



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 158 Curtis Rd (Lot #3) 389-G-023

Issued to Vesta Corp.

Date of Issue 29 March 1995

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 941268, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Single Family Dwelling

Limiting Conditions: TEMPORARY:

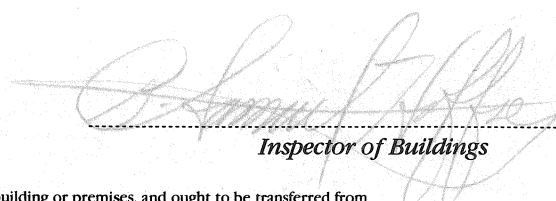
See attached memo dated 22 March 1995 from James Seymour to David Jordan listing (6) six conditions.

This certificate supersedes
certificate issued

Approved:

3-29-95 

(Date) Inspector



Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: David Jordan, Code Enforcement Officer

FROM: James Seymour, Acting Development Review Coordinator *ARS*

DATE: March 22, 1995

SUBJECT: Temporary Certificate of Occupancy for 158 Curtis Road

I have reviewed the single family residence at 158 Curtis Road and believe it would be acceptable to issue a temporary Certificate of Occupancy. A permanent Certificate of Occupancy should not be issued until the following conditions have been met.

1. Lot grading will be necessary in the Spring and the final lot grading shall be approved by the DRC by May 1, 1995, or prior to final loaming, seeding and mulching or issuance of a permanent Certificate of Occupancy. A swale needs to be constructed between Lot 3 and Lot 2 to direct stormwater runoff away from the foundation. This swale should collect and direct runoff towards the natural drainage path located at the rear of the lot.
2. The disturbed lot area and esplanades shall be loamed, seeded and mulched no later than May 14, 1995 and approved by the Development Review Coordinator.
3. Two City of Portland approved species and size trees must be planted along the street frontage prior to issuance of a permanent Certificate of Occupancy. Trees shall also be approved by the DRC and planted by May 14, 1995.
4. Siltation fencing or haybales shall be installed across the existing drainage path at both property lines and across any swales leading to this drainage path. Please refer to the enclosed grading plan for exact locations. Siltation fence and haybales should be properly toed and/or secured by either a date when ground surface becomes unfrozen enough to install fencing or a date no later than April 7, 1995. Siltation fence or haybales may be removed once areas disturbed by construction have become 80% revegetated.

5. The foundation drain has been relocated from what was shown on the approved site plan. The foundation drain which was intended to daylight into a swale at the rear of Lot 3 now crosses the front of Lot 4 and discharges into the storm drain in Curtis Road through a separate connection. An easement shall be provided to the owner of Lot 3 to install/maintain/repair the foundation drain. This requires that the Subdivision Plan which was amended and recorded under Book 195 Page 34 in the Cumberland County Registry of Deeds, needs to be amended to show the granting of an easement across the frontage of Lot 4. This requires that the plan be resubmitted to the Planning Staff for approval and once approved, recorded again in the Registry of Deeds with any other changes which are discussed in item 6 of this letter.
6. The drainage easement, as shown on the amended subdivision plan approved 2-9-95, indicates that a drainage easement exists on Lots 3, 4, and 5. However, the deed for Lot 3 does not include any drainage easement and was conveyed prior to the plan with the drainage easement being recorded at the Cumberland County Registry of Deeds. However, Mrs. Norma St. Angelo agreed to provide a drainage maintenance agreement to the City of Portland across for Lots 3, 4 and 5.

The applicant has the two options as follows:

- a. Provide the City with drainage maintenance agreement across Lot 3 in conformance with what exists for Lots 4 and 5; or
- b. The developer must resubmit the subdivision plan to be amended showing a private drainage easement, or provide an agreement between the owners of Lot 4 and 5 to include no building with its limits to assure the natural path of drainage. The width of the easement or agreement may be changed to less than 20 feet. I believe 10 feet could be acceptable. Also, the City shall have been provided with a drainage maintenance agreement for the areas to the rear of Lots 4 and 5 as described for the area designated for a drainage way.

In addition to the rear of Lot 4 and 5 having a maintained and protected drainage way, an easement/or agreement shall be provided along the north-northeast on property line of Lot 5 to continue to provide protection and maintenance of a drainage way so as to continue either its natural location of an outlet or to outlet into a drainage structure or ditch which would not adversely affect or worsen the outlet area from the condition it was in prior to any development. Any agreement necessary to outlet drainage should be the responsibility of the developer.

These choices are what the City of Portland presents to the owner of Lot 3 at this time. The City will remain open minded to other suggestions reaching the similar goal to provide a natural maintained drainage way. All solutions must be approved by the Development Review Coordinator and City Planning Staff by July 1, 1995.

The plan then shall be recorded at the Registry of Deeds and copies shall be submitted to the Planning Office for file records.

cc: Paul Niehoff, Materials Engineer