

PERMIT ISSUED

City of Portland, Maine - Building or Use Permit Application

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

Permit No:	04-0309	Issue Date:	APR 08 2004	CBL:	320 A004001
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Location of Construction:	400 Riverside St	Owner Name:	Rist Martin &	Owner Address:	400 Riverside St # A21TY OF PORTLAND	Phone:	207-878-6971
Business Name:	n/a	Contractor Name:	Maine Air Conditioning	Contractor Address:	93 Warren Ave. Portland	Phone:	2077977417
Lessee/Buyer's Name:	n/a	Phone:	n/a	Permit Type:		Zone:	1M

Past Use:	Commercial; Office & Storage	Proposed Use:	Office & Storage / remove and replace wall partitions	Permit Fee:	\$84.00	Cost of Work:	\$6,500.00	CEO District:	5
Proposed Project Description:	Remove and replace wall partitions.			FIRE DEPT:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION:	Use Group: B Type: 55		

Signature:	<i>[Signature]</i>	Signature:	<i>[Signature]</i>
Action:	<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	Date:	<i>[Date]</i>

Permit Taken By:	gs	Date Applied For:	03/24/2004	Zoning Approval			
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> Mod <input type="checkbox"/>	<input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Date: <i>[Date]</i>	Date: <i>[Date]</i>	Date: <i>[Date]</i>

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 _____

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initialzing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

Pre-construction Meeting: Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

Footing/Building Location Inspection: Prior to pouring concrete

Re-Bar Schedule Inspection: Prior to pouring concrete

Foundation Inspection: Prior to placing ANY backfill

Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling,

Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. ~~NOTE: There is a \$25.00 fee per inspection at this point.~~

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED

Jay Reynolds
Signature of Applicant/Designee

4/9/04
Date

Signature of Inspections Official

4/9/04
Date

CBL: 320 A004

Building Permit #: 84 0309

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

Permit Number: 040309

PERMIT

This is to certify that Rist Martin & Maine Air Conditioning

has permission to Remove and replace wall pa

ments.

AT 400 Riverside St

320 A004001

provided that the person or persons who apply for and obtain this permit shall comply with all the provisions of the Statutes of the State of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and work shall not be started before this permit is issued or renewed or renewed in accordance with the provisions of the Code of Ordinances of the City of Portland. JUR NO. REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

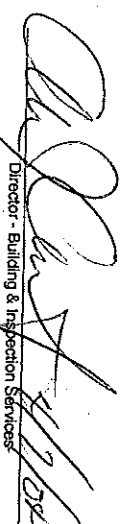
Fire Dept. Ampl

Health Dept. _____

Appeal Board _____

Department Name _____

PENALTY FOR REMOVING THIS CARD

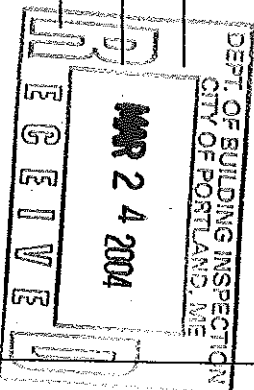

Director - Building & Inspection Services

04 0305

All Purpose Building 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 Construction: <u>400 Riverside St</u> <u>Blg C</u>		Total Square Footage of Proposed Structure: <u>N/A</u>		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# <u>320</u> Block# <u>A4</u> Lot# <u>1</u>	Owner: <u>Paul Dubois representing Rist/Brunet Family Trust</u>	Applicant name, address & telephone: <u>Steve Tante MAIVE Turnpike Authority 430 Riverside St. 871-7771</u>	Telephone: <u>878-6971</u>	Cost Of Work: \$ <u>6,500</u>	Fee: \$ <u>24.</u>
Lessee/Buyer's Name (if Applicable) <u>MAIVE Turnpike Authority</u>					
Current use: <u>Office / Storage</u>					
If the location is currently vacant, what was prior use: _____					
Approximately how long has it been vacant: _____					
Proposed use: <u>office / storage</u>					
Project description: _____					
Contractor's name, address & telephone: <u>MAIVE Turnpike Authority</u>					
Who should we contact when the permit is ready: <u>Steve Tante 871-7771 ext 144</u>					
Mailing address: _____					
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: Cell <u>831-5814</u> . <u>XX</u>					



IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT. WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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>Steve R. Tante</u>	Date: <u>3/23/04</u>
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This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall

ELECTRICAL PERMIT

City of Portland, Me.



To the Chief Electrical Inspector, Portland Maine:
 The undersigned hereby applies for a permit to make electrical installations
 in accordance with the laws of Maine, the City of Portland Electrical Ordinance,
 National Electrical Code and the following specifications:

Date

3/21/04

Permit #

2004-4216

CBL#

3909 Y
SW 1333 9772

LOCATION: 500 Riverside Bld. C

METER MAKE & #

GE

CMP ACCOUNT #

OWNER

TENANT Private Takepike

PHONE #

TOTAL EACH FEE

	OUTLETS	RECEPTACLES	SWITCHES	SMOKE DETECTOR	TOTAL EACH FEE	
	22	2	7		20 5.80	
	FIXTURES	2	Incandescent	130	Fluorescent	20 3.00
	SERVICES	Overhead	Underground	TTL AMPS	<800 15.00	
	Temporary Service	Overhead	Underground	TTL AMPS	>800 25.00	
	METERS	Overhead	Underground	TTL AMPS	25.00	
	MOTORS	(number of)			25.00	
	RESID/COM	(number of)			1.00	
	HEATING	Electric units			2.00	
	APPLIANCES	oil/gas units			1.00	
		Ranges	Interior	Exterior	5.00	
		Insta-Hot	Cook Tops	Wall Ovens	2.00	
		Dryers	Water heaters	Fans	2.00	
		Compactors	Disposals	Dishwasher	2.00	
		Others (denote)	Spa	Washing Machine	2.00	
	MISC. (number of)	Air Cond/win			2.00	
		Air Cond/cent			3.00	
		HVAC	EMS	Pools	10.00	
		Signs		Thermostat	5.00	
		Alarms/res			10.00	
		Alarms/com			5.00	
		Heavy Duty(CRKT)			15.00	
		Circus/Carnv			2.00	
		Alterations			25.00	
		Fire Repairs			5.00	
		E Lights			15.00	
		E Generators			1.00	
					20.00	
	PANELS	Service	Remote	Main	4.00 4.00	
	TRANSFORMER	0-25 Kva			5.00	
		25-200 Kva			8.00	
		Over 200 Kva			10.00	
		MINIMUM FEE/COMMERCIAL	45.00			
		TOTAL AMOUNT DUE			15.80	
		MINIMUM FEE	35.00		145.00	

CONTRACTORS NAME

Paul C. Sewillard Jr

MASTER LIC. #

MS60008986

ADDRESS

171 Thompson Rd, Auburn

LIMITED LIC. #

DEPT. OF BUILDING INSPECTION
 CITY OF PORTLAND, ME

TELEPHONE

207-829-3767

SIGNATURE OF CONTRACTOR

Paul C. Sewillard Jr

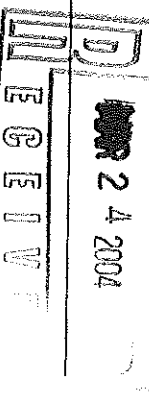
APR 24 2004

CR#

9560

White Copy - Office

Yellow Copy - Applicant



APPLICATION/AGREEMENT for HOLDING TANK INSTALLATION

PROPERTY OWNER INFORMATION

Name THE RIST/BREWSTER FAMILY TRUST RECEIVER
Mailing Address 400 RIVERSIDE ST. SUITE 47
City/Town PORTLAND State ME Zip 04835-2905
Daytime telephone number 207-749-3467
WASTEWATER & PLUMBING PROGRAM

PROPERTY LOCATION

Street, Road, Route 400 RIVERSIDE ST.
City/Town PORTLAND State ME Zip 04103

APPLICATION FOR (check one)

- First Time Installation (If this is checked, give Town's Ordinance adoption date ____/____/____)
- First Time Installation, non-residential only, less than 100 gpd or 500 gal/week
- Replacing an existing overboard discharge, surface wastewater discharge or malfunctioning subsurface wastewater system
- Replacing an existing holding tank

CONDITIONS FOR APPROVAL

- * The installation of a conventional disposal system is not possible due to unacceptable site and/or soil conditions, lot configuration, or other constraints
- * Public sewer is not available.
- * All existing or proposed plumbing fixtures shall be installed or modified for water conservation and all water closets shall meet the Federal standard of 1.6 gallons per flush.

REQUIREMENTS FOR APPROVAL

- A Completed Application shall consist of:
- * This form (HHE-304) completed with all signatures.
- * A completed Subsurface Wastewater Disposal System Application (HHE-200) prepared by a Licensed Site Evaluator.

PROPERTY OWNER INFORMATION AND REQUIREMENTS

- 1 (we), RIST/BREWSTER Family Trust own the property described in this Application/Agreement.
1. Holding tanks require regular pumping by a licensed pumper. The owner must pay this service.
2. The holding tank will be pumped at least once a year by the pumper listed on this application. Another pumper may be used if the listed pumper is notified and the LPI approves the change. The new pumper will then be listed on an attachment to this agreement.
3. A water meter shall be installed at the owner's expense if required by the LPI.
4. All records of pumping and water use (if required) must be kept for at least three years and shall be made available to the LPI or other official if requested.
5. A holding tank for new construction can only be replaced by a system meeting first time system requirements.
6. Once approved this form must be recorded at the Registry of Deeds, cross referenced to the owner's deed.
7. We agree to comply with any additional requirements of the Town.

We state that all the information presented with this application is true and accurate, we acknowledge the foregoing items and agree to comply with all the requirements.

Property Owner(s) Signature M. Patrick Rist, Trustee Date 4-12-05
Property Owner(s) Signature _____ Date _____

Application/Agreement for Holding Tank Installation

Owner The Rust/Bauer Family Trust Property Location 400 RIVERSIDE ST, PORTLAND

SITE EVALUATION STATEMENT

I, ALBERT FRICK, state that I have evaluated the subject property and found that a subsurface wastewater disposal system is not practical. Secondly, I have completed a *Subsurface Wastewater Disposal System Application* (HHE-200) proposing a holding tank installation for the property's wastewater disposal.
Site Evaluator's Signature Albert Frick Date 1/26/2005

HOLDING TANK PUMPER INFORMATION

Business owner's name James Bow Bow Bros License # 50210
Business name Bow Bros.
Mailing address P.O. Box 241
City Old Orchard Beach State Maine Zip 04054
Business telephone 207-934-2525
Max. truck hauling capacity 5000 gallons
Can pump: _____ seasonally X year round
DEP licensed disposal site location Portland West Water Plant Site # _____

HOLDING TANK PUMPER STATEMENT

I, James Bow, own and operate a septage pumping business named in this Application/Agreement, and have contracted with the property owner(s) to pump and properly dispose of the tank's waste. I further state that the tank and that the wastewater will be disposed of at a Department of Environmental Protection licensed disposal location.

Holding Tank Pumper's Signature James Bow Date 4-4-05

Municipal Officers Statement

- I (we) have reviewed the information submitted in support of this application.
- I (we) find that the installation of the holding tank will not violate any local ordinances.
- I (we) will authorize the LPI to enforce the requirements of this agreement, the Subsurface Wastewater Disposal Rules and any local ordinances, including recordkeeping and required pumping.
- I (we) recommend that the LPI issue the necessary permits for the installation of the holding tank.

Signature _____ Title _____ Date _____
 Signature _____ Title _____ Date _____
 Signature _____ Title _____ Date _____

Local Plumbing Inspector's Statement

I have reviewed this application and find that the issuance of a permit for the holding tank complies with the Subsurface Wastewater Disposal Rules and all pertinent local ordinances.
Additional Requirements: _____

Signature _____ Date _____



STATE OF MAINE
 DEPARTMENT OF HEALTH AND HUMAN SERVICES
 DIVISION OF HEALTH ENGINEERING
 286 WATER STREET
 AUGUSTA, MAINE
 04333-0011

John Elias Baldacci
 Governor

April 15, 2005

John R. Nicholas
 Commissioner

Risv/Brunet Family Trust
 c/o DeLuca-Hoffman Associates
 778 Main Street
 South Portland, ME 04106

Subject: Incomplete Application, Risv/Brunet Family Trust Property, 400 Riverside Street, Portland


Dear Sirs:

The Division has received a request for a First Time System Variance for the subject property. However, your application is incomplete and unable to be processed at this time. In order for us to review the project, the following information/materials are required:

1. () A septic system design that is adequately sized and in compliance with the Maine Subsurface Wastewater Disposal Rules must be provided. If a copy of the existing septic system design is unavailable, a design must be obtained from a licensed site evaluator and submitted to us.
2. () The variance request form requires signatures of:
 - () Property Owner
 - () LPI
 - () Municipal officers
3. (X) The holding tank application requires signatures of:
 - () property owner
 - (X) LPI
 - () punper information
 - (X) Municipal officials
4. () A Well Setback Release Form is required from:
 - () property owner
 - () abutter _____
5. () A legal easement is required from:
 - () abutter _____
 - () Town of _____
 - () other _____
6. (X) Other: A letter from the Sanitary District or other responsible agency which confirms proposed extension of public sewer(s) to the site, without which this office will not process the application for a temporary holding tank; or a revised proposal meeting the 100 gallons per day limit for new non-residential holding tanks.

Please submit the indicated required materials to this office for processing. Upon receipt of a completed application, we will begin our review. If you have any further questions, please feel free to contact me at 287-5695.

Sincerely



James A. Jacobsen, Environmental Specialist IV
 Wastewater and Plumbing Control Program
 Division of Health Engineering
 e-mail: james.jacobsen@state.me.us

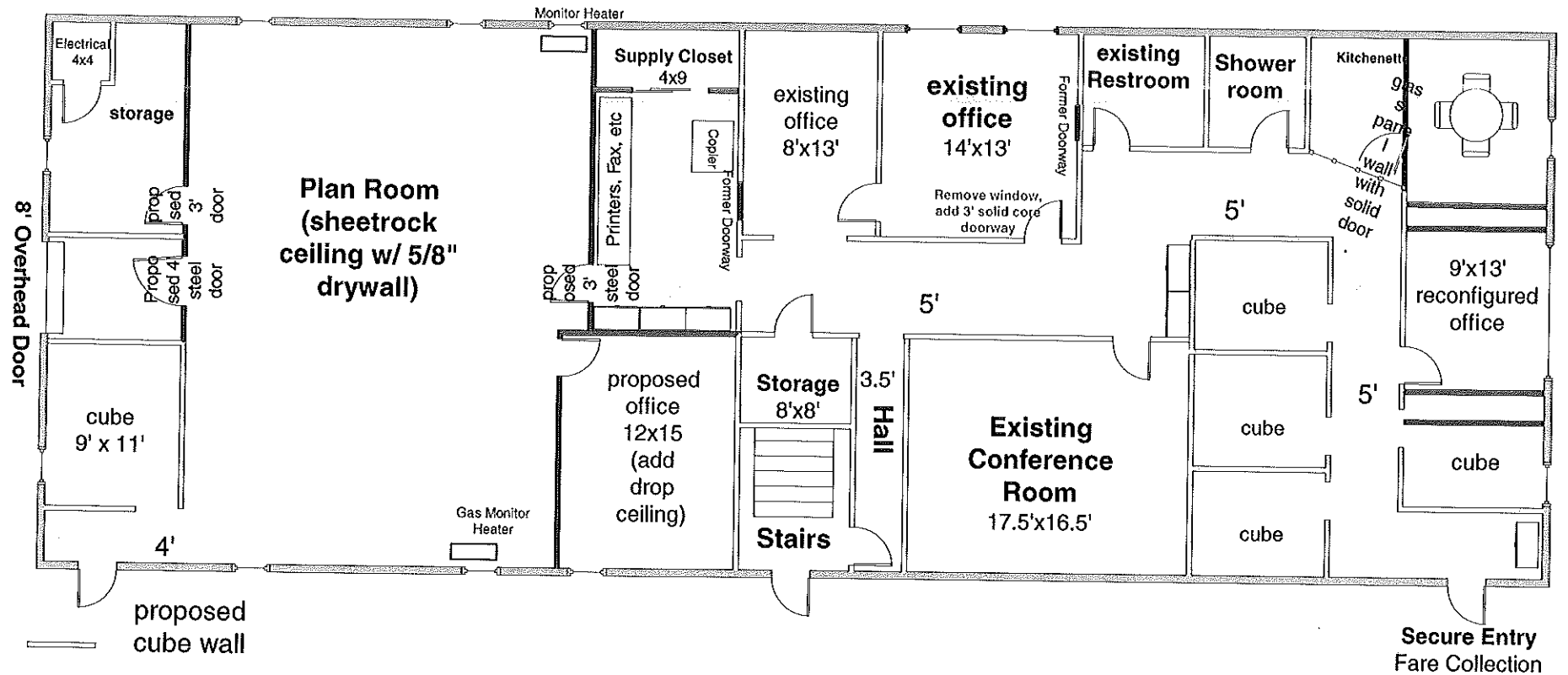
/s/aj
 Enc.: HHE-233
 File
 Michael Nugent, LPI
 Albert Frick, SE

WASTEWATER & PLUMBING PROGRAM
 TELEPHONE: (207) 287-5689

FAX: (207) 287-3165

Maine Turnpike Authority Renovations 400 Riverside Street - Bldg C

First Floor
100' x 36'



Dimensions are approximate

19 March 04 18:05

ELECTRICAL PERMIT

City of Portland, Me.



②

To the Chief Electrical Inspector, Portland Maine:
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the City of Portland Electrical Ordinance, National Electrical Code and the following specifications:

Date 11/20/99

Permit #

CBL# 320-A-004

SITE LOCATION: 400 Riverside St

OWNER Pist/Bruno + Family Trust TENANT Total Boat America

	Receptacles	Switches	Smoke Detectors	TOTAL EACH FEE
OUTLETS				20
FIXTURES	incandescent	fluorescent	Strips	20
SERVICES	Overhead	Underground	TTL AMPS	15.00
	Overhead	Underground	>800	25.00
Temporary Service	Overhead	Underground	TTL AMPS	25.00
METERS	(number of)			25.00
MOTORS	(number of)			1.00
RESID/COM	Electric units			2.00
HEATING	oil/gas units	Interior	Exterior	1.00
APPLIANCES	Ranges	Cook Tops	Wall Ovens	5.00
	Insta-Hot	Water heaters	Fans	2.00
	Dryers	Disposals	Dishwasher	2.00
	Compactors	Spa	Washing Machine	2.00
MISC. (number of)	Others (denote)			2.00
	Air Cond/win			3.00
	Air Cond/cent		Pools	10.00
	HVAC	EMS	Thermostat	5.00
	Signs			10.00
	Alarms/res			5.00
	Alarms/com			15.00
	Heavy Duty(CRKT)			2.00
	Circus/Carnv			25.00
	Alterations			5.00
	Fire Repairs			15.00
	E Lights			1.00
	E Generators			20.00
PANELS	Service	Remote	Main	4.00
TRANSFORMER	0-25 Kva			5.00
	25-200 Kva			8.00
	Over 200 Kva			10.00
INSPECTION:	MINIMUM FEE/COMMERCIAL 35.00		TOTAL AMOUNT DUE	108.00
	Will be ready		MINIMUM FEE	25.00
			or will call	

CONTRACTORS NAME Bay Elec Co. Inc. MASTER LIC. # 09171

ADDRESS 140 Williams St South Portland LIMITED LIC. #

TELEPHONE 799 0350

SIGNATURE OF CONTRACTOR D. O. Williams



STATE OF MAINE
17 State House Station
Augusta, ME 04333

320A 2

IN THE MATTER OF

RIST/BRUNET FAMILY TRUST
Portland, Cumberland County
OFFICE/WAREHOUSE EXPANSION
L-7696-TB-G-N (approval)

) NATURAL RESOURCES PROTECTION ACT
) FRESHWATER WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Project Description: The applicant proposes to alter 8,531 square feet of forested freshwater wetland to add 23,400 square feet of office building and warehouse and more parking area to an existing manufacturing facility. The proposed wetland fill is shown on a plan entitled "Wetland Alteration of 400 Riverside Street," prepared by Sebago Technics and dated June 15, 2004. The proposed project is located on the west side of Riverside Street in the City of Portland. The applicant also submitted a Permit-By-Rule Notification Form (PBR #35938) stating that activities occurring adjacent to a stream and an outfall pipe will be constructed in accordance with Chapter 305 of the Natural Resources Protection Act. The location of the expansion was chosen to maximize its distance to the Presumpscot River while minimizing impacts to the wetlands. The amount of wetland alteration is the minimum amount necessary to allow the current tenant of the property to expand its business. The parking/building expansion was designed using 2:1 sideslopes to further minimize the wetland fill.

Permit for: Tier 1

DEP Decision: Approved Denied (see attached letter)

CORRS Action: The Corps has been notified of your application. The following are subject to Federal screening:

- (1) projects with previously authorized or unauthorized work, in combination with a Tier 1 permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, *Corps approval is required for your project.* For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

Standard Conditions:

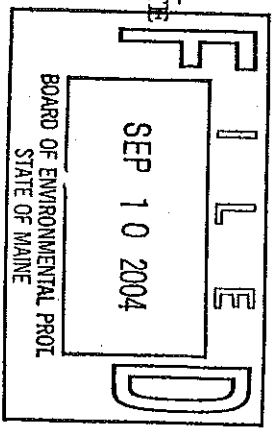
- 1) If construction or operation of the activity is not begun within two (2) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

Please note the attached sheet for guidance on appeal procedures.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DAWN R. GALLAGHER, COMMISSIONER

9/10/04 DATE



Date of initial application August 16, 2004
Date application accepted for processing August 27, 2004
Date filed with Board of Environmental Protection
MR/ATSS3063/T#L7696GN

NATURAL RESOURCE PROTECTION ACT (NRPA)
STANDARD CONDITIONS

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Initiation of Activity Within Two Years. If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years from the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. Reexamination After Five Years. If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

Revised (4/92)

DEP LW0428