

Inspection Services
Michael J. Nugent
Manager

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

July 7, 2000

Cheryl F. Juniewicz
38 Bismark St.
Portland ME 04103

Re: 38 Bismark St.
(433 H003)

Dear Ms. Juniewicz:

This letter confirms that the Portland Planning Authority has reviewed and approved a shore stat plan for your property at 38 Bismark Street (revised site plan dated 6/30/98).

The approval covers site plan review and shoreland regulation review.

The Original approval occurred 6/24/98. The project did not occur within the required time lim and you have reapplied and paid the balance of the application fee.

On 7/6/00, Steve Bushey, DRC, reviewed the Site with your representative and has indicated his concurrence with the original approval.

Based on that, this office reaffirms your approval. Please find attached a copy of the original ; All conditions remain in effect. This approval expires pursuant to condition 1 of the original approval.

Sincerely,

Mike Nugent
Manager of Inspection Services

**Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the information below for Site Plan Review

NOTEIf 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.**

<p><u>Cheryl Juniewicz</u> Applicant</p> <p><u>38 BISMARCK Street</u> Applicant's Mailing Address</p> <p><u>N/A</u> Consultant/Agent</p> <p><u>207-793-8876 Fax: 207-774-1116</u> Applicant/Agent Daytime telephone and FAX</p> <p>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 type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Other(Specify) <u>Cleaning out of debris and replac.</u></p> <p><u>N/A</u> Proposed Building Square Footage and /or # of Units</p>	<p align="right"><u>June 2 98</u> Application Date</p> <p><u>Removal of Debris + Replace w/ Bio Rap</u> Project Name/Description</p> <p><u>38 BISMARCK Street</u> Address Of Proposed Site</p> <p><u>433-H-003</u> Assessor's Reference, Chart#, Block, Lot#</p> <p align="center"><u>14,300</u> Acreage of Site</p> <p align="center"><u>R-5 Shore</u> Zoning</p>
--	--

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) 7 sets of Site Plan packages containing the information found in the attached sample plans and checklist.

(Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record 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 an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: <u>Cheryl Juniewicz</u>	Date: <u>June 2, 98</u>
---	-------------------------

Site Review Fee: \$300.00

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

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

20000134
I. D. Number

Cheryl Junlewicz

7/5/00

Applicant

Application Date

38 Bismark Street, Portland, ME 04103

Bismark Street

Applicant's Mailing Address

Project Name/Description

773-8896

38 Bismark St, Portland Maine 04103

Consultant/Agent

Address of Proposed Site

774-1116

433-H-003

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 Office Retail Manufacturing Warehouse/Distribution Parking Lot New Building Building Addition Change Of Use Residential Other (specify) **clean fill and riprap**

Proposed Building square Feet or # of Units: 14,3000 Acreage of Site: _____ Zoning: **R5**

Check Review Required:

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # 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 Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Plan **\$100.00** Subdivision _____ Engineer Review _____ Date: **7/5/00**

DRC Approval Status:

Reviewer _____

- | | | |
|---|---|---|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Approved w/Conditions see attached | <input type="checkbox"/> Denied |
| Approval Date _____ | Approval Expiration _____ | Extension to _____ |
| <input type="checkbox"/> Condition Compliance | signature _____ | date _____ |
| | | <input type="checkbox"/> Additional Sheets Attached |

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 | _____ | | |
| | 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 | | |
| <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 |

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

20000134
I. D. Number

Cheryl Juniewicz
Applicant
38 Bismark Street, Portland, ME 04103
Applicant's Mailing Address
773-8896
Consultant/Agent
774-1116
Applicant or Agent Daytime Telephone, Fax

7/5/00
Application Date
Bismark Street
Project Name/Description
38 Bismark St, Portland Maine 04103
Address of Proposed Site
433-H-003
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 Office Retail Manufacturing Warehouse/Distribution Parking Lot Other (specify) **clean fill and riprap**
 New Building Building Addition Change Of Use Residential
 Proposed Building square Feet or # of Units: **14,3000** Acreage of Site: _____ Zoning: **R5**

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 **\$100.00** Subdivision _____ Engineer Review _____ Date: **7/5/00**

Inspections Approval Status:

Approved Approved w/Conditions see attached Denied Reviewer _____
 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 Issued	_____		
	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		
<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

**Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for Site Plan Review

NOTEIf 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.**

Cheryl Jursewicz

July 5-2000

Applicant

38 Bismark Street

Application Date

Removal of Debris
→ Replacing w/ Curbside + Riprap

Applicant's Mailing Address

Portland, Me 04103

Project Name Description

Consultant/Agent

Address Of Proposed Site

433-H-003

Applicant/Agent Daytime telephone and 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 Other(Specify) Cleaning out debris + replacing w/rip rap

N/A
Proposed Building Square Footage and /or # of Units

14,300
Acreage of Site

R-5
Zoning

You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
 - 2) 7 sets of Site Plan packages containing the information found in the attached sample plans and checklist. 2 extra Site Plans
- (Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record 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 an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: <u>Cheryl Jursewicz</u>	Date: <u>July 5-2000</u>
---	--------------------------

Site Review Fee: Major \$500.00 Minor 400.00

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

BOARD OF HARBOR COMMISSIONERS
HARBOR OF PORTLAND

PERMIT

COPY

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To..... Cheryl F. Juniewicz
..... 38 Bismark Street, Portland, ME 04103

The undersigned, Board of Harbor Commissioners for the Harbor of Portland, having carefully considered your application, dated the 19th day of March 1997, for a permit authorizing the removal of debris, filling the area in with large stone rip-rap, and building a floating dock over an existing pier base at 38 Bismark Street Portland

and having given public notice of pendency of this application as required by law, and therein designated Thursday, the 10th day of July 1997, 5 o'clock in the afternoon prevailing time, as the time when they would meet at Portland City Council Chambers and examine this issue, and hear all parties interested: and having met at the time and place mentioned and examined the location of this proposed removal of debris and construction of floating dock

and heard all parties interested, issue to you this permit authorizing you to proceed under all applicable local and federal regulations hereinafter stated and to maintain the same within the limits mentioned, namely: none

In addition, the construction project described above must be surrounded by a containment boom unless the Board of Harbor Commissioners for the Harbor of Portland has waived this requirement in writing either as part of the above-listed conditions or in a separate statement.

This permit is a limited authorization containing a stated set of conditions which must be complied with. If a contractor performs the work for you, both you and the contractor are responsible for assuring the work is done in conformance with the conditions and limitations of this authorization. Please be sure that the person who will do the work has read and understands these conditions.

Performing any work not specifically authorized by this permit, or failing to comply with its conditions, may subject you to the enforcement provisions of our regulations. If any change in the plans or construction methods is found necessary, please contact us immediately to discuss modifications of your authorization. Any change must be approved before it is undertaken.

Nothing in this permit shall be construed to justify or authorize any invasion to the private rights of others. Moreover, nothing in this permit shall limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland within their applicable statute. Attested copies will be submitted to the U.S. Army Corps of Engineers, the Department of Environmental Protection, the City of Portland and the City of South Portland.

The work authorized by this permit is to be completed on or before the 10th day of July 1998.

In Witness Whereof the members of the Board of Harbor Commissioners for the Harbor of Portland have hereunto set their hands and affixed their corporate seal on this 10th day of July 1997.

[Handwritten signatures]

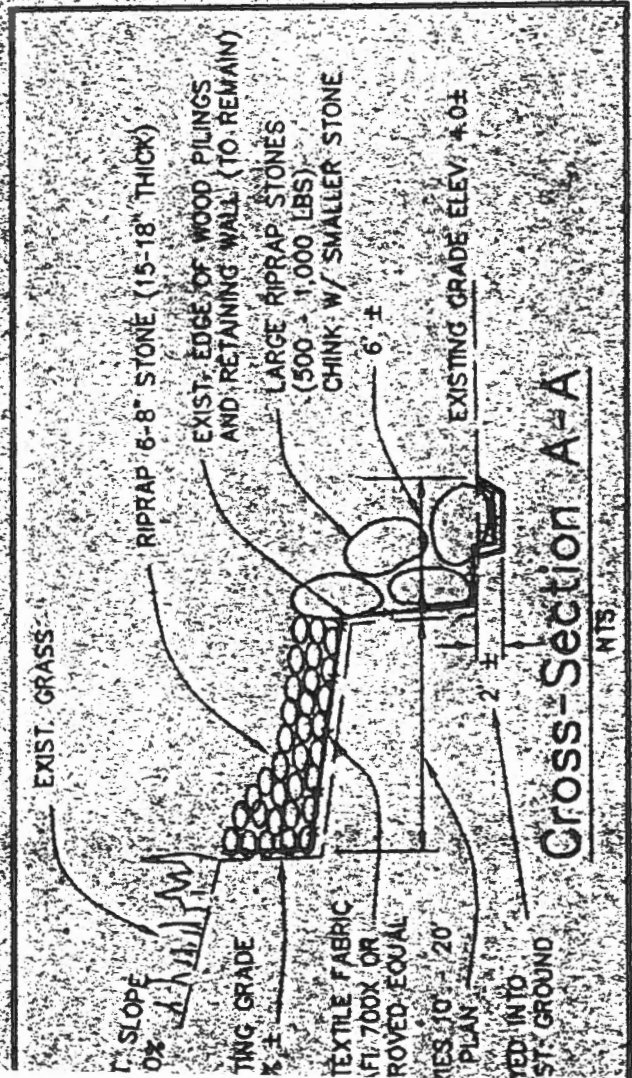


GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.



1. OWNER:
CHERYL JUNIEWICZ
38 BISMARCK STREET, PORTLAND, MAINE 04103
2. SURVEYOR:
ROBERT C. LIBBY JR., PLS #2190
BH2M
28 STATE STREET, GORHAM, MAINE 04038
3. ENGINEER:
LESTER S. BERRY, PE #3341
BH2M
28 STATE STREET, GORHAM, MAINE 04038
4. PROPOSED PROJECT:
PLACEMENT OF RIP RAP ALONG TOE OF VEGETATED SLOPE.
ALL RIP RAP WILL BE PLACED USING EQUIPMENT ON UPLAND
AREAS (SEE CROSS SECTION).
5. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE
WITH THE EROSION PREVENTION PROVISIONS OUTLINED IN THE "MAINE EROSION
AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT
PRACTICES" CUMBERLAND COUNTY S.W.C.D. DEPARTMENT OF ENVIRONMENTAL
PROTECTION DATED MARCH 1991.
6. DATUM IS CITY OF PORTLAND, TOP OF BOLT IN GRANITE MONUMENT FOUND
NORTHERLY OF THE NORTHERLY SIDELINE OF WENTWORTH STREET, ELEV. 15.535
7. PLAN REFERENCE:
OCEAN VIEW PARK, EAST DEERING, MAINE OWNED BY J.W. WILBUR
DATED AUG. 3, 1898 AS RECORDED IN THE CUMBERLAND COUNTY
REGISTRY OF DEEDS PLAN BOOK 8, PAGE 133.
8. ALL DISTURBED AREAS NOT BEING RIP RAPPED SHALL BE LOAMED AND SEEDED
AT THE COMPLETION OF THIS PROJECT.
9. THERE SHALL BE NO CUTTING OF EXISTING TREES WITHIN 75 FT. OF WATER BOD
PER S.S. 14-449(3) OF THE CITY OF PORTLAND SHORELAND REGULATIONS.

I CERTIFY THAT THIS SURVEY CONFC
TO THE MAINE BOARD OF REGISTRA
FOR LAND SURVEYORS STANDARD
BOUNDARY SURVEY CATEGORY I,
CONDITION I, WITH THE FOLLOWING
EXCEPTIONS:

Presumpscot River

RIPRAP
(6" - 8")

FACE WITH LARGE
RIPRAP STONES
(SEE CROSS SECTION)

EXIST EDGE OF
WOOD / RETAINING WALL
AND OLD PILING

S64°38'15"W

To Low Water

To Low Water

Exist. Shed

Cross Slope

Exist. Barn

Deck

Exist. Driveway

Right of Way
20'

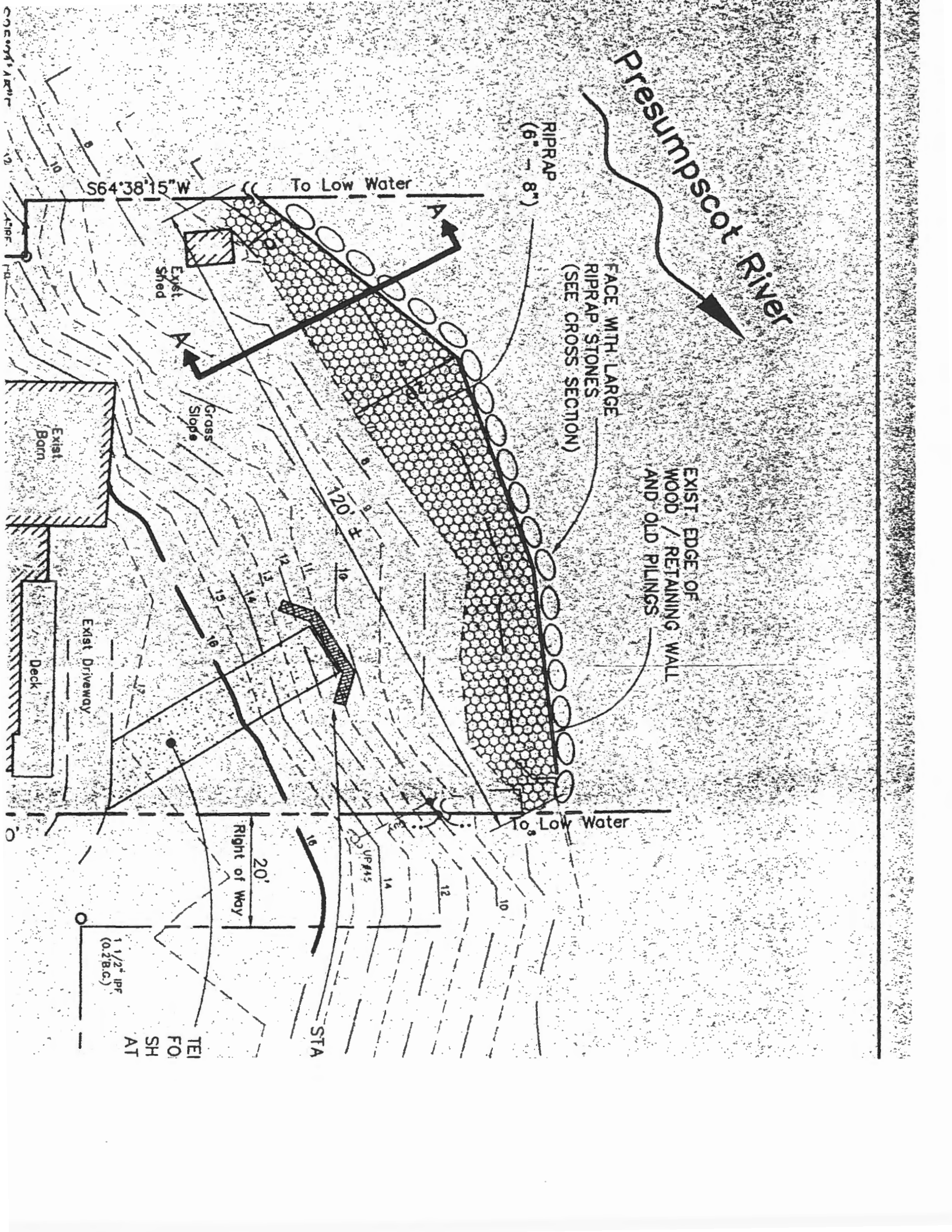
1 1/2" PF
(0.2% C)

TEI
FO
SH
AT

STA

UP445

Scale 1" = 10'



DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)
PERMIT BY RULE NOTIFICATION FORM
 (For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY (3 COPIES, PLEASE BEAR DOWN)

Name of Applicant: Cheryl J. Jurek		Name of Owner: Cheryl J. Jurek	
Mailing Address: 35 Bismark St		Town/City: Portland Maine	
State: Me	Zip Code: 04103	Daytime Telephone No: 207 571 2839 (Include area code)	
Name of Wetland, Water Body or Stream: Presumpscot River			
Detailed Directions to Site: Rt. 1 left onto Oregon St. to end Tan Farmhouse @ corner of Oregon + Bismark			
Town/City: Portland	Map #: 433	Lot #: 3	County: Cumberland
Description of Project: (see original PBR attached)			
		Part of a larger project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

(CHECK ONE) This project: does does not involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

- | | | |
|--|---|---|
| <input type="checkbox"/> Sec. (2) Soil Disturbance | <input checked="" type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (14) Piers, Wharves & Piling |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (9) Utility Crossing | <input type="checkbox"/> Sec. (15) Public Boat Ramps |
| <input checked="" type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (11) State Transportation Facilities | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input checked="" type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | |

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

I have attached all of the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach** a check for \$50 (non-refundable) made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** photographs showing existing site conditions (unless not required under standards).

Signature of Applicant:	Date: June 29, 2000
-------------------------	---------------------

Keep the bottom copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. Work carried out in violation of any standard is subject to enforcement action.

AUGUSTA DEP
 STATE HOUSE STATION 17
 AUGUSTA, ME 04333-0017
 (207)287-2111

PORTLAND DEP
 312 CANCO ROAD
 PORTLAND, ME 04103
 (207)822-6300

BANGOR DEP
 106 HOGAN ROAD
 BANGOR, ME 04401
 (207)941-4570

PRESQUE ISLE DEP
 1235 CENTRAL DRIVE
 PRESQUE ISLE, ME 04769
 (207)764-0477

OFFICE USE ONLY	Ck#	Date	Staff	Staff	After Photos
PBR #	FR \$50.00	6/29/00	ADJ	Def. Date	



Dennis "Chip" Martin
Director of Business Development

COASTAL ENVIRONMENTAL
CONSTRUCTION, DEMOLITION & ENGINEERING

603 770 5095
Pager (207) 823-1152

217 Brackett Street • Portland, ME 04101
Ph. (207) 771-5523 • Fax (207) 871-1372



CITY OF PORTLAND

June 24, 1998

Cheryl F. Juniewicz
38 Bismark St.
Portland ME 04103

Re: 38 Bismark St.

Dear Ms. Juniewicz:

This letter confirms that the Portland Planning Authority has reviewed and approved a shore stabilization plan for your property at 38 Bismark Street (revised site plan dated 6/30/98). The approval covers site plan review and shoreland regulation review.

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:

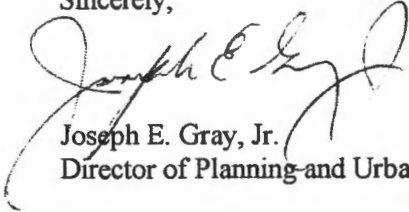
1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor and the Planning Dept. development review coordinator 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 preconstruction meeting.
3. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

O:\PLAN\CORRESPRICK\LETTERS\JUNIEW.LEC

4. The Development Review Coordinator (874-8300 ext. 8722) 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 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.

Should you have any questions concerning this letter, please call Rick Knowland of the Planning Department, 871-8725.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

- cc: Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
P. Samuel Hoffses, Building Inspector
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File