

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that JAMES E DARLING

Located At 84 MORRILL ST

Job ID: 2011-10-2409-DEMO

CBL: 435-D-016-001

has permission to Demo Single Family Home Create Vacant Land

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

**Job ID: 2011-10-2409-
DEMO**

**Located At: 84 MORRILL
ST**

CBL: 435- D-016-001

Conditions of Approval:

Zoning

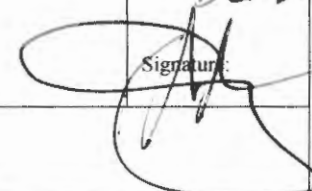
1. This permit is being approved on the basis you submission and letter from Greg Mitchell. Any deviations shall require a separate approval before starting that work.
2. Separate permits are required for review for the redevelopment of this property.

Building

This is an after the fact permit. Please see attached agreement.

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2011-10-2409-DEMO	Date Applied: 10/5/2011	CBL: 435- D-016-001	
Location of Construction: 84 MORRILL ST	Owner Name: SS MORRILLS, LLC	Owner Address: ONE WELLS AVE - NEWTON, MA 02459	Phone: 885-2414
Business Name:	Contractor Name: Marc Gagnon @ Landmarc Construction	Contractor Address: 415 Congress Suite 202 ST PORTLAND MAINE 04112	Phone: (207) 699-2572
Lessee/Buyer's Name:	Phone:	Permit Type: DEMO -	Zone: C-36
Past Use: Single Family Dwelling (vacant)	Proposed Use: To demolish the single family dwelling -- no plans for replacement	Cost of Work: \$15,000.00	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: 12.3 Type: DEMO
		Signature:	
Proposed Project Description: Demo Single Family Home & Foundation		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Lannie		Zoning Approval	

<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building Permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetlands</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p><input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM</p> <p>Date: <i>OK with conditions</i> <i>2/24/12</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>[Signature]</i></p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in Dist or Landmark</p> <p><input type="checkbox"/> Does not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>[Signature]</i></p>
	CERTIFICATION		

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 authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



Demolition of a Structure Permit Application

C-36

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 Construction: <u>84 MERRILL STREET</u>		
Total Square Footage of Proposed Structure <u>625</u>	Square Footage of Lot: <u>3915</u>	
Tax Assessor's Chart, Block & Lot: Chart# <u>435</u> Block# <u>D</u> Lot# <u>16</u>	Owner: <u>Mc Wells Ave Newton, MA 02459</u> <u>SS MERRILLS, LLC</u>	Telephone: <u>885-2414</u>
Lessee/Buyer's Name (If Applicable) <u>N/A</u>	Applicant name, address & telephone: <u>MARC GAGNON</u> <u>LANDMARC CONSTRUCTION</u> <u>415 CONGRESS ST #202</u> <u>207-699-2572</u>	Cost Of Work: \$ <u>15,000</u> Fee: \$ <u>170</u>
Current legal use: (i.e. garage, warehouse) <u>VACANT</u> If vacant, what was the previous use? <u>RESIDENCE</u> How long has it been vacant? <u>4 YEARS</u> Project description: <u>REMOVE & DISPOSE EXISTING WOOD FRAMED SINGLE RESIDENTIAL STRUCTURE & FOUNDATION. STRUCTURE IS A HAZARD AND NOT LIVABLE.</u>		
Contractor's name, address & telephone: <u>LANDMARC CONSTRUCTION - MARC GAGNON</u> <u>415 CONGRESS ST #202</u> <u>699-2572</u> Who should we contact when the permit is ready: <u>MARC GAGNON</u> Mailing address: <u>415 CONGRESS ST</u> Telephone: <u>699-2572</u> <u>#202</u> <u>PORTLAND, ME 04102</u>		

11-2-11

Electronic files in pdf format are also required

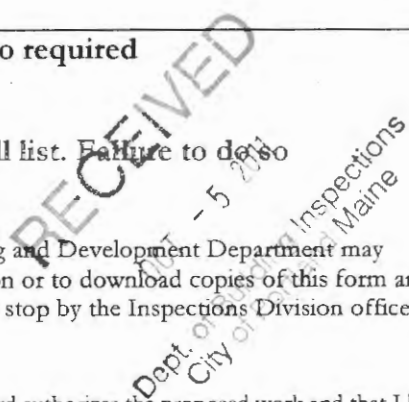
Please submit all of the information outlined in the Demolition call list. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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: <u>Marc Gagnon</u>	Date: <u>10/4/2011</u>
--	------------------------

This is not a permit; you may not commence ANY work until the permit is issued.





Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov

Planning & Urban Development Department
Gregory A. Mitchell, Acting Director

February 17, 2012

FEB 24 2012

Landmarc Construction
Marc C. Gagnon, President
415 Congress Street, Suite 202
Portland, Maine 04112

Re: Demolition of Structure at 84 Morrill/2 Princeton Street

Dear Marc:

This letter will serve as the agreement we have been discussing in our recent meetings regarding the above-referenced matter. As you know, demolition of the two (2) residential structures at the above-referenced properties has resulted in the application of the provisions of the City's Housing Preservation and Replacement Ordinance, §§ 14-483, *et seq.* It is my understanding that in order to comply with these requirements you have chosen to replace the two (2) demolished units as specifically allowed under §§ 14-483(g) and (h). See attached letters from you. Please note that failure to construct the replacement units will result in you having to make two (2) \$50,000 adjusted contributions to the Housing Trust Fund as described in § 14-483(i).


If you agree with the aforementioned terms, please sign the "seen and agreed" line below and return an original copy to me as soon as possible.

Sincerely,


Greg Mitchell
Planning & Urban Development Department, Acting Director

Encl.

cc: Tammy Munson, Building Inspections Division Director
Alex Jaegerman, Planning Division Director
Danielle P. West-Chuhta, Associate Corporation Counsel

Seen and Agreed: 
Marc Gagnon, Landmarc Construction



Landmarc Construction

December 20, 2011

Greg A. Mitchell, Acting Director
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101

FEB 24 2012

RE: 84 Morrill/2 Princeton Streets

Dear Greg,

As you know, we disagreed with the City about the applicability of the City's Housing Replacement Ordinance with respect to the removal of the two structures on the above properties partially based on their existing condition and use at time of removal. However, in the spirit of working with the City to resolve this difficult issue, we respectfully request your approval to partner with a third party to construct one new single-family residential structure in Portland. This proposal is intended as a housing offset and to hopefully fully resolve this matter, so that my demolition permits can be issued for both structures on the above properties.

The proposed new residence will be constructed at 58 Gertrude Street. It will be 1,536 square feet in size and meet all criteria of the House Trust Fund Code of Ordinances. The project is shovel ready, but no permit has been issued to date. Our partner is James Wolfe-Diversified Properties Custom Homes of Portland ("DPCH"). DPCH is a well known company that has built many successful projects over the past years. Please let me know if you would like a letter from Mr. Wolfe or if you require any additional information.

Landmarc Construction will assist throughout construction of the new home and manage the project with DPCH. Unfortunately, time is of the essence with this approval, so please let me know how I can help you expedite the process for approval and if you have any specific questions. I can be reached by cell phone anytime, 232-2830. I appreciate your consideration and your team's willingness to work with me on this issue. Thank you.

Sincerely,
LANDMARC CONSTRUCTION

Marc C. Gagnon
President

Copy: James Wolfe
Tony McDonald

10/11/11

I sent an e-mail to Penny. This property is on the property of the approved Packard redevelopment site. In 2009 there were 5 residential units demolished as part of the project to move forward and be replaced within the site. The project failed and never moved forward. Now another single family dwelling is being proposed to be demolished. It has been vacant and has been a problem for police and fire to manage. I asked Penny about the Housing Replacement requirements and whether they are triggered.

The permit is on hold until I hear from Penny.

Marge

10/24/2011 there have been lots of e-mails concerning this project – apparently the contract zone does mention the housing replacement ordinance. This property is subject the replacement housing fees. This permit can not be issued until the replacement housing fees have been paid. – the permit is on hold – the contractor (Marc Gagnon has been notified – he said the owner is handling that part
- MES

2/24/12 - see Greg Mitchell's letter



Demolition Call List & Requirements

Site Address: 84 MORRILL ST.

Owner: SS MORRILLS, LLC

Structure Type: RESIDENTIAL - WOOD

Contractor: LANDMARC CONSTRUCTION

Utility Approvals	Number	Contact Name/Date
Central Maine Power - <u>NO METER</u>	1-800-750-4000	<u>GATLE · 10.4.11 / KATIE</u>
Unitil <u>#44663725</u>	1-207-541-2533	<u>BARBARA / RAY 10.5.11</u>
Portland Water District	761-8310	<u>HEATHER · 10/5/11</u>
Dig Safe	1-888-344-7233	<u>THERESA · 10.4.11 / DS#</u> <u>2011.410.4416</u>

After calling Dig Safe, you must wait 72 business hours before digging can begin.

DPW/ Traffic Division (L. Cote)	874-8891	<u>LUY/ERIC LABEL 10/5/11</u>
DPW/ Sealed Drain Permit (C. Merritt)	874-8822	<u>CAROL/ERIC LABEL 10/5/11</u>
Historic Preservation	874-8726	<u>N/A</u>
DEP – Environmental (Augusta)	287-2651	<u>N/A</u>

Additional Requirements

DPW ENGINEERING - HAROLD DOWN

- 1) Written notice to adjoining owners
- 2) A photo of the structure(s) to be demolished
- 3) A plot plan or site plan of the property
- ~~4) Certification from an asbestos abatement company~~
- 5) Electronic files in pdf format are also required in addition to hard copy

Permit Fee: \$30.00 for the first \$1000.00 construction cost, \$10.00 per additional \$1000.00 cost

All construction and demolition debris generated in Portland must be delivered to Riverside Recycling Facility at 910 Riverside Street. Source separated salvage materials placed in specifically designated containers are exempt from this provision. For more information contact Troy Moon @ 874-8467.

U.S. EPA Region 1 – No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk
US EPA Region I (SEA)
JFK Federal Building
Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.

Signed: Marc C. [Signature]

Date: 10/5/2011

or more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

PORTLAND MAINE *Assessor's Office*

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#) [Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

CBL 435 D015001
Land Use Type SINGLE FAMILY
Property Location 84 MORRILL ST
Owner Information SS MORRILLS LLC
 ONE WELLS AVE
 NEWTON MA 02459
Book and Page 23018/104
Legal Description 435-D-15-16
 MORRILL ST
 CALLED 84
 7830 SF
Acres 0.18

Current Assessed Valuation:

TAX ACCT NO.	47576	OWNER OF RECORD AS OF APRIL 2011	SS MORRILLS LLC
LAND VALUE	\$62,600.00	ONE WELLS AVE	NEWTON MA 02459
BUILDING VALUE	\$61,600.00		
NET TAXABLE - REAL ESTATE	\$124,200.00		
TAX AMOUNT	\$2,270.38		

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Card 1 of 1

Year Built 1950
Style/Structure Type RANCH
Stories 1
Bedrooms 2
Full Baths 1
Total Rooms 4
Attic NONE
Basement FULL
Square Feet 624



[View Sketch](#) [View Map](#) [View Picture](#)

Sales Information:

Sale Date	Type	Price	Book/Page
8/12/2005	LAND + BUILDING	\$220,000.00	23018/104
11/14/2001	LAND + BUILDING	\$94,000.00	16955/202

[New Search!](#)

Services

- Applications
- Doing Business
- Maps
- Tax Relief
- Tax Roll
- Q & A

[browse city services a-z](#)

[browse facts and links a-z](#)



Best viewed at 800x600, with Internet Explorer



Landmarc
Construction

Notice of Structure Demolition

Please be advised we have scheduled the demolition and removal of two wood framed residences and their foundations located at **2 Princeton Street and 84 Morrill Street.**

We hereby give notice to you that Landmarc Construction shall perform the work granted by the City of Portland Planning and Urban Development Department.

The work shall commence on or about the week of October 10, 2011 and shall last approximately 3-4 days.

Any persons who require further information regarding this work shall contact the persons listed below:

Marc C. Gagnon
Landmarc Construction
415 Congress Street | Suite 202
Portland, ME 04112
Office: 207.699.2572

or

Nick Adams
Code Enforcement Officer
Planning & Urban Development Department
Inspection Services Division
389 Congress St. Rm. 315
Portland, Maine 04101
Office: 207.874.8789

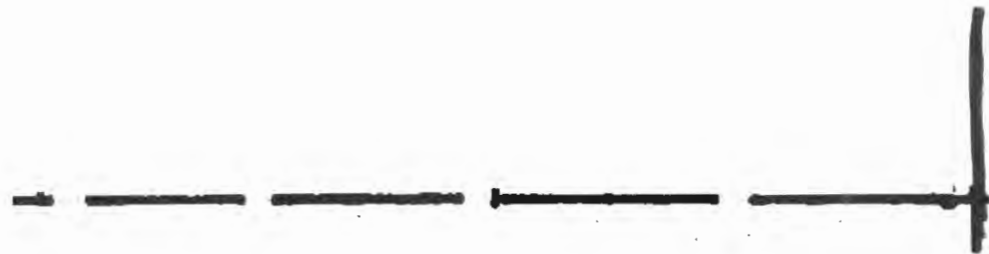
Thank you.

Dated: October 5, 2011

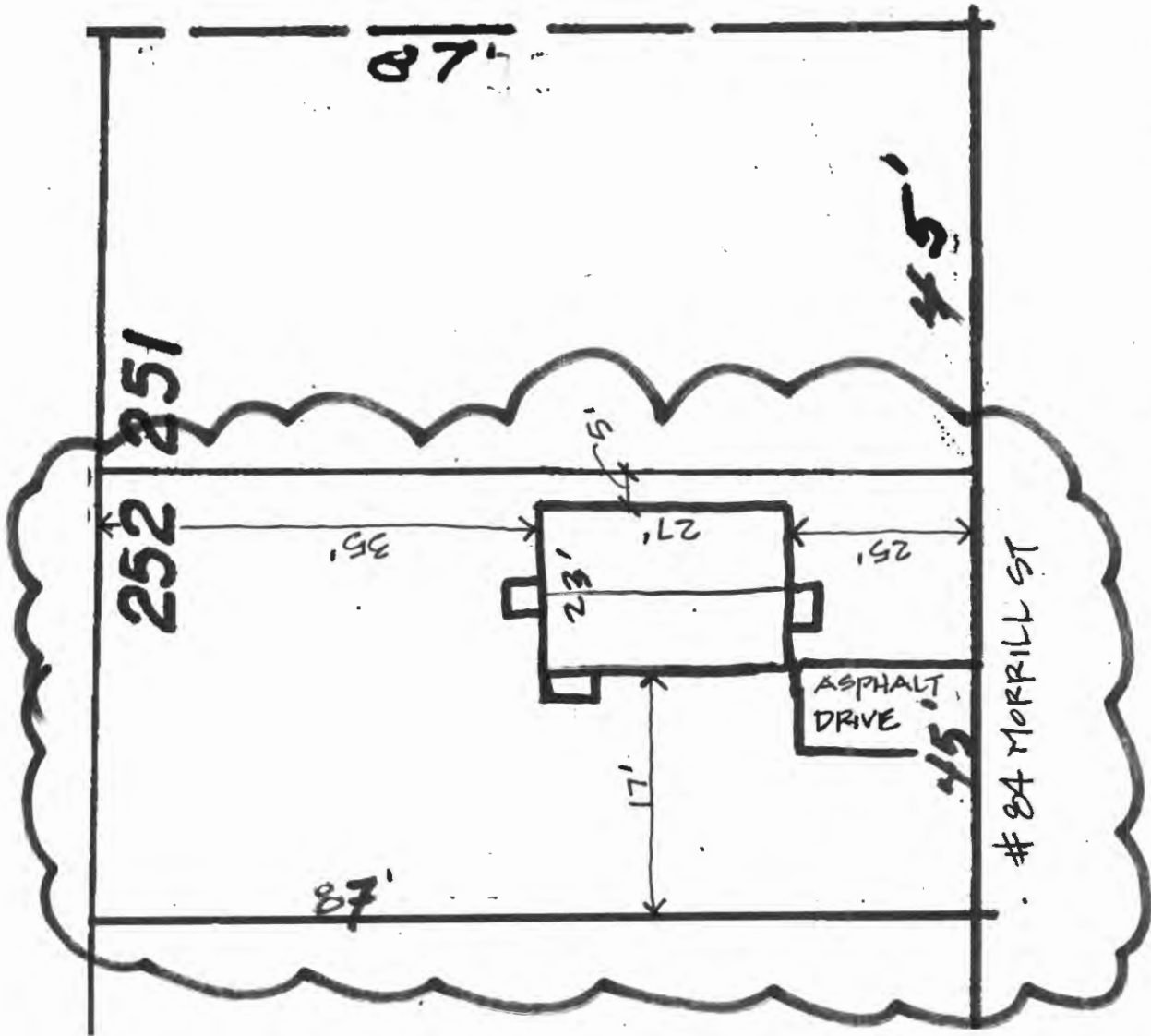








PRINCETON ST.



MORRILL ST.

Marge Schmuckal - demo of single family dwelling at 84 Morrill St

From: Marge Schmuckal
To: Penny St. Louis
Date: 10/11/2011 3:30 PM
Subject: demo of single family dwelling at 84 Morrill St
CC: Jonathan Rioux

Penny,

The Packard Development is coming back to haunt us. In 2009, we allowed SS Morrills, LLC to demolish two structures for their project at Morrill's corner.

41 Allen Ave: a single family - demo permit # 09-0679

47 Allen Ave: a four family - demo permit #09-0708

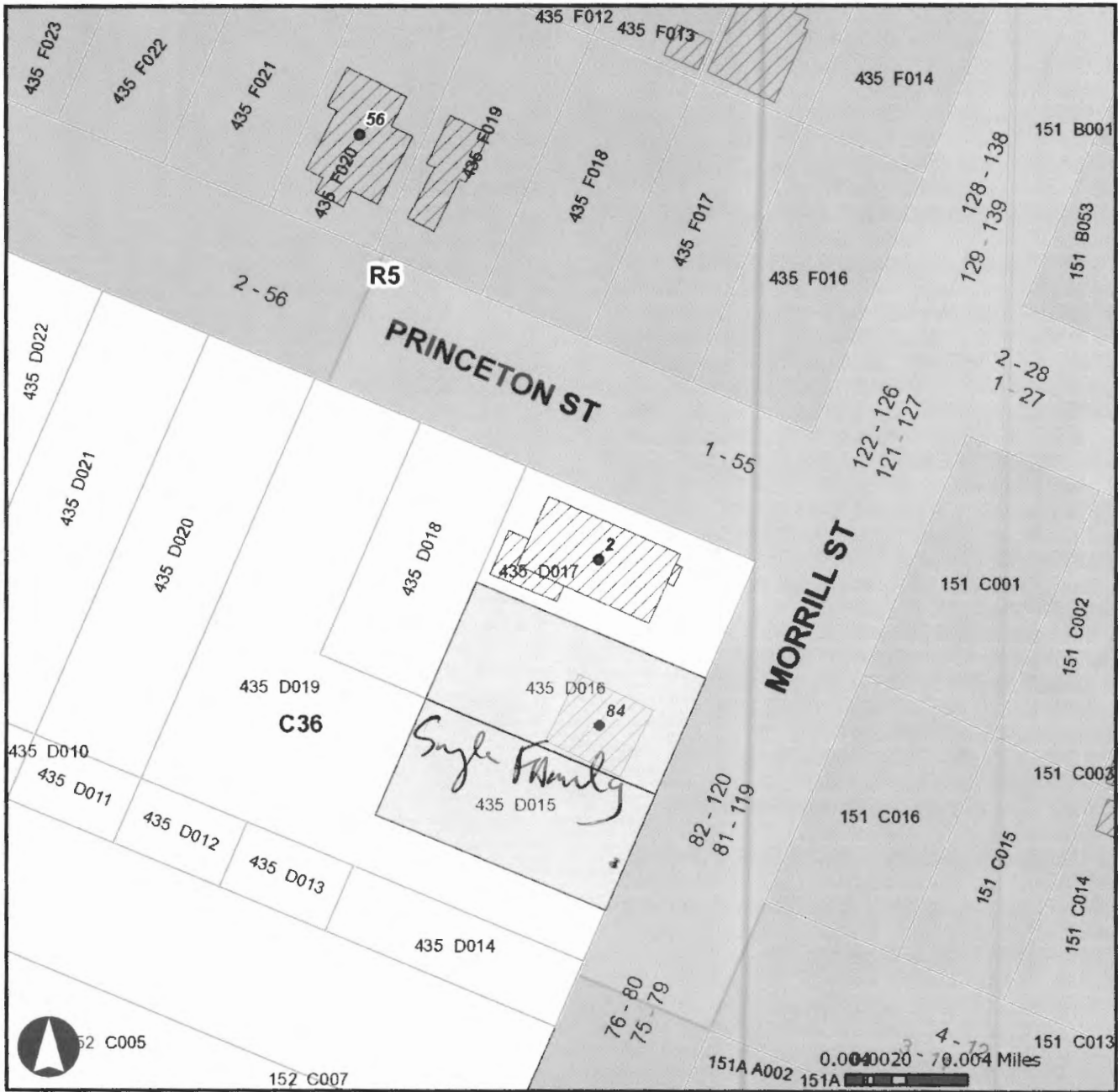
We now have a request for the demolish of a single family dwelling (now vacant) at 84 Morrill Street (still SS Morrills LLC). It is part of the C-36 contract zone property. This would be a 6th residential unit that is removed from the site. Does this trigger Replacement Housing requirements?

I understand that the Fire Department is pushing to have this house demolished due to fires and vandalism.

I am holding up on the demolition permit until I hear from you.

Thank you,
Marge

Map



Address Candidates



Address Candidates



Parcels



Parcels



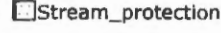
Parcels



Shoreland Overlay Zone



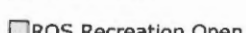
Stream Overlay Zone



Island Zoning



Zoning (continued)

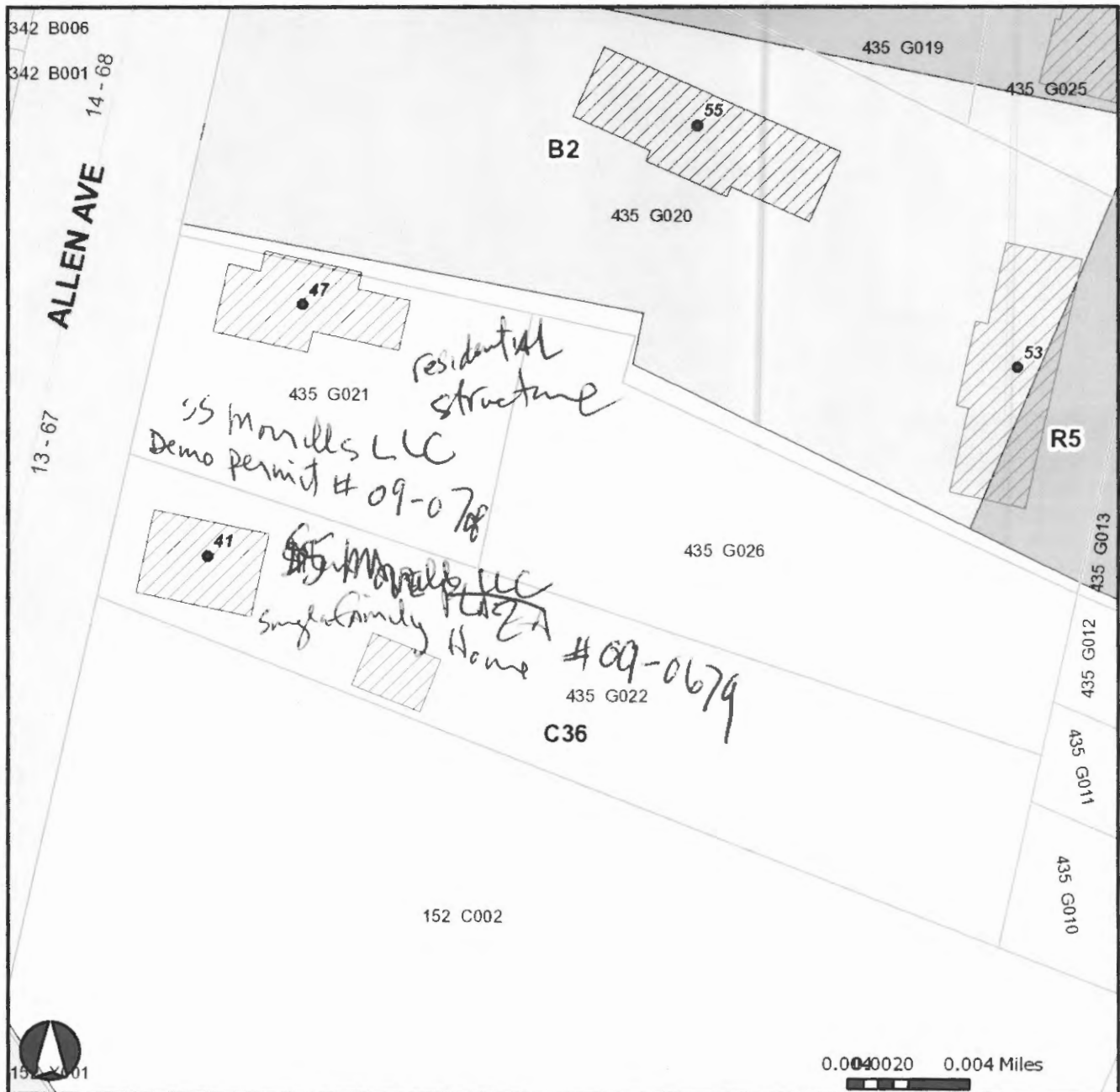


Zoning (continued)



SS Mounds, LLC

Map



Address Candidates



Address Candidates



Parcels



Parcels



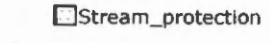
Parcels



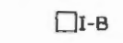
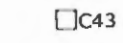
Shoreland Overlay Zone



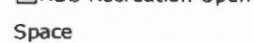
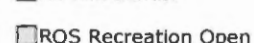
Stream Overlay Zone



Island Zoning



Zoning (continued)



Zoning (continued)





NORTHEAST TEST CONSULTANTS

July 7, 2009

Ms. Lorraine Marsden
Project Manager
9th Floor - Stop & Shop Construction Dept.
1385 Hancock Street
Quincy, MA 02169

Ms. Marsden:

This letter will serve as notice as to site conditions pending generation of a final report documentation package for the environmental abatement activities undertaken at the Morrill's Corner Development Site located at Allen Avenue in Portland, Maine.

The following property has had all asbestos containing materials, fluorescent light bulbs, mercury thermostats, PCB and/or di(2-ethylhexyl)phthalate (DEHP) lighting ballasts, sludge and/or #2 fuel oil with cleaning of ASTs and lines, as well as the collection of miscellaneous motor oil wastes as encountered removed and packaged for proper disposal:

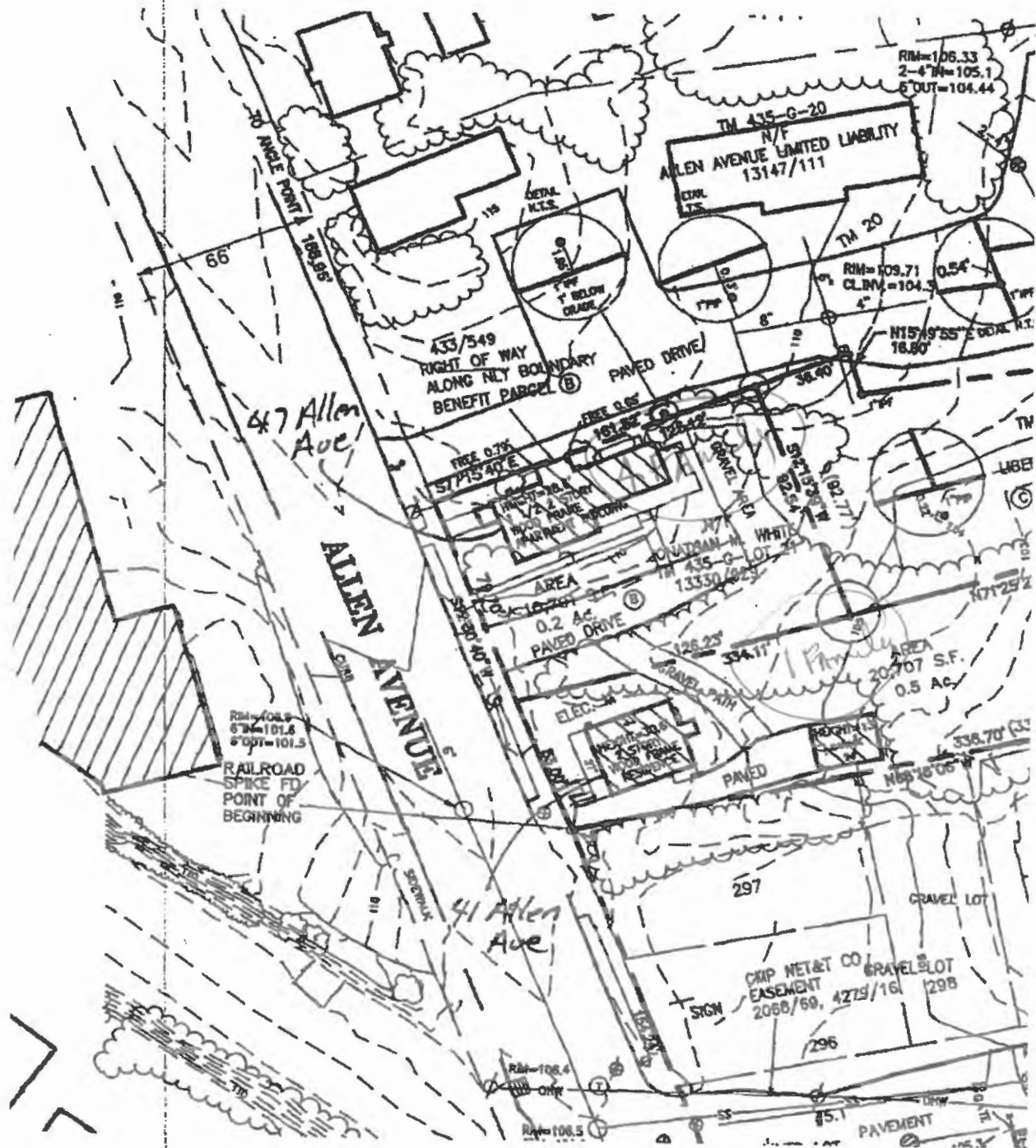
Structure "F"
47 Allen Avenue - former 4-Unit Residential Structure

Northeast Test Consultants provided environmental oversight during remediation operations conducted by Morrissey Environmental, Inc.

Universal Waste activities were compliant with the requirements of ME DEP Chapter 850, Universal Waste Rules.

Aboveground Storage Tank (AST) activities were compliant with ME DEP Chapter 860, Waste Oil Management Rules.

Asbestos Abatement activities were compliant with the asbestos regulations as set forth in both OSHA 29 CFR Part 1926.1101 & 29 CFR 1910.1001; US EPA Title 40 - CFR, Part 61 NESHAP, Subparts A and M (General Provisions and Asbestos Standards, respectively); & State of Maine DEP Regulations, Chapter 425, Asbestos Management Regulations, effective 5-29-2004.



30
MONTE POINT
108.95

66

47 Allen Ave

ALLEN AVENUE

433/549
RIGHT OF WAY
ALONG NLY BOUNDARY
BENEFIT PARCEL

TM 435-G-20
N/F
ALLEN AVENUE LIMITED LIABILITY
13147/111

RM=106.33
2-4 TM=105.1
6" OUT=104.44

TM 20
RM=109.71
CLBM=104.3

N15°19'55" E GOAL N.T.
16.80

FREE 0.7%
STP 15' 40' E

FREE 0.6%
181.55'

AREA
0.2 AC
PAVED DRIVE

TM 435-G-20
13330/829

AREA
20,707 S.F.
0.5 AC

RM=106.9
6" TM=101.8
6" OUT=101.5

RAILROAD
SPIKE PD
POINT OF
BEGINNING

41 Allen Ave

297

CRISP NET & CO
EASEMENT
2068/69, 4279/16

GRAVEL LOT
298

296

RM=108.4

RM=108.5

PAVEMENT



NORTHEAST TEST CONSULTANTS

June 30, 2009

Ms. Lorraine Marsden
Project Manager
9th Floor - Stop & Shop Construction Dept.
1385 Hancock Street
Quincy, MA 02169

Ms. Marsden:

This letter will serve as notice as to site conditions pending generation of a final report documentation package for the environmental abatement activities undertaken at the Morrill's Corner Development Site located at Allen Avenue in Portland, Maine.

The following property has had all asbestos containing materials, fluorescent light bulbs, mercury thermostats, PCB and/or di(2-ethylhexyl)phthalate (DEHP) lighting ballasts, sludge and/or #2 fuel oil with cleaning of ASTs and lines, as well as the collection of miscellaneous motor oil wastes as encountered removed and packaged for proper disposal:

Structure "G"
41 Allen Avenue - former Single Family Residential w/Garage

Northeast Test Consultants provided environmental oversight during remediation operations conducted by Morrissey Environmental, Inc.

Universal Waste activities were compliant with the requirements of ME DEP Chapter 850, Universal Waste Rules.

Aboveground Storage Tank (AST) activities were compliant with ME DEP Chapter 860, Waste Oil Management Rules.

Asbestos Abatement activities were compliant with the asbestos regulations as set forth in both OSHA 29 CFR Part 1926.1101 & 29 CFR 1910.1001; US EPA Title 40 - CFR, Part 61 NESHAP, Subparts A and M (General Provisions and Asbestos Standards, respectively); & State of Maine DEP Regulations, Chapter 425, Asbestos Management Regulations, effective 5-29-2004.

Marge Schmuckal - Fwd: Re: Morrill's Corner

From: Penny St. Louis
To: mgagnon@landmarccorp.com
Date: 10/19/2011 3:12 PM
Subject: Fwd: Re: Morrill's Corner
CC: Ann Machado; Danielle West-Chuhta; Gary Wood; Marge Schmuckal; Nicho...
Attachments: morrillscorner.docx

Mark: I cannot recall if I sent this to you yesterday or not. I checked with our legal department on the applicability of the Housing Replacement Ordinance to the two properties Hannaford wants to demolish. The opinion is that if they were to be demolished the Housing Replacement Ordinance would require replacement or contribution to the City's fund. Attached is a copy of the controlling Agreement passed by the Portland city Council.

>>> Danielle West-Chuhta (Danielle West-Chuhta) 10/18/2011 11:52 AM >>>

Hello:

The Housing Replacement Ordinance ("HRO") is applicable to this situation. This is because, the conditional zone agreement does not (nor can it under section 14-483(l)(2)) modify the terms of the HRO. Under the HRO if three or more dwelling units (which includes single family dwellings) which are legally registered as residential uses (as of July 1, 2002) are eliminated (through demolition or conversion to a non-residential use) in a five (5) year period, the HRO applies. Therefore, since two housing units were already demolished on the site and now two more are being proposed to be demolished (in less than five years) the developer has to either construct new replacement units (and pay a performance guarantee), convert a nonresidential building to residential use or pay into Housing Replacement fund (\$50,000 for each unit).

Thanks,

Danielle

Danielle P. West-Chuhta
Associate Corporation Counsel
City of Portland, Maine
(207) 874-8480

>>> Penny St. Louis 10/18/2011 11:12 AM >>>

Good Morning: Hannaford bought the Morrill's Corner development from Stop and Shop. Stop and Shop had demolished housing units as part of their proposed project. Hannaford now want to demolish two additional vacant housing units. I believe they are subject to Housing Replacement but want to confirm with legal. Attached is the governing Conditional Rezoning Agreement.

Mark Gagnon of Landmark Company is the agent for Hannaford. We need to let him know our interpretation. Can you help?

- c. Day care facilities and adult day care facilities.
- d. Exercise and fitness centers, and health clubs, including but not limited to a boxing and fitness facility. Any boxing facility shall comply with the following restrictions:
 - 1. Any event at a boxing club located on the **PROPERTY** with ticket sales or attendance numbers in excess of three hundred (300) hundred shall be limited to twelve (12) times per year; and
 - 2. the days of the week such events may be held may be limited by the City, in its discretion, based on concerns of traffic conditions, other events around the City or any other reason deemed to negatively impact public health, welfare or safety; and
 - 3. **PACKARD** shall notify the **CITY'S** parking division four (4) weeks in advance of such event.
 - 4. **PACKARD** shall provide an annual parking management plan to handle the requirements for parking at said events.
 - 5. **PACKARD** shall include in the annual parking management plan appropriate provisions for prohibiting parking on streets neighboring the property.

The initial plan shall be submitted for review as part of the site plan review for the boxing facility. The plan must include provisions for off site parking and shuttle bus transportation to the **PROPERTY**. Thereafter, the parking management plan shall be updated annually and shall be reviewed and approved on an annual basis by the City's Planning Authority and Parking Division, in its discretion . In any case, parking for daily use and for normal boxing club events shall be met on site.

e. Dwellings, as specified herein:

- 1. **There shall be no fewer than ten (10) apartments (which may be combined live/work spaces) located in the building delineated on the Site Plan as "Proposed Mixed Use: Office/Prof. Service/ Retail/ Residential and "Proposed Retail"). The same and their associated parking shall be built in Phase I of the project. These units may serve as the replacement units for housing units to be displaced by construction of Phase I of the development in accordance with the requirements of the City's Preservation and Replacement of Housing Units Ordinance, § 14-483 et seq. if approved by the City during site plan review. Replacement units shall be available for**

Marge Schmuckal - Morrill's Corner

From: Penny St. Louis
To: Barbara Barhydt; Jennifer Yeaton; Marge Schmuckal
Date: 10/24/2011 1:40 PM
Subject: Morrill's Corner

Did we ever collect any money for the Housing Replacement Fund from Packard Development?

Marge Schmuckal - Fwd: Re: demo of single family dwelling at 84 Morrill St

From: Chris Pirone
To: Marge Schmuckal
Date: 10/14/2011 5:21 PM
Subject: Fwd: Re: demo of single family dwelling at 84 Morrill St
CC: Fred LaMontagne; Penny St. Louis

Marge-There have been no fires in these buildings. Nick Adams informed me PD was concerned because people were breaking into the vacant buildings. I viewed them with Nick to determine how safe they would be for firefighters if a fire occurred. The fire department is not pushing to have them demolished. We are pushing to keep them secured to keep people out.

Captain Chris Pirone
 Portland Fire Department
 Fire Prevention Bureau
 380 Congress Street
 Portland, ME 04101
 (t) 207.874.8405
 (f) 207.874.8410

>>> Fred LaMontagne 10/12/2011 8:31 PM >>>
 Can you have someone look into this...thanks

>>> Marge Schmuckal 10/12/2011 9:23 AM >>>
 This is the 3rd building, but the 6th dwelling unit removed. I believe that the other sites remain vacant and merged into the front parking lot. There are no comments on the building permit. It has not been closed out yet. Maybe the police is involved with this too - a lot of breaking and entering things going on there....

Marge

>>> Penny St. Louis 10/11/2011 4:51 PM >>>
 Fred. Pls forward to Chris Pirone. Thanks.

Marge: So. This wld be #3 for removal right. Or is it #6 as stated in your email? Also, were the other sites left vacant?

Chris. Can you let me know your situation with the property? How recent was the fire(s)?

-----Original Message-----

From: Marge Schmuckal
Cc: Jonathan Rioux <JRIOUX@portlandmaine.gov>
To: Penny St. Louis <PL@portlandmaine.gov>

Sent: 10/11/2011 3:30:41 PM
Subject: demo of single family dwelling at 84 Morrill St

Penny,

The Packard Development is coming back to haunt us. In 2009, we allowed SS Morrills, LLC to demolish two structures for their project at Morrill's corner.

41 Allen Ave: a single family - demo permit # 09-0679

47 Allen Ave: a four family - demo permit #09-0708

We now have a request for the demolish of a single family dwelling (now vacant) at 84 Morrill Street (still SS Morrills LLC). It is part of the C-36 contract zone property. This would be a 6th residential unit that is removed from the site. Does this trigger Replacement Housing requirements?

I understand that the Fire Department is pushing to have this house demolished due to fires and vandalism.

I am holding up on the demolition permit until I hear from you.

Thank you,
Marge



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

10.5 20 11

Received from

Lawrence -

Location of Work

84 Morrill St

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 170

Building (IL) _____ Plumbing (I5) _____ Electrical (I2) _____ Site Plan (U2) _____

Other _____

CBL: 435-D-16

Check #: 002027 Total Collected \$ 170

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: S. [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

P Morrill's Crossing Portland, Maine

Exhibit F Subdivision Concept

