



# PORTLAND MAINE

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Planning & Urban Development Department  
Penny St. Louis Littell, Director

Planning Division  
Alexander Jaegerman, Director

July 17, 2009

Mr. Shawn Moody  
200 Narraganset Street  
Gorham, ME 04038

RE: Fill Permit – Moody's Collision Center, 495 Presumpscot Street, Portland  
(ID # 09-79800001) (CBL #418A C 001001)

Dear Mr. Moody:

On July 17, 2009, the Portland Planning Authority granted approval for a fill permit based on the submitted revised site plan received 7/8/09 for the property you recently purchased located in the vicinity of 495 Presumpscot Street, adjacent to the Moody's Collision Center.

The City's approval is granted subject to the following conditions:

1. **Applicant shall establish boundary lines around the perimeter of the property prior to commencement of filling the area.**
2. **Only clean fill, approved by the Department of Public Services, is to be used within the City of Portland Right of Way.**
3. **A double row of Erosion and Sedimentation control shall be established prior to soil disturbance/filling, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.**
4. **All guidelines listed in the Fill Permit Application shall be followed, including the provisions for loaming, seeding, and mulching.**
5. **All fill areas must be stabilized for winter by October 31, 2008.**
6. **Embankments and sloped areas created by fill construction that exceeds a 3:1 side slope or 33% grade shall be stabilized with erosion control blankets.**
7. **The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements, as necessary due to field conditions, to accommodate run-off and prevent erosion.**
8. **The expiration date of this approval is July 16, 2010.**

9. **All Site Work will conform to the City of Portland ordinance on Shoreland Regulations (Division 26).**
10. **The limits of work shall be clearly marked with flagging or temporary fencing. Absolutely no clearing or disturbance is to take place within, or encroach into the 75 foot stream protection zone.**
11. **Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.**

The approval is based on the submitted site plan. If you need to make any modifications to the site plan, you must submit a revised site plan for staff review and approval.

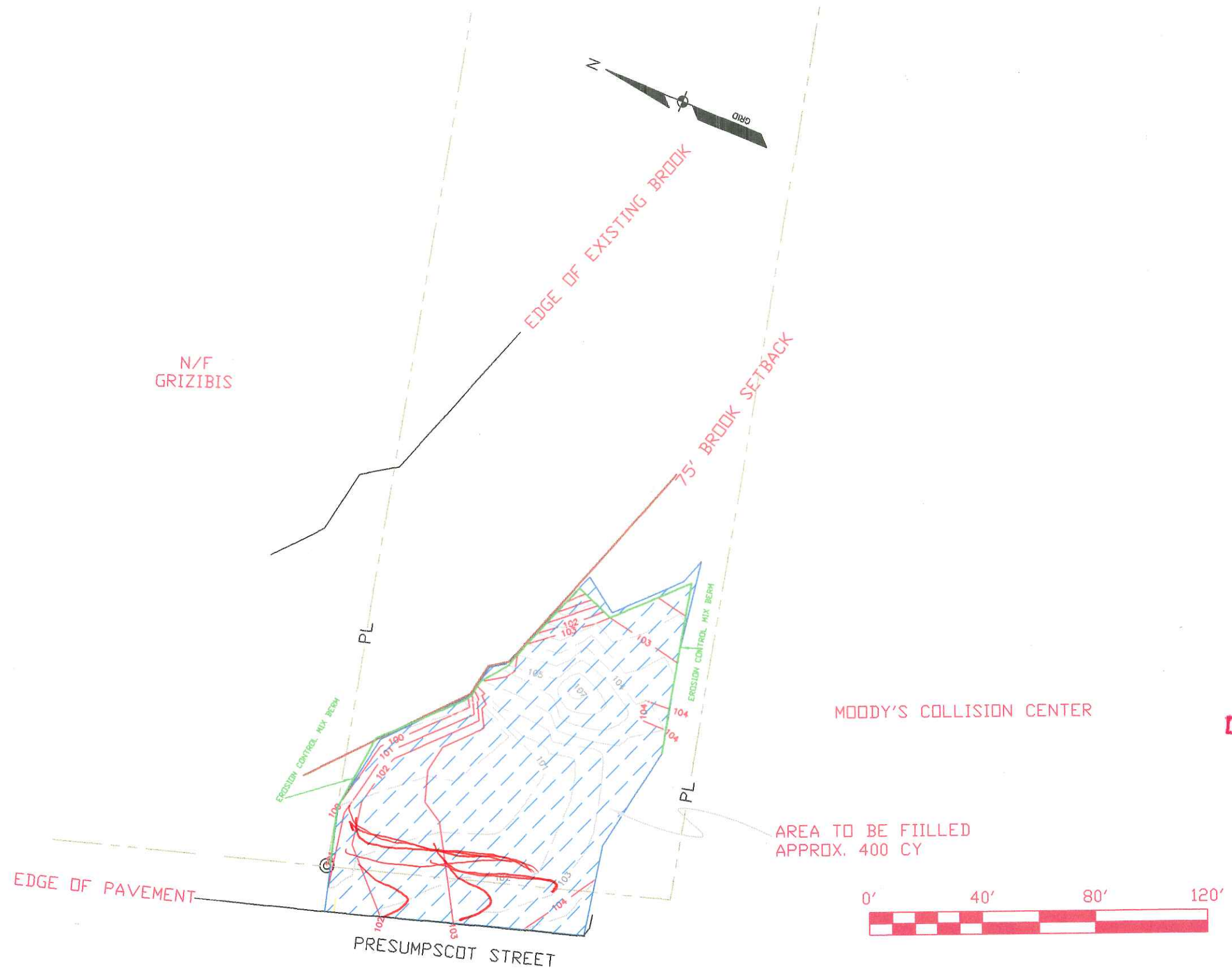
This letter serves as your Fill Permit. We look forward to working with you on future projects. If there are any questions, please contact the Development Review Coordinator, Philip DiPierro.

Sincerely,



Philip DiPierro  
Development Review Coordinator

cc: For Electronic Distribution  
Inspections Department  
Barbara Barhydt, Development Review Services Manager  
Marge Schmuckal, Zoning Administrator  
Philip DiPierro, Development Review Coordinator  
Danielle West-Chuta, Corporation Counsel  
Approval Letter File



N/F  
GRIZIBIS

EDGE OF EXISTING BROOK

75' BROOK SETBACK

PL

MOODY'S COLLISION CENTER

AREA TO BE FILLED  
APPROX. 400 CY

EDGE OF PAVEMENT

PRESUMPCOT STREET

PL

**CITY OF PORTLAND  
APPROVED SITE PLAN**  
Subject to Dept. Conditions  
Date of Approval: 7/17/09





June 23, 2009

Workshop: Peninsula Transit Study

Public Hearing: Wind Anemometer Text Amendment, Little Diamond Island Subdivision, and Plymouth Street Subdivision

**A. Final Written Reviews - Major Site Plans (Planning Board Review)**

- 1. Plymouth St. Subdivision.....eg

**B. Final Written Review - Minor Site Plans (Administrative Review)**

- 1. 38 Morse Street.....jf

**C. Pressing Issues, Questions, Exemptions, and Curb Cuts**

- 1. Winter Street - addition and parking....bb
- 2. Northeast Utilities - shed....bb
- 3. Skylark ck final sub div plans.....jf
- 4. Portland Hall...sw
- 5. Curb cut on Holm Ave.....dm-p
- 6. 61 India St (Joe Reynolds) amendments....jf
- 7. 495 Presumpscot Str., Moody's Fill Permit....pd
- 8. 27 Melborne Street....bb

**D. Distribution of New or Revised Plans**

- 1. 72 Walnut Street.....jf
- 2. One Monument Sq...sw

Ocean Ridge  
- Terry Hand  
After the Fact  
  
Arlene Giobbi  
- Steve Wardigan - Forest St.  
- New owner ?

- ✓ Close to stream - more detail needed.
- ✓ Need plan w/ pre & post grades & contours
- details for EC
  - Silt Fence
  - EC mix
  - Slope Stabilization

license to work in City Row  
street opening permit

City of Portland  
 Development Review Application  
 Planning Division Transmittal form

**Application Number:** 09-79800001      **Application Date:** June 16, 2009

**Project Name:** FILL PERMIT

**Address:** 495 Presumpscot      **CBL:** 418A- C-001-001

**Project Description:**

**Zoning:**

**Other Reviews Required:**

**Review Type:** FILL PERMIT

Shawn Moody  
 200 Narragansett Street

**Distribution List:**

<input checked="" type="checkbox"/> Planner		<input checked="" type="checkbox"/> City Arborist	Jeff Tarling
<input checked="" type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input checked="" type="checkbox"/> Design Review	Alex Jaegerman
<input checked="" type="checkbox"/> Traffic	Tom Errico	<input checked="" type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input checked="" type="checkbox"/> Inspections	Tammy Munson	<input checked="" type="checkbox"/> Sanitary Sewer	John Emerson
<input checked="" type="checkbox"/> Fire Department	Keith Gautreau	<input checked="" type="checkbox"/> Stormwater	Dan Goyette
<input checked="" type="checkbox"/> Parking	John Peverada	<input checked="" type="checkbox"/> Historic Preservation	Deb Andrews
<input checked="" type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
<input checked="" type="checkbox"/> DRC Coordinator	Phil DiPierro		

**Preliminary Comments needed by:**

**Final Comments needed by:**

# 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: <i>495 Presumpscot St.</i>		
Total Cubic Yardage of Proposed Fill <i>400 cu yd.</i>	Square Footage of Lot <i>12,400 sq. ft.</i>	
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot#	Owner: <i>REAL ESTATE HOLDINGS</i>	Telephone: <i>839-2500</i>
Lessee/Buyer's Name (If Applicable) <i>- Same -</i>	Applicant name, address & telephone: <i>John Wood 200 Nanoganset Orham, Me 839-2500</i>	500cy-less \$50.00 500cy-more \$100.00 <b>Fee: \$ <i>50</i></b>

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: <i>[Signature]</i>	Date: <i>6/8/09</i>
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**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 proposed fill area, and the distance from the actual 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.
  2. 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

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**JUN 10 2009**

**City of Portland  
Planning Division**

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

TREE CLEARING

HAULING IN FILL TO THE SITE

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.**



**Moody's Collision Centers  
Fill Permit Application Narrative**

Our application for a fill permit will be used in conjunction with the recently acquired land contiguous to the northern property line of Moody's Collision Centers. This site is located at 495 Presumpscot Street in Portland, Maine. Our goal is to enhance the natural aesthetics of the area by creating a portion of maintained green space. Gorham Sand and Gravel will be the "Contractor". The existing trees located in the fill area will be removed. The Contractor would be hauling in sandy, gravelly material removed from jobs for the City of Portland nearby. The base fill will be topped by 3-4" of loam as designated in the application. The loamed area will be seeded and mowed on a regular basis. The "Contractor" performs work for the City on a regular basis and will comply with all State and Local erosion control best practices. There will be 3:1 slope preserving the 75' setback and the lawn area will have a 1-2% gentle slope towards the stream. All construction, grading and seeding will be completed by September 1<sup>st</sup>, 2009 by Gorham Sand and Gravel. Thank-you for considering our application to improve our property which we believe will have mutual benefits to motorists and passers by.

Any questions don't hesitate to call. 839-2500

Shawn H. Moody



6/10/09

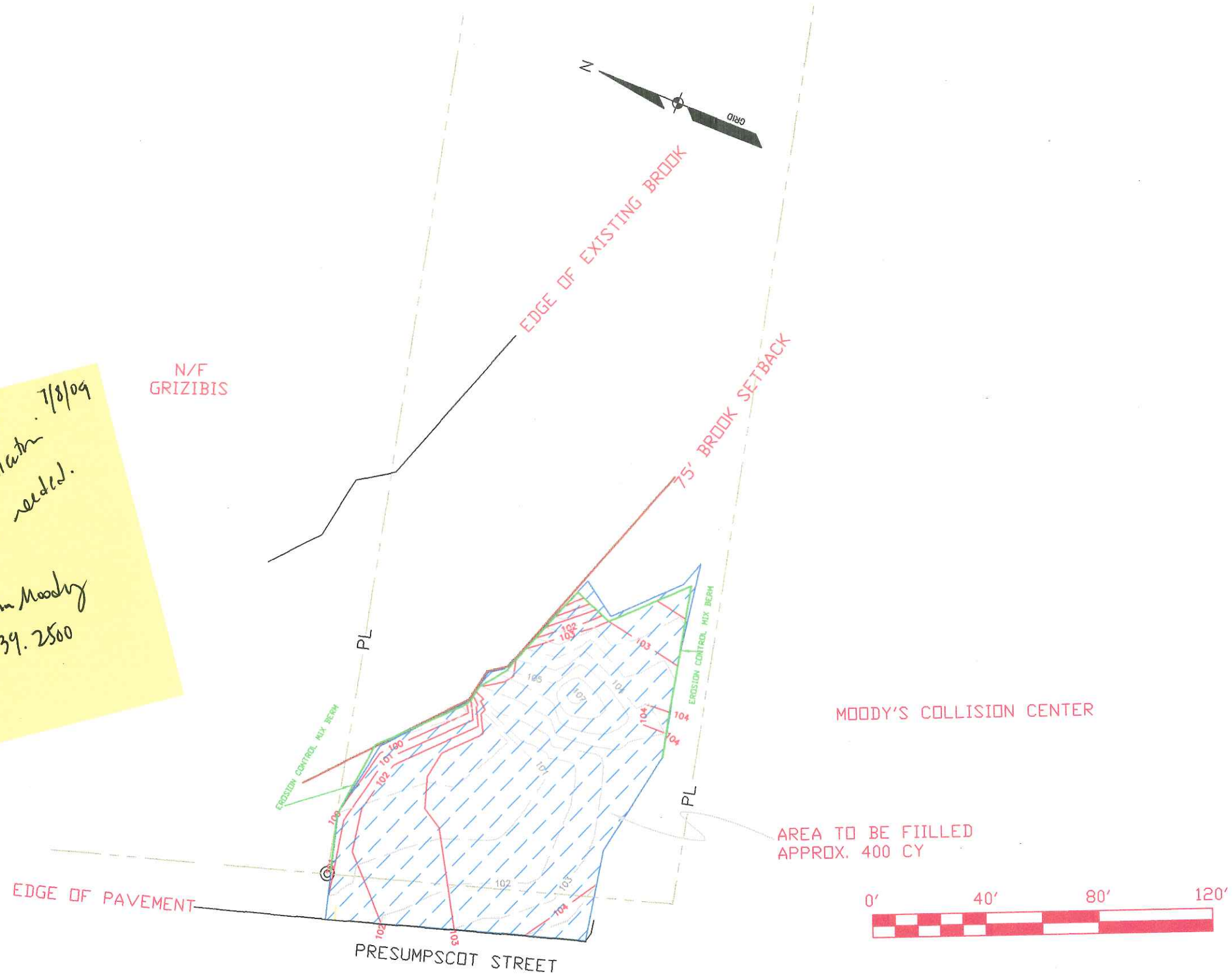
Note: The northern boundary between Moody's and Grizibis will be the center of the existing stream. We have included a copy of the Deed as reference.

## APPENDIX A

A certain lot or parcel of land situated on the easterly side of Presumpscot Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

**Beginning** at a point which is at the center of a certain outfall of a 24" wide culvert on the Easterly sideline of said Presumpscot Street, which culvert is located approximately ten (10) feet southerly of Pole #54; thence easterly along the center or thread of the stream flowing from said culvert to a point in the westerly sideline of land now or formerly of Canadian National Railroad; thence southerly along the said boundary of said Canadian National Railroad to other land of the Grantee; thence westerly along the said adjacent land of the Grantee to Presumpscot Street, being a distance of 410.9 feet more or less; thence, northwesterly along the easterly sideline of said Presumpscot Street two hundred (200) feet more or less to the point of beginning.

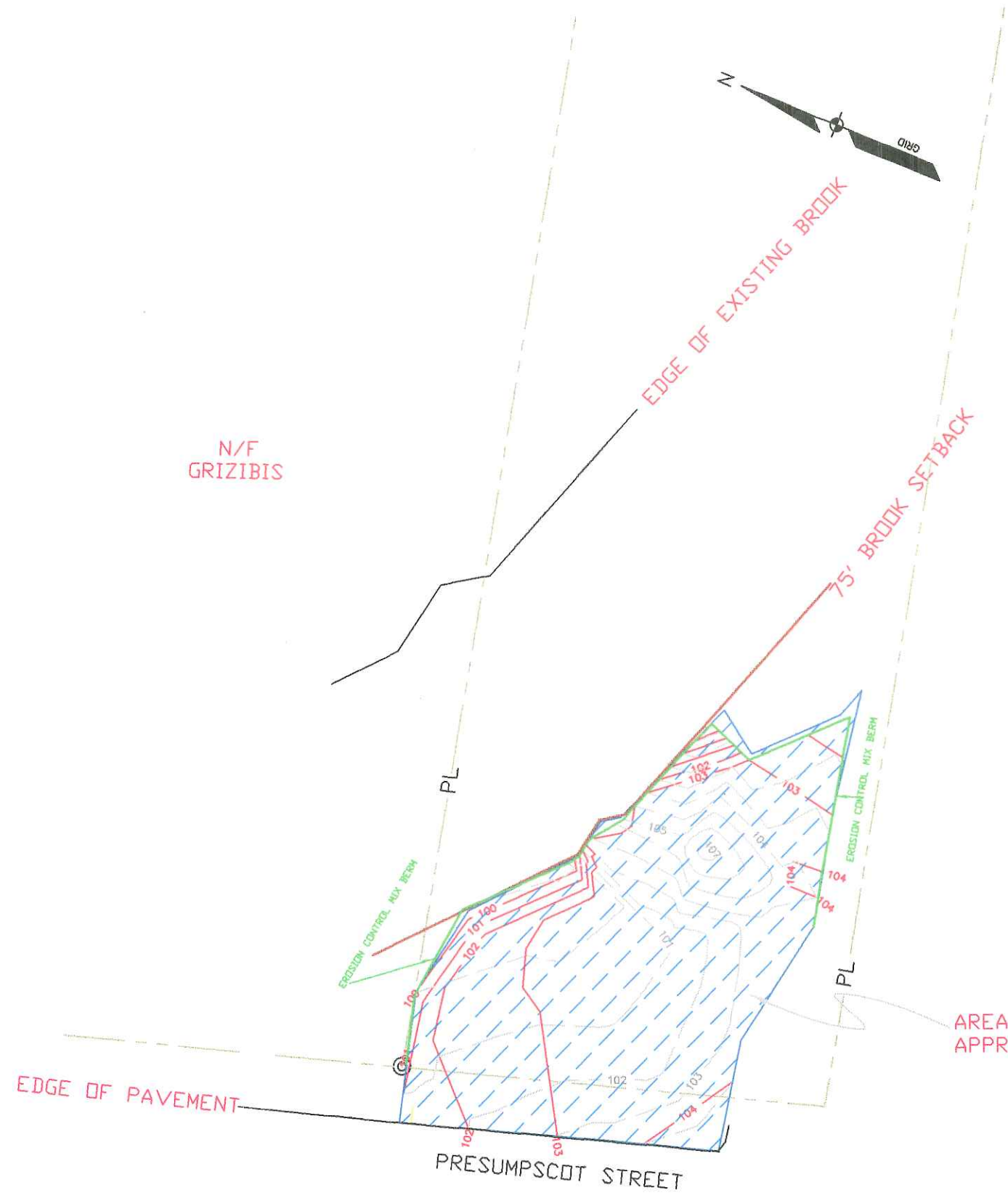
Moody's Collision Center  
Fill Permit Application 7/8/09  
- Additional info needed.  
see Moody  
839.2500



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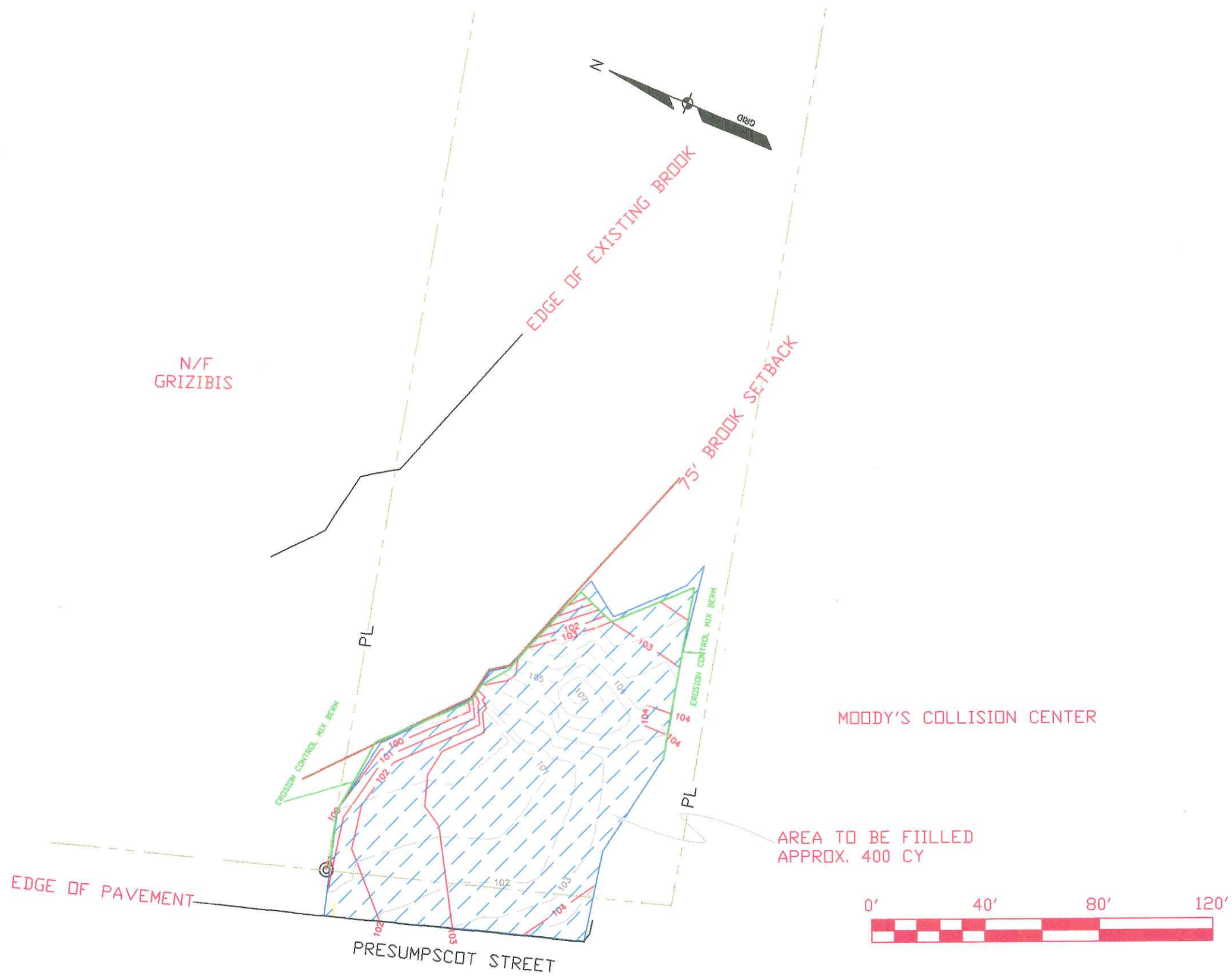


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EDGE TO PAVEMENT

N/F  
GRIZIBIS

PREMPSOCT STREET

PL



EDGE OF EXISTING BROOK

AREA TO BE FILLED  
APPROX. 400 CY

75' BROOK SETBACK

PL



MOODY'S COLLISION CENTER

EDGE OF PAVEMENT

N/F GRIZIBIS

PRELUMPSOCT STREET

PL



EDGE OF EXISTING BROOK

AREA TO BE FILLED  
APPROX. 400 CY

75' BROOK SETBACK

PL



MOODY'S COLLISION CENTER