

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

**2003-0009**

Application I. D. Number

**Stewart, Bonnie & Todd**

Applicant

**409 Palmer Ave, Portland, ME 04103**

Applicant's Mailing Address

**01/21/2003**

Application Date

**End-Cutis Road (lot #28)**

Project Name/Description

Consultant/Agent

**Applicant Ph: (207) 797-7134 Agent Fax:**

Applicant or Agent Daytime Telephone, Fax

**Curtis Rd, Portland, Maine**

Address of Proposed Site

**389 G003001**

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) \_\_\_\_\_

**2600 sq. Ft.**

Proposed Building square Feet or # of Units

**34,269 sq. Ft.**

Acreeage of Site

Zoning

**Check Review Required:**

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                | <input type="checkbox"/> Other _____           |  |

Fees Paid: Site Plan **\$50.00** Subdivision \_\_\_\_\_ Engineer Review **\$250.00** Date **01/23/2003**

**DRC Approval Status:**

Reviewer **Jay Reynolds**

- Approved  **Approved w/Conditions**  Denied  
 See Attached

Approval Date **03/10/2003** Approval Expiration **03/10/2004** Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance **Jay Reynolds** **03/10/2003**  
 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, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
ADDENDUM**

2003-0009

Application I. D. Number

01/21/2003

Application Date

**End Cutis Road (lot #28)**

Project Name/Description

**Stewart, Bonnie & Todd**

Applicant

409 Palmer Ave, Portland , ME 04103

Applicant's Mailing Address

Consultant/Agent

**Applicant Ph: (207) 797-7134      Agent Fax:**

Applicant or Agent Daytime Telephone, Fax

**Curtis Rd, Portland, Maine**

Address of Proposed Site

**389 G003001**

Assessor's Reference: Chart-Block-Lot

**Approval Conditions of DRC**

- 1 All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a Certificate of Occupancy.
- 2 Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.
- 3 Your new street address HAS NOT BEEN ESTABLISHED AT THIS TIME, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.
- 4 The Development Review Coordinator (874-8632) 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.
- 5 A sewer permit is required for you project. Please contact Carol Merritt at 874-8300, ext . 8822. The Wastewater and Drainage section of Public Works must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
- 6 As-built record information for sewer and stormwater service connections must be submitted to Public Works Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy.
- 7 The building contractor shall check the subdivision recording plat for pre-determined first floor elevation and establish the first floor elevation (FFE) and sill elevation (SE) to be set above the finish street/curb elevation to allow for positive drainage away from entire footprint of building.
- 8 The site contractor shall establish finish grades at the foundation, bulkhead and basement windows to be in conformance with the first floor elevation (FFE) and sill elevation (SE) set by the building contractor to provide for positive drainage away from entire footprint of building.
- 9 The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.

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

**DRC Copy**

*Rec'd 1-24-03*

*Est. Sec'd + Approved  
Letter About Drive Agreement  
Requested changes -> bus R @ GP 2-10-03*

**2003-0009**  
Application I. D. Number  
**1/21/2003**  
Application Date *Curtis*  
**End Curtis Road (lot #28)**  
Project Name/Description

**Stewart, Bonnie & Todd**  
Applicant  
**409 Palmer Ave, Portland, ME 04103**  
Applicant's Mailing Address

**Curtis Rd, Portland, Maine**  
Address of Proposed Site  
**389 G003001**  
Assessor's Reference: Chart-Block-Lot

Consultant/Agent  
**Applicant Ph: (207) 797-7134 Agent Fax:**  
Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) \_\_\_\_\_

**2600 sq. Ft.** **34,269 sq. Ft.**  
Proposed Building square Feet or # of Units Acreage of Site 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 Pla **\$50.00** Subdivision \_\_\_\_\_ Engineer Review **\$250.00** Date **1/23/2003**

**DRC Approval Status:**

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	



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**

February 10, 2003

Bonnie and Todd Stewart  
409 Palmer Avenue  
Portland, ME 04103

*Fixed  
02/12/03*

RE: Application for Building Permit (ID#2003-0009)  
Lot 28, Presumpscot River Place III (CBL #389G003)

Dear Mr. and Mrs. Stewart,

Thank you for your application to construct a new single-family house on Lot 28. Pertaining to the site plan submitted, I have some minor revisions to request, which I will do separately from this letter.

The purpose of this letter is to bring to your attention that under city requirements, the construction of Hope Avenue must reach a certain level of completion prior to obtaining an occupancy permit for your house.

In particular, all utilities must be installed and operational. Also, the roadway must be constructed and must have, at a minimum, the first coat of asphalt placed (base coat).

This is standard for development in the City of Portland. Because your application is the first one in Presumpscot River Place III and because the construction of the road is ongoing, the City wants to make sure you are aware of these requirements ahead of time. This may avoid construction timing and loan closing issues that sometimes arise.

Please sign and return this letter as an acknowledgement of these requirements. If there are any questions, please contact me at 874-8632.

Sincerely,

Jay Reynolds  
Development Review Coordinator

Seen and Agreed to by:

Bonnie Stewart 02/11/03  
Bonnie Stewart Date

Todd Stewart 02/11/03  
Todd Stewart Date



UNUM.

Protecting everything  
you work for

WORLD LEADER  
IN INCOME AND  
LIFESTYLE  
PROTECTION

**FAX MEMO**

To: JAY Reynolds Fax: 756-8258

Company: City of Portland Phone: \_\_\_\_\_

Date: 2/12/03

From: Todd Stewart Fax: \_\_\_\_\_

Company: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Subject: Letter outlining conditions

Number of pages including this sheet: 2

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**

February 10, 2003

Bonnie and Todd Stewart  
409 Palmer Avenue  
Portland, ME 04103

RE: Application for Building Permit (ID#2003-0009)  
Lot 28, Presumpscot River Place III (CBL #389G003)

Dear Mr. and Mrs. Stewart,

Thank you for your application to construct a new single-family house on Lot 28. Pertaining to the site plan submitted, I have some minor revisions to request, which I will do separately from this letter.

The purpose of this letter is to bring to your attention that under city requirements, the construction of Hope Avenue must reach a certain level of completion prior to obtaining an occupancy permit for your house.

In particular, all utilities must be installed and operational. Also, the roadway must be constructed and must have, at a minimum, the first coat of asphalt placed (base coat).

This is standard for development in the City of Portland. Because your application is the first one in Presumpscot River Place III and because the construction of the road is ongoing, the City wants to make sure you are aware of these requirements ahead of time. This may avoid construction timing and loan closing issues that sometimes arise.

Please sign and return this letter as an acknowledgement of these requirements. If there are any questions, please contact me at 874-8632.

Sincerely,

Jay Reynolds  
Development Review Coordinator

Seen and Agreed to by:

Bonnie Stewart 02/11/03  
Bonnie Stewart Date

Todd Stewart 02/11/03  
Todd Stewart Date



RECEIVED FEB 25 REC'D

~~RECEIVED FEB 25 REC'D~~RECEIVED FEB 25 REC'D  
CHARGED AUG - 8 REC'D

**From:** Jay Reynolds  
**To:** port-web:TStewart@[unumprovident.com]  
**Subject:** Re: FW: FW: Continued grading concerns at Lot 28 105 Hope Avenue(Hope Ave Subdivision)

Hi Jay,

Have you been able to set up a process and timeline for rectifying the issue yet? If not, do you have an update for us?

We have received a call from Gorrill Palmer and Jim Lombardo (builder lot 29) and have let Gorrill Palmer know that we do not object to Gorrill Palmer doing the revised grading plans on lot 29. It would make sense to us that they do the grading plans for both lots 28 and 29. They will be doing an engineering survey which will help determine if drainage pipes are needed between lots 28 and 29. We feel that if there is a possibility, however small, that drainage pipes are needed that Jim Lombardo should be required to provide the drain pipes when grading is done in the Spring.

It appears we are nearing resolution on rectifying potential drainage issues on the right side of our property. We are anxious to hear your thoughts as to how we will avoid drainage issues directly behind our house and to the left side of our house (between lot 27 and lot 28) caused by our house being required to sit approximately 2 feet below the existing landscape and exacerbated by the fact that the Lot 27 structure was allowed to be placed approximately 2 to 3 feet above ours. We probably need drainage pipes on the left, middle back, and right sides of our property that tie in together to avoid free standing water issues in our side and back yards. We are not looking to recover the additional money we had to spend as a result of unforeseen excavation costs (digging out 2 feet of earth all around our foundation), however, we do not feel we should be required to take on the additional expense for drainage pipes on the left side and middle back of property.

Please give us an update on this issue at your earliest convenience.

Thank you,  
Sincerely,  
Todd R Stewart  
Bonnie J Stewart  
105 Hope Avenue  
Portland, Maine 04103  
Phone 575-7318 work (Todd)  
Phone 797-7134 home  
E-Mail: [TStewart@UnumProvident.com](mailto:TStewart@UnumProvident.com)



**From:** "Stewart, Todd R" <TStewart@unumprovident.com>  
**To:** Portland.CityHall(JAYJR)  
**Date:** Fri, Sep 5, 2003 9:11 AM  
**Subject:** Grading concerns on lot 28 (105 Hope Ave) Hope Avenue subdivision

Hi Jay,

Sending this e-mail in reference to our phone conversation late last week in which I proactively outlined my concerns about potential drainage problems on our lot once final grading is done (target completion date of construction 11/1/2003). We do not have any experience with how a lot should look at the rough grade stage or how a lot should be shaped at final grade to allow adequate drainage and no free standing water issues. One can assume that the goal of final grading is at least two-fold; 1). properly grade the lot so water flows away from the foundation and 2). grade the lot so that water drains off the property and does not result in free standing water issues anywhere on the lot or where adjacent lots meet. My wife and I, and most everyone else who has seen our lot (family members, friends, etc.), have noticed and commented on how low our lot looks in comparison to Lot 27 and Lot 29. I know you have seen numerous lots and may have trouble recalling the particulars of our lot so I will recap what has happened to this point.

\* I met you, Joe Wyse (our builder), and Todd Merkel (City of Portland?) at my lot at 1 PM on 5/7/2003 prior to foundation work beginning. Joe set up the meeting to discuss how high the top of our foundation would go (elevations?) and had concerns about the elevations set forth in the approved site plan. Our lot is pretty steep (approximately 94 feet high in the back and 89 feet high at the road). After much discussion, you approved adjustments being made to the site plan and the foundation being raised 1 1/2 feet. I think Joe suggested and wanted to raise the foundation even more, but negotiated 1 1/2 feet higher with you. He was doing his best to protect my interests, and his, and to be honest I didn't fully understand what we were discussing. Joe told me that we would be digging out the lot and that the house would appear to be a couple feet lower than the neighboring Lots (27 and 29) at that time. At that meeting you told me that the first lot in a subdivision is key for setting grading/elevations for neighboring lots and the entire neighborhood. You assured me that neighboring lots would be required to have similar elevations/grading and I assumed that meant that drainage issues and free standing water would not be a problem.

Fast forwarding to today and looking at Lot 27's rough grading and elevations (earthwork has begun) and it appears that Lot 27 is going to be approximately 2 feet higher than mine which really concerns my wife and I. We don't understand how final grading on both lots is going to allow for water to drain between the two lots into the storm drain. It appears to us that the water is going to drain nicely off of Lot 27 and pool on the side of our lot. We also have concerns about appropriate runoff in the backyard of Lot 27 as Lot 27 is very high in the back. Please note that we have cleared an additional 100 feet in the back of our lot ourselves and that Lot 27 and 28 have been cleared equally. We have huge concerns that we are going to have similar potential issues with Lot 29 as well when construction begins there.

My wife and I have already had to contend with additional excavating cost (\$2000 to \$3,000) with our construction to truck out and dispose of unneeded soil (the two feet of gravel around our house that had to be dug out). We would like to avoid drainage issues and the potential for increased costs (drains installed on the sides of our property to get rid of free standing water)- this should not be an issue, as you said, as we are the 1st lot and are the basis for grading adjacent lots. We will be taking pictures of Lots 27-29 to capture how the landscape looks now. In my phone conversation with you late last week, you tried to assure me that the grading that you proposed for Lots 27 and 28 will work if done to plan requirements. We are not so sure. We ask that you take a trip over to view our Lot and Lots 27 and 29 again to reassess how our Lot looks (not sure if you have seen the Lot in person since our meeting on 5/7/2003 before the ground was dug out) and how the grading plan is going to work. It appears to us that it may need some adjustments or at least be closely watched and strictly enforced.

We do want to note that our interactions with you throughout the permit and building process have been very pleasant. You have been very responsive and accommodating in our dealings to date.



Please do not hesitate to contact us with any questions. We are anxious to hear what your thoughts are on how proper grading is going to be accomplished after you visit the work site.

Thank you for your assistance in this matter,

Todd and Bonnie Stewart  
Owners Lot 28 (105 Hope Avenue)  
409 Palmer Avenue  
Portland, Maine 04103  
Phone: 207-797-7134 (home)  
Phone: 207-575-7318 (Todd @ work)  
Fax: 207-575-3851  
E-Mail: TStewart@UnumProvident.com

CC of letter by fax to Joe Wyse

**CC:** Portland.CityHall(AQJ)

**From:** Jay Reynolds  
**To:** "DReynolds@gorrillpalmer.com"@Portland.gwgwia  
**Date:** Mon, May 12, 2003 3:07 PM  
**Subject:** Lot 28 Revision

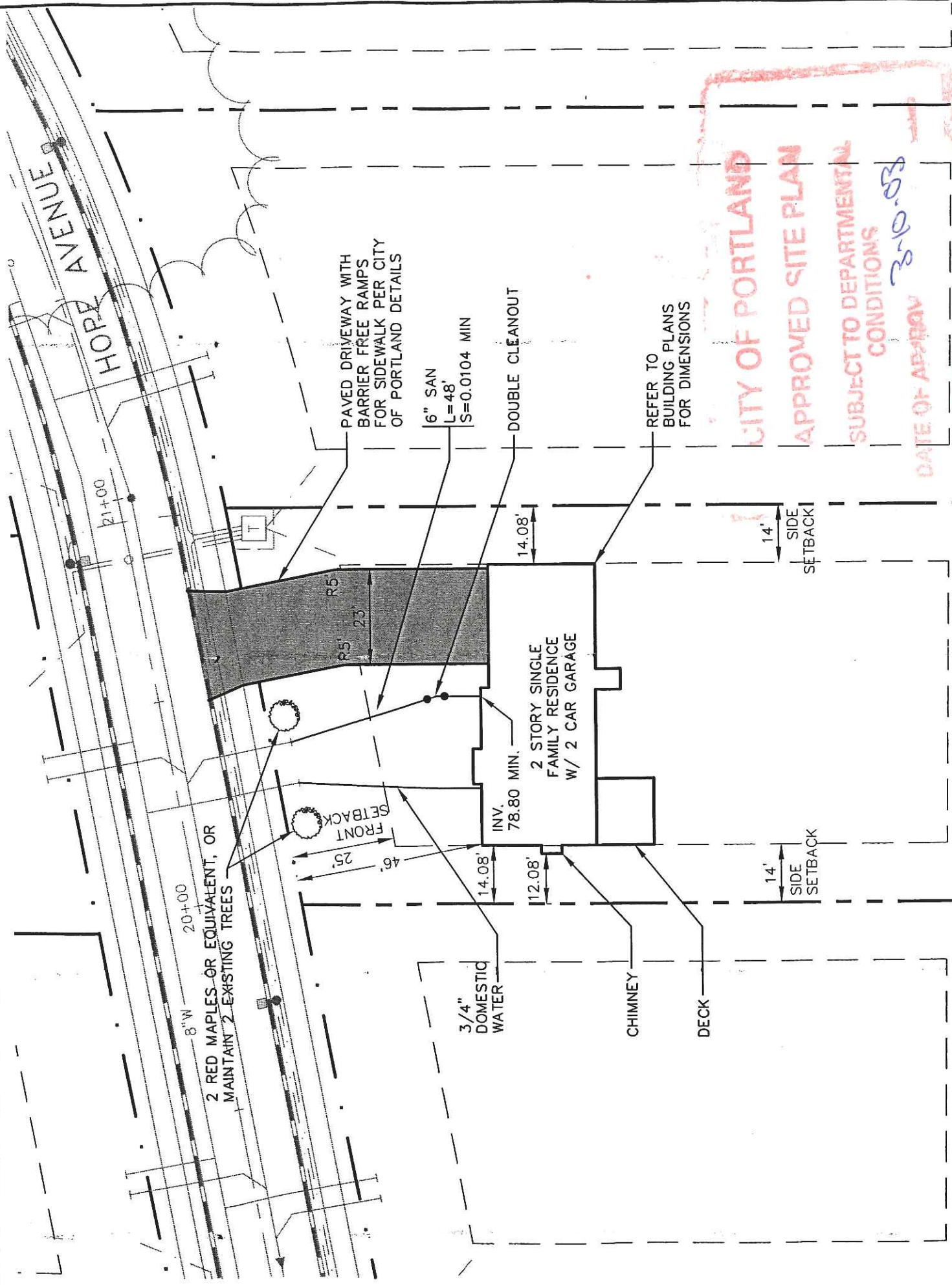
Hi Doug,  
Thanks for the revised plans.  
They are acceptable.  
Please consider this e-mail your approval for raising the Finish Floor Elevation and Finish Grades accordingly.

If you could, relay this approval to your client(s), Mr. Stewart and/or Mr. Wyse.

Jay Reynolds  
City of Portland  
Development Review Coordinator  
(207) 874-8632  
jayjr@ci.portland.me.us

**CC:** Sarah Hopkins





CITY OF PORTLAND  
APPROVED SITE PLAN  
SUBJECT TO DEPARTMENTAL  
CONDITIONS  
DATE OF APPROVAL 3-10-03

LOT 29

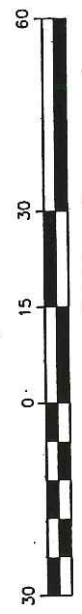
LOT 28  
34,269 sf  
0.79 ac

LOT 27

**GENERAL NOTES**

1. TOPOGRAPHIC DATA AND EXISTING CONDITIONS ARE BASED UPON A GROUND SURVEY CONDUCTED BY TITCOMB ASSOCIATES IN 2001.
2. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
3. MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE OWNER AND THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY ON-SITE INSPECTIONS OF THE OWNER OR THEIR REPRESENTATIVES AT NO ADDITIONAL COST TO THE OWNER.
4. ALL WATER UTILITY MATERIALS AND INSTALLATION METHODS SHALL CONFORM TO PORTLAND WATER DISTRICT STANDARDS. DISINFECTION OF WATER LINES SHALL CONFORM TO AWWA STANDARD C651, LATEST REVISION.
5. ALL SEWER MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
6. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS. AND CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.

ne Power Company Ex

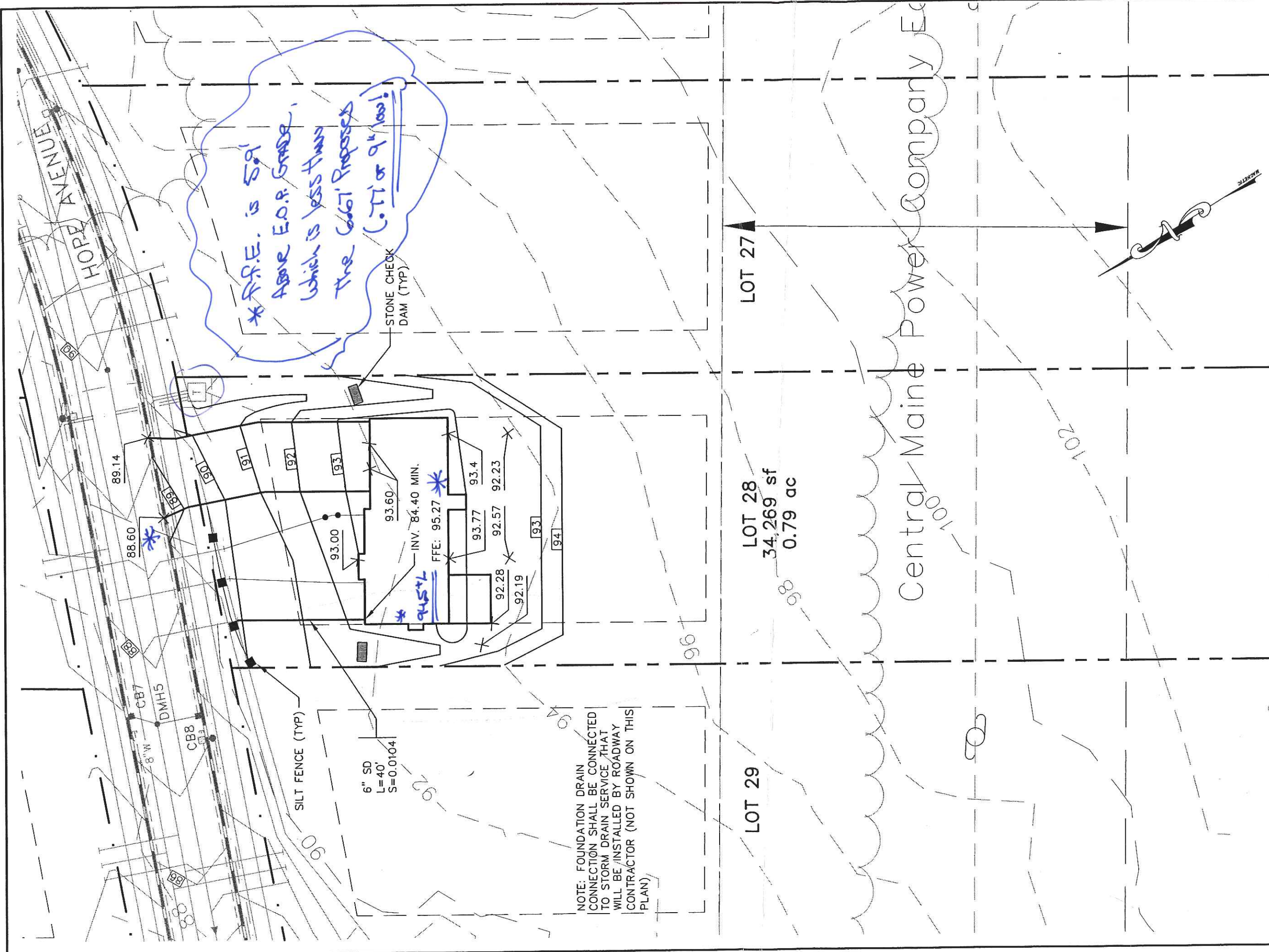


Design:	DER	Date:	JAN 2003
Draft:	SGB	Job No.:	712
Checked:	AMP	Scale:	1"=30'
File Name:	712-SP		

**GP** Gorrill-Palmer Consulting Engineers, Inc.  
Traffic and Civil Engineering Services  
PO Box 1237  
Oran, ME 04039  
Tel: 207-637-8615  
Fax: 207-637-8617  
E-Mail: malbo@gorrillpalmer.com

Drawing Name: **Lot 28 Site Layout and Utility Plan**  
Project: **PRESUMPSCOT RIVER PLACE**





**CITY OF PORTLAND**  
**APPROVED SITE PLAN**  
 Subject to Dept. Conditions  
 Date of Approval: 5-13-03

Design:	DER	Date:	JAN 2003
Draft:	SGB	Job No.:	712
Checked:	AMP	Scale:	1"=30'
File Name:	712-SP		

**GP** Gorrill-Palmer Consulting Engineers, Inc.  
 Traffic and Civil Engineering Services  
 PO Box 1237  
 15 Saker Road  
 Gray, ME 04039  
 207-657-6910  
 FAX: 207-657-6912  
 E-Mail: mailbag@gorrillpalmer.com

Drawing Name: Lot 28 Grading & Drainage Plan  
 Project: PRESUMPCOT RIVER PLACE