a distance of seventy-two and eighty-four hundredths (72.84) feet and a #5 rebar set at the westerly sideline of Pennell Avenue; thence N 17° 51' 00" W a distance of eighty-five and zero hundredths (85.00) feet to the point of beginning.

Also conveying to the Grantee an easement over adjoining land of John M. Murphy, located at 260 Allen Avenue to locate, install, and maintain an underground sewer in a location on 260 Allen Avenue as determined by the Grantee herein. The sewer shall connect a dwelling to be built on the above described premises to the sewer line in Allen Avenue. In the alternative, and at the election of the Grantee herein and its successors, a connection may be made from a new sewer line for the above-described premises to the existing sewer of the premises at 260 Allen Avenue. In this latter event, the parties shall share the costs of maintaining the shared sewer line, but the costs for initial installation shall be borne by the owner of the above-described premises. Once the location is determined by the Grantee and the sewer installed, the location of the sewer easement shall be fixed and may not be thereafter relocated. In either event, Grantee herein or its successors will reasonably restore the premises at 260 Allen Avenue after any disturbance. This easement is appurtenant to the above described premises and shall run with the land.

Reference is made to Boundary Survey and Lot Split Plan prepared by Northeast Civil Solutions, Inc., dated January 29, 2002 and recorded in said Registry of Deeds in Book 202, Page 50.

03033643

### Warranty Deed

### Know All Men By These Presents

That I, **John M. Murphy** of Scarborough, County of Cumberland and State of Maine,


For considerations paid grant to **Kenneth W. Ouellette** of Scarborough, County of Cumberland, State of Maine whose mailing address is 3 High Bluff Lane, Scarborough Maine 04074

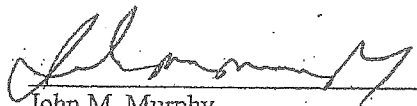
with **Warranty Covenants, as joint tenants and not as tenants in common**

A certain lot or parcel of land with the buildings thereon, situated on the Northwesterly side of Allen Avenue, in the City of Portland, County of Cumberland and State of Maine, and more particularly described as follows

SEE ATTACHED EXHIBIT A

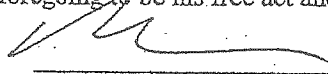
Meaning and intending to convey a portion of the property that was conveyed to the above named Grantor by deed of Robert C. Baade dated February 7, 2002 and recorded in the Cumberland County Registry of Deeds Book 17300 Page 173, excepting and reserving that portion that the above named Grantor has conveyed to DLM Properties Inc. by deed dated February 7, 2002 and recorded in the Cumberland County Registry of Deeds in Book 17300 Page 198.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
John M. Murphy

STATE OF MAINE  
County of Cumberland

On this     day of     , 2003, personally appeared before me the above named John M. Murphy and acknowledged the foregoing to be his free act and deed.

  
\_\_\_\_\_  
Notary Public  
*Matthew Campbell ES*

A certain lot or parcel of land with the buildings thereon, situated on the Northwesterly side of Allen Avenue, in the City of Portland, County of Cumberland and State of Maine and being a portion of lots numbered 1 and 2 on plan of "The Holmsteads" made by E.C. Jordan & Co., dated September 1921, and recorded in Cumberland County Registry of Deeds, in Plan Book 14, Page 70 and bounded and described as follows:

COMMENCING on the said Northwesterly side line of said Allen Avenue at the division line between "The Holmsteads" and land now or formerly of Frederick H. Cobb, said division line being the Southwesterly boundary line of the first described lot of land conveyed to Portland Home Building Association by Fred E. Lovejoy, by deed dated December 3, 1919, and recorded in said Registry of Deeds, Book 1038, Page 250; thence by said division line N 17° 51' 00" W a distance of One Hundred Fifteen and seven one hundredths (115.07) feet to a #5 rebar set and other land now or formerly of John M. Murphy; thence N 71° 36' 53" E by said other land of John M. Murphy a distance of thirty-four and fifteen one hundredths (34.15) feet to a #5 rebar set; thence S 82° 20' 38" E by said other land of John M. Murphy a distance of seventy-two and eighty-four hundredths (72.84) feet and a #5 rebar set at the westerly sideline of Pennell Avenue; thence S 17° 51' 00" E a distance of twenty-seven and forty-three hundredths (27.43) feet and an iron pipe found at the northwesterly side of Allen Avenue; thence by said northwesterly side of Allen Avenue S 42° 37' 05" W a distance of one hundred fourteen and eighty-one hundredths (114.81) feet to the point of beginning.

The above-described premises are subject to an easement for the benefit of the adjoining premises (which has frontage on Pennell Avenue) now owned by John M. Murphy and to be conveyed to DLM Properties, Inc., to locate, install, and maintain an underground sewer in a location on the above described premises as determined by John M. Murphy. The sewer shall connect a dwelling to be built on the adjoining Pennell Avenue premises to the sewer line in Allen Avenue. In the alternative, and at the election of John M. Murphy and his successors, a connection may be made from a new sewer line for the adjoining Pennell Avenue premises to the existing sewer of the above-described premises. In this latter event, the parties shall share the costs of maintaining the shared sewer line, but the costs for initial installation shall be borne by the owner of the adjoining Pennell Avenue premises. In either event, John M. Murphy or his successors will reasonably restore the above-described premises after any disturbance. This easement is appurtenant to the adjoining Pennell Avenue premises and shall run with the land.

Reference is made to Boundary Survey and Lot Split Plan prepared by Northeast Civil Solutions, Inc., dated January 29, 2002 and recorded in said Registry of Deeds in Book 202, Page 50.

Received  
Recorded Register of Deeds  
Aug 01, 2003 02:42:54P  
Cumberland County Clerk  
John B. O'Brien



CITY OF PORTLAND  
 ASSESSORS' PLAN  
 SCALE 1" = 50'

SHEET 437-D

Revised



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 27, 2003

Mr. Kenneth Ouellete  
3 High Bluff Lane  
Scarborough, ME 04074

Dear Mr. Ouellette:

RE: Application for Minor Site Plan, 6-8 Pennell Avenue Duplex  
(CBL#344D028) (ID#2003-0198)

On October 27, 2003, the Portland Planning Authority granted minor site plan approval for the construction of a duplex at #6-8 Pennell Avenue with the following condition:

1. *Applicant shall obtain a utility capacity letter from the City's Wastewater Division.*

Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files.

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.

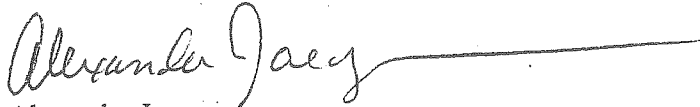
Please note the following provisions and requirements for all site plan approvals:

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.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 2.0% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
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 pre-construction 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 pre-construction meeting.
5. A street opening permit is required for your site. Please contact Carol Merritt at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)

If there are any questions, please contact Jay Reynolds at 874-8632.

Sincerely,



Alexander Jaegerman  
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director  
Sarah Hopkins, Development Review Services Manager  
Marge Schmuckal, Zoning Administrator  
Karen Dunfey, Inspections  
Larry Ash, Traffic Engineer  
Tony Lombardo, Project Engineer  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
Don Hall, Appraiser, Assessor's Office  
Approval Letter File



**CITY OF PORTLAND**

21 November 2003

Mr. Marinus J. Buisman, P.L.S.,  
Northeast Civil Solutions, Inc.,  
153 U. S. Route 1,  
Scarborough, Maine 04074

**RE: The Capacity to Handle an Anticipated Increase in Wastewater Flows,  
From The Proposed Duplex, 2-8 Pennell Avenue, Portland, Maine.**

Dear Mr. Buisman:

The existing twenty-four inch diameter vitrified clay sanitary sewer pipe, in Allen Avenue, has **adequate capacity to transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have **adequate capacity to treat** the anticipated wastewater flows of **480GPD**, from the proposed duplex.

**Anticipated Wastewater Flows from the Proposed Duplex:**

2 Proposed Two Bedroom Units @ 240 GPD Each	=	480 GPD
<b>Total Proposed Increase in Wastewater Flows for this Project</b>	=	<b>480 GPD</b>

The City combined sewer overflow (C.S.O.) abatement consent agreement, with the U.S.E.P.A. and with the Maine D.E.P., requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

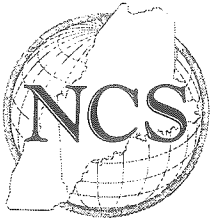
If The City can be of further assistance, please call 874-8832.

Sincerely,  
**CITY OF PORTLAND**

*Frank Brancely*  
Frank J Brancely, B.A., M.A.  
Senior Engineering Technician

FJB

- cc: Alexander Q. Jaegerman, Acting Co-Director, Department of Planning, and Urban Development, City of Portland  
 ✓ Jay Reynolds, Planner, Department of Planning, and Urban Development, City of Portland  
 Eric Labelle, P.E., City Engineer, City of Portland  
 Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland  
 Anthony W. Lombardo, P.E., Project Engineer, City of Portland  
 Stephen K. Harris, Assistant Engineer, City of Portland  
 Todd Merkle, Field Inspections Coordinator, City of Portland  
 Desk file



**NORTHEAST  
CIVIL  
SOLUTIONS, INC.**

153 U.S. Route 1  
Scarborough, Maine 04074  
(800) 882-2227/ (207) 883-1000  
FAX: (207) 883-1001  
ncs@maine.rr.com

**LETTER OF TRANSMITTAL**

<b>TO: JAY REYNOLDS DEPT OF PLANNING &amp; DEVELOPMENT CITY OF PORTLAND 389 CONGRESS STREET PORTLAND, ME 04101</b>	<b>DATE: 10/28/03</b>
	<b>JOB No.: 22727.1</b>
	<b>FROM: JOHANN BUISMAN/JM</b>
<b>RE: SITE AND GRADING PLAN ON PENNELL AVENUE, PORTLAND, MAINE PREPARED FOR KENNETH OUELLETTE WITH A REVISED DATE OF 10/17/03 CITY OF PORTLAND REFERENCE CBL 344D028/ID 2003-0198</b>	

PLEASE BE ADVISED THAT WE ARE ENCLOSING THE FOLLOWING:

No.	COPIES	DESCRIPTION
	7	Blueprints of above plan

Notes:

The sanitary sewer capacity letter that we are expecting from Frank Brancely will be forwarded to you as soon as we receive it. We will also forward the deed that transfers title of the small piece to you as soon as it has been recorded.

Copy to file

Signed J. Merryman



SURVEYING ENGINEERING LAND PLANNING  
*Northeast Civil Solutions*  
INCORPORATED

October 17, 2003

153 U.S. Route 1  
Scarborough  
Maine 04074

Jay Reynolds, Development Review Coordinator  
City of Portland  
Department of Planning & Development  
389 Congress Street  
Portland, ME 04101

tel  
207.883.1000  
800.882.2227

RE: Application for Site Plan, 2-8 Pennell Avenue Duplex  
(CBL#344D028) (ID#2003-0198)

fax  
207.883.1001

Dear Jay:

On behalf of Kenneth Ouellette, we are addressing the City comments, which were made in response to his application for a Duplex on 2-8 Pennell Avenue.

1. Planning Comments:
  - a. Landscaping: The landscaping changes you requested have been indicated on the enclosed plan.
  - b. Parking/Access:
    - i. An easement is in place for access to the property. This easement is indicated on the two deeds enclosed, which are recorded in the Cumberland County Registry of Deeds Book 19890, Page 281 and Book 17300, Page 198. If an additional easement is required, it can be easily created.
    - ii. It is agreed that the access way is very close to the building, however our client has interest in both properties and is comfortable with the location of the access way.
  - c. Utilities:
    - i. The enclosed deeds show an existing utility easement.
    - ii. It appears there is a combination storm and sanitary drain on Allen Avenue which Mr. Ouellette plans on tying into, which has been shown on the plan.
    - iii. See the enclosed request to the Portland Water District for a capacity letter.
  - d. Drainage:

The drainage has been modified so that water will be channeled away from the neighboring lot and into Pennell Avenue. As indicated on the plan, we have also added a berm for additional protection to the neighboring lot.

*Jay Reynolds, Development Review Coordinator  
City of Portland  
Department of Planning & Development  
October 17, 2003  
Page 2 of 2*

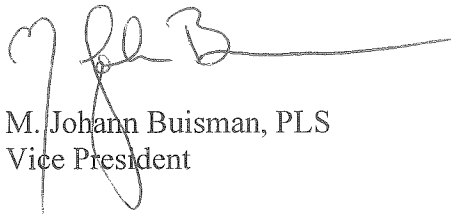
2. Public Works Comments:

1. The excavation limits in the paved Roadway of Allen Avenue are indicated on the plan.
2. The limits of disturbed and repaired sidewalk and curbing have also been added to the plan.
3. The sanitary sewer connection is shown on the plan, sidewalk construction details are addressed on the plan in the form of a note.
4. A sanitary sewer capacity letter has been requested, see the attached request.
5. Permit and fee instruction has been indicated on the plan.

Upon approval of Mr. Ouellette's application there will be a lot line adjustment between lots A and B. In order to make the building fit onto lot A, the line will be moved into lot B making A larger and reducing lot B. If any additional easements are necessary they will be created during the lot line adjustment process.

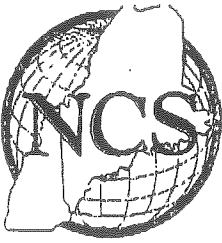
Thank you for your assistance please call me at 883-1000 with any questions.

Sincerely,  
Northeast Civil Solutions, Inc.

A handwritten signature in black ink, appearing to read 'M. Johann Buisman', with a long horizontal line extending to the right.

M. Johann Buisman, PLS  
Vice President

Enclosure



**NORTHEAST  
CIVIL  
SOLUTIONS, INC.**

153 U.S. Route 1  
Scarborough, Maine 04074  
(800) 882-2227 / (207) 883-1000  
FAX: (207) 883-1001

**FAX COVER SHEET**

Date: 10/24/2003

Attn: JAY REYNOLDS

Descriptions/Notes: Fax 756-8258

PWD CAPACITY LETTER

FOR KEN OUELLETTE 2-8 PENWELL AVE

I AM ON VACATION THE WEEK AFTER

NEXT NOV 3, SO IF YOU CAN LET ME

KNOW OF ANY CHANGES BY MID<sup>OF NEXT</sup> WEEKS

I CAN MAKE THOSE REVISIONS.

THANKS

JOHANN

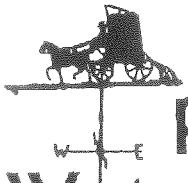
From: JOHANN

At: Northeast Civil Solutions, Inc.

Number of Pages (including this cover sheet): 2

If there are any problems with this transmission, please call:

(800) 882-2227 or (207) 883-1000



# Portland Water District

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

(207) 774-5961  
FAX (207) 761-8307  
www.pwd.org

October 16, 2003

Ms. M. Johann Buisman, PLS  
Northeast Civil Solutions  
153 U.S. Route 1  
Scarborough, Maine 04074

Re: 2-8 Pennell Ave, Portland

Dear Sir:

The Portland Water District has an 8" water main in Pennell Avenue, Portland, near the proposed site. A test on a nearby hydrant produced the following results: static pressure 61 psi; pito pressure 45 psi; with a flow of 1125 gpm. With these results in mind, the District feels we have sufficient capacity available to serve this proposed project and meet all normal fire protection and domestic water service demands. **Please notify your plumber of these results so that they can design your system to best fit the available pressure.**

With certification by the developer that all required permits have been received, we look forward to serving this project.

Sincerely,

PORTLAND WATER DISTRICT

David W. Coffin, PLS  
Engineering Supervisor



03033643

Siz Parcel  
LOT B

### Warranty Deed

### Know All Men By These Presents

That I, John M. Murphy of Scarborough, County of Cumberland and State of Maine,


For considerations paid grant to Kenneth W. Ouellette of Scarborough, County of Cumberland, State of Maine whose mailing address is 3 High Bluff Lane, Scarborough Maine 04074

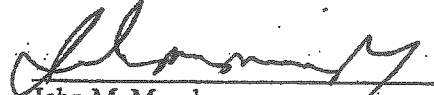
with Warranty Covenants, as joint tenants and not as tenants in common

A certain lot or parcel of land with the buildings thereon, situated on the Northwesterly side of Allen Avenue, in the City of Portland, County of Cumberland and State of Maine, and more particularly described as follows

SEE ATTACHED EXHIBIT A


Meaning and intending to convey a portion of the property that was conveyed to the above named Grantor by deed of Robert C. Baade dated February 7, 2002 and recorded in the Cumberland County Registry of Deeds Book 17300 Page 173, excepting and reserving that portion that the above named Grantor has conveyed to DLM Properties Inc. by deed dated February 7, 2002 and recorded in the Cumberland County Registry of Deeds in Book 17300 Page 198.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
John M. Murphy

STATE OF MAINE  
County of Cumberland

On this      day of      , 2003, personally appeared before me the above named John M. Murphy and acknowledged the foregoing to be his free act and deed.

  
\_\_\_\_\_  
Notary Public  
Matthew Campbell ES

A certain lot or parcel of land with the buildings thereon, situated on the Northwesterly side of Allen Avenue, in the City of Portland, County of Cumberland and State of Maine and being a portion of lots numbered 1 and 2 on plan of "The Holmsteads" made by E.C. Jordan & Co., dated September 1921, and recorded in Cumberland County Registry of Deeds, in Plan Book 14, Page 70 and bounded and described as follows:

COMMENCING on the said Northwesterly side line of said Allen Avenue at the division line between "The Holmsteads" and land now or formerly of Frederick H. Cobb, said division line being the Southwesterly boundary line of the first described lot of land conveyed to Portland Home Building Association by Fred E. Lovejoy, by deed dated December 3, 1919, and recorded in said Registry of Deeds, Book 1038, Page 250; thence by said division line N 17° 51' 00" W a distance of One Hundred Fifteen and seven one hundredths (115.07) feet to a #5 rebar set and other land now or formerly of John M. Murphy; thence N 71° 36' 53" E by said other land of John M. Murphy a distance of thirty-four and fifteen one hundredths (34.15) feet to a #5 rebar set; thence S 82° 20' 38" E by said other land of John M. Murphy a distance of seventy-two and eighty-four hundredths (72.84) feet and a #5 rebar set at the westerly sideline of Pennell Avenue; thence S 17° 51' 00" E a distance of twenty-seven and forty-three hundredths (27.43) feet and an iron pipe found at the northwesterly side of Allen Avenue; thence, by said northwesterly side of Allen Avenue S 42° 37' 05" W a distance of one hundred fourteen and eighty-one hundredths (114.81) feet to the point of beginning.

The above-described premises are subject to an easement for the benefit of the adjoining premises (which has frontage on Pennell Avenue) now owned by John M. Murphy and to be conveyed to DLM Properties, Inc., to locate, install, and maintain an underground sewer in a location on the above described premises as determined by John M. Murphy. The sewer shall connect a dwelling to be built on the adjoining Pennell Avenue premises to the sewer line in Allen Avenue. In the alternative, and at the election of John M. Murphy and his successors, a connection may be made from a new sewer line for the adjoining Pennell Avenue premises to the existing sewer of the above-described premises. In this latter event, the parties shall share the costs of maintaining the shared sewer line, but the costs for initial installation shall be borne by the owner of the adjoining Pennell Avenue premises. In either event, John M. Murphy or his successors will reasonably restore the above-described premises after any disturbance. This easement is appurtenant to the adjoining Pennell Avenue premises and shall run with the land.

Reference is made to Boundary Survey and Lot Split Plan prepared by Northeast Civil Solutions, Inc., dated January 29, 2002 and recorded in said Registry of Deeds in Book 202, Page 50.

Received  
Recorded Register of Deeds  
Aug 01:2003 02:42:54P  
Cumberland County Clerk  
John B. O'Brien

0011320

BK17300Pg198

N-2  
PANEL  
LOT A

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that JOHN M. MURPHY of Scarborough, Maine, for consideration paid, grant to DIM PROPERTIES, INC., a Maine corporation with a place of business at 252 U. S. Route 1, Scarborough, Maine 04074, with WARRANTY COVENANTS, the land in Portland, County of Cumberland and State of Maine, described below.

A certain lot or parcel of land with the buildings thereon, situated on the westerly side of Pennell Avenue in the City of Portland, County of Cumberland and State of Maine, being a portion of Lots numbered 1 and 2 on plan of "The Holmsteads" made by E.C. Jordan & Co., dated September 1921, and recorded in Cumberland County Registry of Deeds, in Plan Book 14, Page 70 and bounded and described as follows:

Commencing on the westerly sideline of Pennell Avenue at a #5 rebar set at the northerly sideline of Pennell Avenue which is the northeasterly corner of lot 2 as shown on plan of "The Holmsteads"; thence S 71° 15' 12" W by the northwesterly boundary of said Lot 2 and Lot 1 as shown on plan of "The Holmsteads" to the westerly corner of Lot 1; thence S 07° 51' 00" E by the westerly boundary of Lot 1, a distance of fifty-two and thirty-nine hundredths (52.39) feet to a #5 rebar set and other land now of John M. Murphy; thence N 71° 36' 53" E by said other land of John M. Murphy a distance of thirty-four and fifteen one hundredths (34.15) feet to a #5 rebar set; thence S 82° 20' 38" E by said other land of John M. Murphy a distance of seventy-two and eighty-four hundredths (72.84) feet and a #5 rebar set at the westerly sideline of Pennell Avenue; thence N 17° 51' 00" W a distance of eighty-five and zero hundredths (85.00) feet to the point of beginning.

Also conveying to the Grantee an easement over adjoining land of John M. Murphy, located at 260 Allen Avenue to locate, install, and maintain an underground sewer in a location on 260 Allen Avenue as determined by the Grantee herein. The sewer shall connect a dwelling to be built on the above described premises to the sewer line in Allen Avenue. In the alternative, and at the election of the Grantee herein and its successors, a connection may be made from a new sewer line for the above-described premises to the existing sewer of the premises at 260 Allen Avenue. In this latter event, the parties shall share the costs of maintaining the shared sewer line, but the costs for initial installation shall be borne by the owner of the above-described premises. Once the location is determined by the Grantee and the sewer installed, the location of the sewer easement shall be fixed and may not be thereafter relocated. In either event, Grantee herein or its successors will reasonably restore the premises at 260 Allen Avenue after any disturbance. This easement is

MAINE REAL ESTATE TAX PAID

BK17300PG199

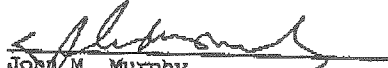
appurtenant to the above described premises and shall run with the land.

Reference is made to Boundary Survey and Lot Split Plan prepared by Northeast Civil Solutions, Inc., dated January 29, 2002 and recorded in said Registry of Deeds in Book 202, Page 50.

Being a portion of the premises conveyed to Grantor by Robert C. Baade by deed of even or recent date to be recorded herewith in the Cumberland County Registry of Deeds.

IN WITNESS WHEREOF, the said John M. Murphy has set his hand this 7th day of February, 2002.

Witness

  
John M. Murphy

STATE OF MAINE  
COUNTY OF CUMBERLAND

February 7th, 2002

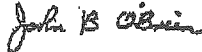
Then personally appeared before me John M. Murphy and acknowledged the foregoing instrument to be his free act and deed.

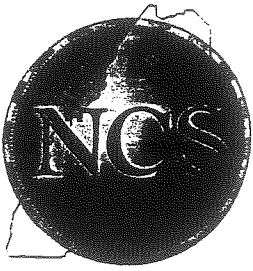
Before me  
  
Notary Public/Attorney at Law

RECEIVED  
RECORDED REGISTRY OF DEEDS

2002 FEB -7 PM 3: 37

CUMBERLAND COUNTY





SURVEYING ENGINEERING LAND PLANNING  
*Northeast Civil Solutions*  
INCORPORATED

October 10, 2003

153 U.S. Route 1  
Scarborough  
Maine 04074

Portland Water District  
225 Douglas Street  
Portland, ME 04102

RE: Letter of Capacity  
2-8 Pennell Avenue  
Chart 344, Block D, Parcel 28

tel  
207.883.1000  
800.882.2227

Ladies and Gentlemen:

fax  
207.883.1001

On behalf of our client, Ken Ouellette, who has submitted an application to the City of Portland for a Minor Site Plan Review (ID#2003-0198) we are requesting a letter of capacity.

The proposed construction on the lot is a duplex. Each unit will have two bedrooms. Per the Maine State Plumbing Code each bedroom is calculated at 90 gallons per day which would require a total of 360 gallons per day for the entire duplex. The moderate design flow is calculated at 480 gallons per day.

Both sewer and water will be accessed from Allen Avenue through an easement across the abutting property. The utility connection is shown on the enclosed Site Plan. For further reference we are also enclosing copies of two plans provided by the architect showing elevations and floor plans.

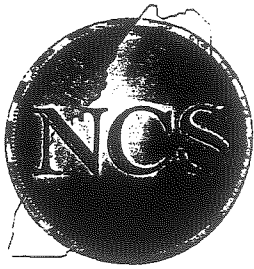
Please forward your letter to Northeast Civil Solutions, Inc. at 153 US Route 1, Scarborough, ME 04074. If there are any questions please don't hesitate to call.

Sincerely,  
Northeast Civil Solutions, Inc.

M. Johann Buisman, PLS  
Vice President

MJB:jm

Enclosures



SURVEYING ENGINEERING LAND PLANNING

# Northeast Civil Solutions

INCORPORATED

October 10, 2003

153 U.S. Route 1  
Scarborough  
Maine 04074

Frank Brancely  
Department of Public Works  
55 Portland Street  
Portland, ME 04101

tel  
207.883.1000  
800.882.2227

RE: Letter of Sanitary Sewer Capacity  
2-8 Pennell Avenue  
Chart 344, Block D, Parcel 28

fax  
207.883.1001

Dear Mr. Brancely:

On behalf of our client, Ken Ouellette, who has submitted an application to the City of Portland for a Minor Site Plan Review (ID#2003-0198) we are requesting a sanitary sewer capacity letter.

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Sincerely,  
Northeast Civil Solutions, Inc.

M. Johann Buisman, PLS  
Vice President

MJB:jm

Enclosures