

420-A-7

2003-0156

385 Presumpscot St.

After the fact - Diver Down

Jon Couture

on Spreadsheet

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

2003-0158

Application I. D. Number

07/29/2003

Application Date

Couture Jon Rene

Applicant

399 Presumpscot St, Portland, ME 04103

Applicant's Mailing Address

Diver Down - After the Fact Review

Project Name/Description

Consultant/Agent

399 - 399 Presumpscot St, Portland, Maine

Address of Proposed Site

Applicant Ph: (207) 828-0444

Agent Fax:

420 A007001

Applicant or Agent Daytime Telephone, Fax

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) Earth Work

IM

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 Plan _____ Subdivision _____ Engineer Review _____ Date _____

Planning Approval Status:

Reviewer _____

- Approved Approved w/Conditions See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

OK to Issue Building Permit

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 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.

Address of Proposed Development: <u>399 Presumpscot St.</u> Zone: <u>IM</u>		
Total Square Footage of Proposed Structure: <u>N/A (existing structure 6000sf)</u>	Square Footage of Lot: <u>46,564 sf (0.93 ac)</u>	
Tax Assessor's Chart, Block & Lot: Chart# Block# Lot# <u>420 - A - 007</u>	Property owner's mailing address: <u>Jon Costure, Diver Down Underwater Services, Inc., 399 Presumpscot St., Portland, ME 04103</u>	Telephone #: <u>207/228-2444</u>
Consultant/Agent, mailing address, phone # & contact person: <u>Sebago Technics, Inc., one Chabot St., PO Box 1337 Westbrook, ME 04095 207/856-0277 contact: Danielle Belts</u>	Applicant's name, mailing address, telephone #/Fax#/Pager#: <u>Same as owner</u>	Project name: <u>Amended Site Plan - Diver Down Underwater Services, Inc.</u>
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input checked="" 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 checked="" type="checkbox"/> Other <u>Earthwork</u>		
Major Development (more than 10,000 sq. ft.) <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)		
Minor Site Plan Review <input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input checked="" type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
Plan Amendments <input checked="" 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 #)

Jon Couture
Diver Down Underwater Services, Inc.
399 Presumpscot St.
Portland, ME 04103
207/828-6444

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 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: <i>agent</i> 	Date: 07/30/03
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Sebaizo Technics

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

July 28, 2003
03111

Sarah Hopkins
Planning and Development Dept.
Portland City Hall
389 Congress Street
Portland, ME 04101

Amended Minor Site Plan Application
Diver Down Underwater Services, 399 Presumpscot Street, Portland, Maine

Dear Sarah:

Attached please find an Amended Minor Site Plan application for Jon Couture of Diver Down Underwater Services. The property is located at 399 Presumpscot Street in Portland. The applicant previously submitted a Major Site Plan application and received approval from the City on October 3 1997. That approval was for a 10,000 square foot building (estimated size at full build-out) with paved parking, access drives, and outdoor storage area.

Subsequent to receiving site plan approval in 1997, the applicant constructed a 6,000 square foot building along with gravel parking, access drives and outdoor storage area. Since then, the applicant has also performed grading work on the site that was not depicted on the approved site plan. The grading work consisted of filling and leveling the back portion of the lot. The grading also inadvertently extended over the northerly property line onto the adjacent property owned by Nissen and slightly over the easterly property line which is land owned by the railroad. As a result of this work, the applicant received a Stop Work Order issued by the City on March 31, 2003.

Existing Conditions

Attached in an existing conditions plan with topography that is based on a survey performed by Sebago Technics, Inc. in April 2003. This survey reflects all of the grading work recently done on the site. Although Sebago Technics did not perform a boundary survey, it is apparent from a limited deed review that the historical location of the northerly property line is the centerline of the old Barbour Creek. The approximate location of this line is shown on the attached Existing Conditions Plan.

During the original site plan approval process, the applicant retained Baldwin Engineering to prepare the site plan application and supporting documents. Studies completed at that time noted a drainage swale along the old Barbour Creek line. The study noted that "the swale appears to be part of a past drainage system which has since been cut off upstream of the subject property. The swale currently appears to only drain, via surface runoff, the subject property and the Nissen property to the north." (Reference "Drainage Study and Storm Water Management Plan" prepared by Baldwin Engineering, Inc.).

As a result of the recent grading work, this swale is now shifted northerly and runs in a west to east direction generally paralleling the applicant's southerly property line and also paralleling the south side of the adjacent Nissen building. The swale is now stabilized and vegetated. Silt fence installed prior to the grading work has since been removed. On the easternmost side of the site, the swale flows into the railroad right-of-way and begins flowing south in its approximate original location. The swale continues to provide drainage relief for both the subject property and the adjacent Nissen site.

Proposed Conditions

Attached is an Amended Site Plan that depicts the applicant's intent and proposed plan for the site. All of the proposed work is within the applicant's property, with the exception of a requirement to inspect the previously disturbed off-site areas to ensure that all surfaces are stabilized. In accordance with the notes on the plan, the applicant will either vegetate or otherwise stabilize any areas that have the potential for future erosion (e.g., due to steep slopes). The applicant proposes to leave the fill and swale in-place rather than disrupt the off-site stabilized area.

The applicant also requests the following changes to the approved site plan:

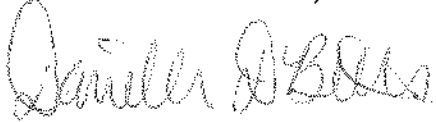
- Additional gravel (approximately 1,350 square feet) for nine parking spaces adjacent to the building. The existing spaces are currently located in this area; the additional gravel will provide for a few more parking spaces and will allow the cars to be parked perpendicular to the side of the building.
- Remove the chain link fence surrounding the outdoor storage area.
- Fill and shape the existing outdoor storage area so that the grades have a uniform slope across the full-width of the property. This grading will include improving a drainage swale along the southerly property line.

The proposed work will not result in more impervious area than was originally approved. The seasonal outdoor storage areas at the rear of the site will be loamed and seeded. The project is not subject to Maine Department of Environmental Protection permitting for stormwater since the impervious area is less than 1 acre and the disturbed area is less than 5 acres. The parcel does not appear to be subject to City of Portland stormwater rules since it is considered a 'minor development'.

We would like to meet with you to discuss the Amended Site Plan at your earliest convenience. In the interim, please feel free to give me a call with any questions or comments. Thank you.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in cursive script, appearing to read "Danielle D. Betts".

Danielle D. Betts, P.E.
Sr. Project Manager

DDB:ddb/jc
Enc.

cc: Jon Couture

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Jon Coakley

Company: 383 Presumpscot Street, Inc.

Fax #: 828-1255

Date: 4-1-03

From: Jay Reynolds

You should receive 2 page(s) including this cover sheet.

Comments: Attached letter faxed, As Requested.

DRAINAGE STUDY AND STORM WATER MANAGEMENT PLAN

Contained within is a brief summary of an urban hydraulic analysis performed on the watershed subarea underlying the proposed Diver Down Underwater Services facility. The pre-developed 0.93 acre site is located at 385 Presumpscot Street in Portland, Maine. The study was conducted using the Rational Method, based on a 24-hour, 2-, 10-, and 25-year storm occurrence. The purpose of the study was to determine the pre- and post-development drainage characteristics of the site in order to design an effective and feasible storm water control system capable of limiting post-development effects on offsite properties. The existing and proposed site conditions are depicted on the site plans included elsewhere within this application.

Pre-development conditions include an unimproved, flat lot with fair to good vegetation and a gradual west to east slope. Surface soil types as identified on the SCS Medium Intensity Soils Map for Cumberland County, Maine indicate onsite soils are predominately of Hollis type (i.e. fine, sandy loam). A significant drainage swale exists, and forms, the northern and eastern property boundaries. The swale appears to be part of a past drainage system which has since been cutoff upstream of the subject property. The swale currently appears to only drain, via surface runoff, the subject property and the Nissen property to the north. Current runoff is directed into a detention area located to the east and bordered by the subject property and railroad easement. Undeveloped, the property will yield via surface runoff approximately 4.0 cubic feet per second (cfs) of storm water during the peak hour of a 24-hour, 25-year storm event.

The developed property, as depicted on the Proposed Site Plan, includes the ultimate construction of a 10,000 square foot building, paved parking area and driveway, and a gravel storage area. Calculations indicate the property will yield via surface runoff approximately 4.4 cfs of storm water during the peak hour of a 24-hour, 25-year storm event. As calculated using Soil Conservation Service, TR-55 Detention Basin Storage Worksheets, a storage volume of 0.056 acre feet, or approximately 3,000 cubic feet, is required to limit post-development conditions to pre-development conditions.

The existing northern drainage swale and eastern detention basin area suitably serve the purpose of controlling storm water flows from the Nissen and subject properties and appear to have adequate capacity to contain the storm water increases resulting due to the proposed development. Therefore, Baldwin Engineering, Inc. recommends general site grading which directs runoff to the north and east, maintenance of the drainage swale to the north and east, and maintenance of the storm water detention basin area at the eastern extremes of the site. The drainage swale should be protected with erosion control devices (e.g. silt and haybale fence) during construction.

In addition, a drainage ditch located parallel to Presumpscot Street exists in the front portion of the lot. Limited drainage from the roadway and front portion of the site will continue to collect and drain underneath the existing driveway to the south without significance increase due to the proposed developed conditions. The drainage ditch and culvert should be protected with erosion control devices (e.g. haybales) during construction.

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

September 9, 2003

Danielle Betts, PE
Sebago Technics, Inc.
One Chabot St.
P.O. Box 1339
Westbrook, ME 04098

Re: Amended Site Plan for Diver Down, 399 Presumpscot Street
CBL: 420 A007001

Dear Ms. Betts:

Thank you for your submission of the amended site plan for Diver Down at 399 Presumpscot Street. Due to the present workload in the Planning Division, our review turnaround has been slowed down. I apologize for the delay.

Staff from Public Works, Corporation Counsel, Planning, Fire, Inspections and Traffic have reviewed the submission. Based on our review, the only required addition to the plan is the installation of sidewalk, granite curb, esplanade and street trees along the frontage of 399 Presumpscot Street, as required in Section 24-96 of the Land Use Ordinance.

Once the right-of-way improvements have been added to the plan, we will approve the site plan proposal.

Please do not hesitate to call if you have any questions.

Sincerely,

Sarah Hopkins
Development Review Services Manager

cc: Lee Urban, Planning and Development Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Kandice Talbot, Planner
Mike Nugent, Inspection Services Manager
Penny Littell, Corporation Counsel
Marge Schmuckal, Zoning Administrator
File

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

Sent Certified Mail

March 31, 2003

383 Presumpscot Street, Inc.
474 Lafayette Street
Yarmouth, ME 04096

RE: Site Changes at 385-399 Presumpscot Street

Dear Mr. Couture:

On March 20, 2003, site changes were observed taking place on your property at 385-399 Presumpscot Street.

This is a **STOP WORK ORDER** pursuant to Section 14-525 (f) of the Land Use Ordinance.

At this time, your original approval dated October 3, 1997, has expired.

In order to come into compliance, you must perform the following:

1. Re-apply for minor site plan approval. Plans will need to be submitted, showing the proposed build out of your site (currently, your site does not match your approved site plan dated October 3, 1997). This can be done by applying for an amendment to your site plan.
 - a. Upon approval, the standard conditions of approval for minor site plan must be met before re-commencement of work on site.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452.

Sincerely,



Jay Reynolds
Development Review Coordinator

Co.: Alexander Jaegerman, Planning Division Director
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Larry Ash, Traffic Engineer
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Caylen McDougall, Fire Prevention