

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 04-0100	Issued Date: AUG 26 2005	CBL: 420, A007001
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Location of Construction: 399 Presumpscot St	Owner Name: Couture Jon Rene	Owner Address: 399 Presumpscot S	Phone: 207-828-0444
Business Name: n/a	Contractor Name: Jon Couture	Contractor Address: 399 Presumpscot Portland	Phone: 207-8280444
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Additions - Commercial	Zone: 1M

Past Use: Commercial / Storage, Repair	Proposed Use: Add 1,620 sq. Ft. Portable building that will be maneuvered to different areas on site.	Permit Fee: \$246.00	Cost of Work: \$25,000.00	CEO District: 4
Proposed Project Description: Add 1,620 sq. Ft. Portable building that will be maneuvered to different areas on site. <i>Storage for crane "70 gnl. diesel"?</i>		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied P.A.C. kindy structure Comply w/ NPPA 101 Signature: <i>Capt Cass</i>		INSPECTION: Use Group: <i>S2</i> Type: <i>2B</i> 8/22/05 Signature: <i>[Signature]</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: gg	Date Applied For: 02/03/2004	Zoning Approval		
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. 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 <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"/> MM <input type="checkbox"/> Date: <i>8/19/05</i>	Zoning Appeal <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 Date: _____	Historic Preservation <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>to be no closer than 25' to Rte 1 & State property line at all times</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

Form # P 04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED
Permit Number 0401206 2005
AUG 26 2005
CITY OF PORTLAND

This is to certify that Couture Jon Rene/Jon Couture
has permission to Add 1,620 sq. Ft. Portable building that will be covered by different areas on site.
AT 399 Presumpscot St
CITY OF PORTLAND 420 A007001

provided that the person or persons who perform or supervise the work in connection with this permit shall comply with all of 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 when permission is procured before this building or part thereof is occupied or otherwise closed-in. YOUR NOTICE IS REQUIRED.

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

OTHER REQUIRED APPROVALS

Fire Dept. Capt. Corp. Cases 8-22
Health Dept. _____
Appeal Board _____
Other _____
Department Name _____

[Signature]
Director - Building & Inspection Services

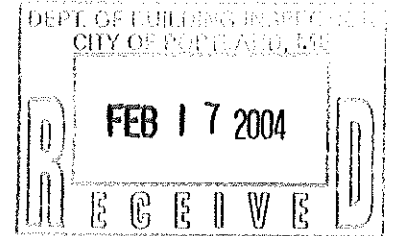
PENALTY FOR REMOVING THIS CARD

040100
420 1007

ENTERPRISE
ENGINEERING, INC.

February 13, 2004

Mr. Jon Couture
Diver Down Under Water Services
399 Presumpscot Street
Portland, ME 04103



SUBJECT: Portable Building Analysis
EEI Project No.: 04-3574.10

Dear Jon,

Enterprise Engineering, Inc. (EEI) has evaluated the portable building located at your Presumpscot Street, Portland, Maine facility. This letter summarizes our analysis of the structure and recommendations.

Codes / Evaluation Loads

The city of Portland, Maine has adopted The BOCA National Building Code, 1999. As BOCA references ASCE 7, "Minimum Design Loads for Buildings and Other Structures", ASCE 7-02 was used to develop wind and snow loads to analyze the structure. Loads used in the analysis are as follows:

Snow: ASCE 7-02

Roof snow load37.8 psf

Wind: ASCE 7-02

Basic Wind Speed 100 mph
Enclosure Classification..... Enclosed Building
Exposure Category C
Importance Factor I = 1.00

Evaluation

The building structure indicated on the attached sketches SK-1 and SK-2 is adequate to resist snow and wind loads listed above.

Please contact me if you have questions.

Sincerely,

ENTERPRISE ENGINEERING, INC.



Stephen J. DiGregorio, P.E.
Chief Civil - Structural Engineer

Enclosures: Sketches SK-1 and SK-2

ENTERPRISE

ENGINEERING, INC

5 DEPOT ST., SUITE 23
 FREEPORT, MAINE 04032
 TEL (207) 869-8006 FAX (207) 869-8015

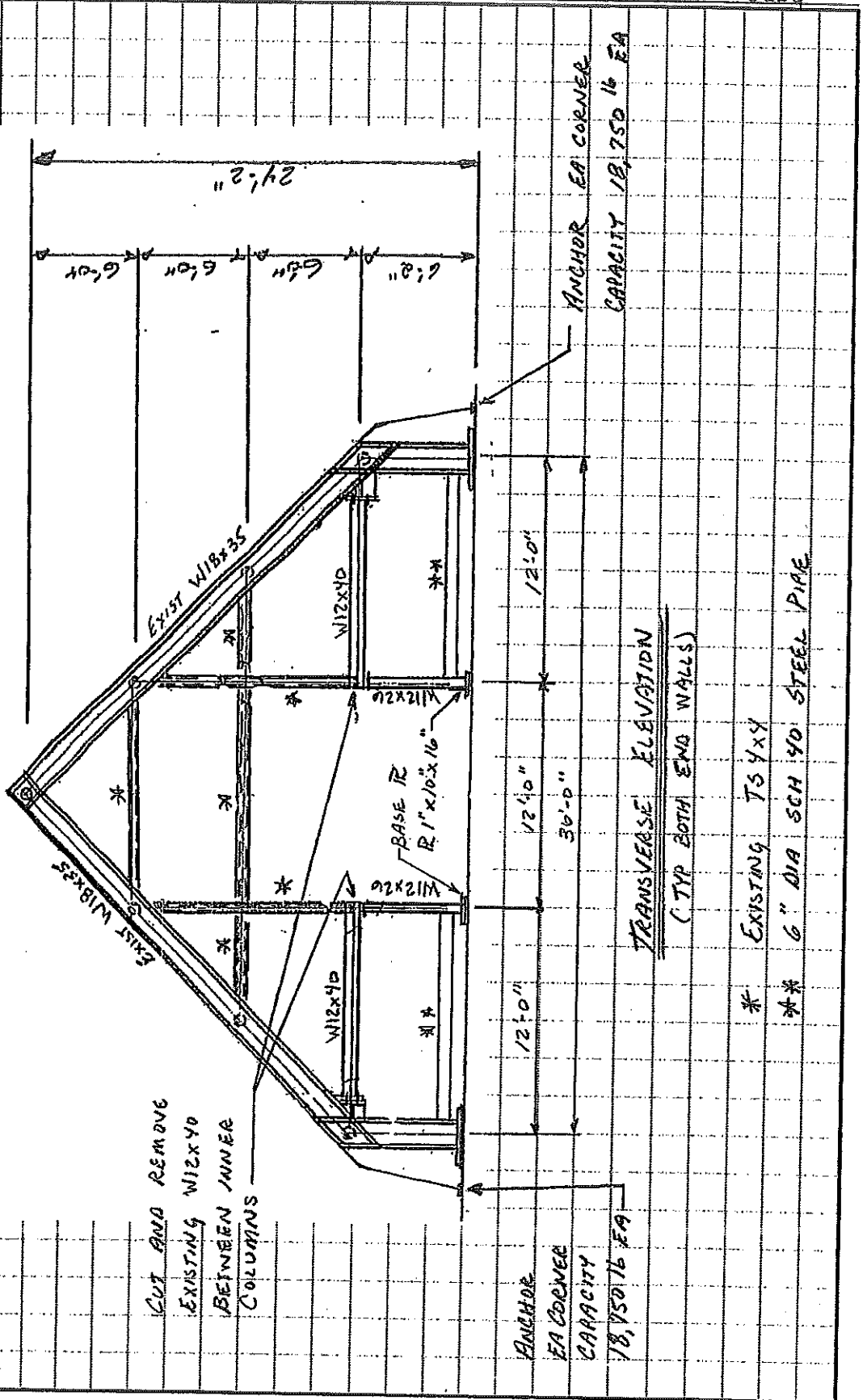
JOB 04-3574.10

SHEET NO. SK-1 OF _____

CALCULATED BY LGB DATE 02/13/04

CHECKED BY SD DATE 02/13/04

SCALE DIVER DOWN - PORTABLE BLDG



CUT AND REMOVE
 EXISTING W12x40
 BETWEEN INNER
 COLUMNS

ANCHOR
 EA CORNER
 CAPACITY
 18,750 LB EA

TRANSVERSE ELEVATION
 (TYP BOTH END WALLS)

* EXISTING T54x54
 ** 6" DIA SCH 40 STEEL PIPE

ENTERPRISE

ENGINEERING, INC

5 DEPOT ST., SUITE 23
FREEPORT, MAINE 04032
TEL (207) 869-8006 FAX (207) 869-8015

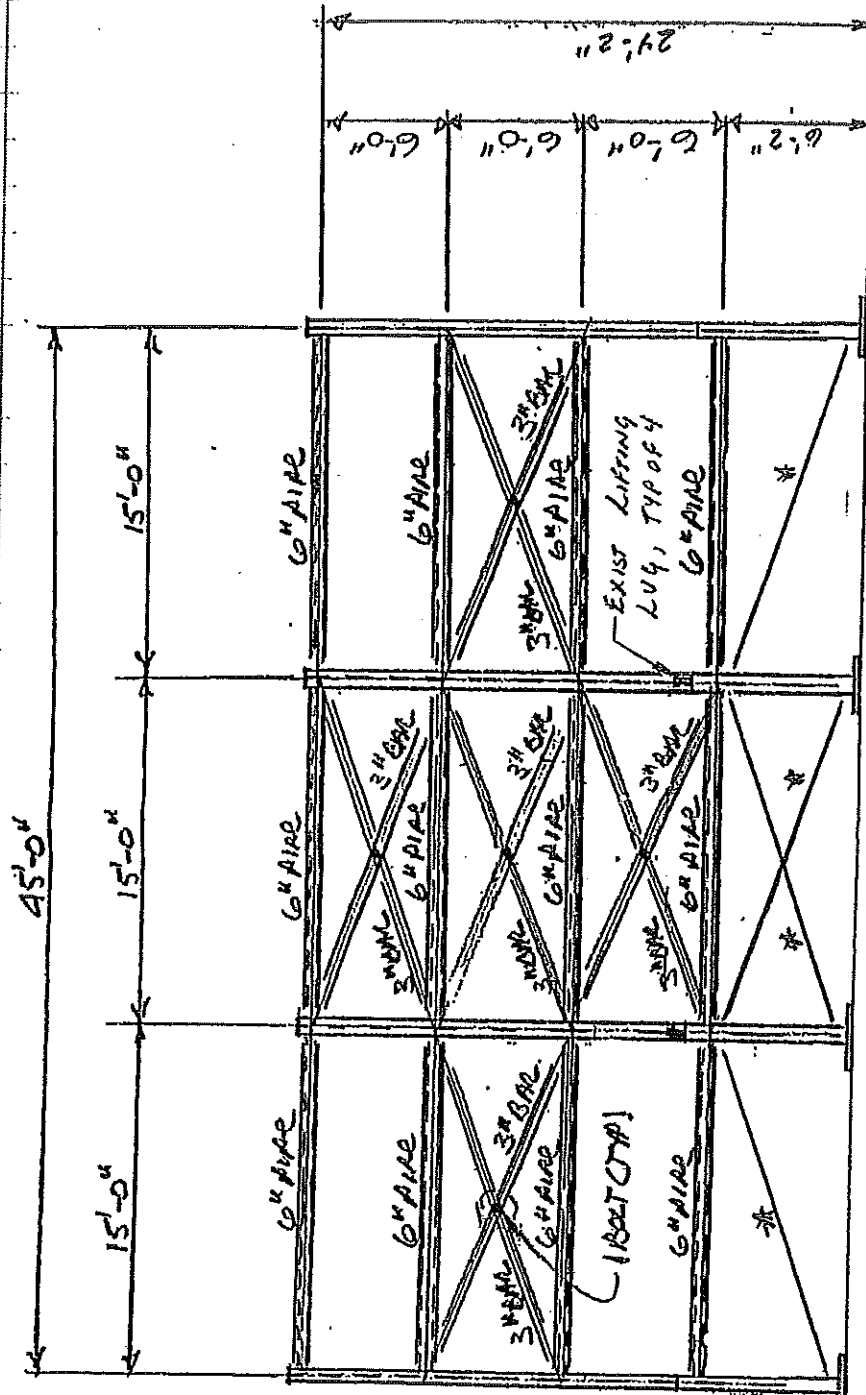
JOB 04-3574.10

SHEET NO. Sk-2 OF _____

CALCULATED BY LGB DATE 02/13/04

CHECKED BY SD DATE 02/13/04

SCALE DIVER DOWN - PORTABLE BLDG



LONGITUDINAL ELEVATION
(TYPICAL BOTH SIDE WALLS)

* WIRE ROPE CABLE

Delete	Schedule Inspection	Add	Find	Print Permit	Print C of O	Print Insp	Invoicing	Taxes
Prmt	Text93	42786	Constr Type	New	Num1	4		
Permit Nbr	04-0100	Location of Construction	399	Presumpscot St	Appl. Date			
Status	Hold	Permit Type	Additions - Commercial		Issue Date			
CBL	420 A007001	District Nbr	4	Estimated Cost	\$25,000.00	Date Closed		

Comment Date	Comment	Add	Delet	Save
02/17/2004	Received additional information on portable building. Still on hold. /gg			
	Name	gg	Follow Up Date	Completed
02/04/2004	invoice created and sent to applicant: late fee, removal of stop work order, total \$200.00. Kwd			
	Name	kwd	Follow Up Date	Completed
02/04/2004	Site plan #2003-0156 was approved but no performance guarantees provided, so not circulated per Site plan #2004-0006, an Amendment, has not yet been approved, Jay Reynolds doing review. On HOLD p release of Site Plans. Kwd			
	Name	kwd	Follow Up Date	Completed

CreatedBy	gg	CreateDate	02/04/2004	ModBy	kwd	ModDate	02/04
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Due

Close

0100

02/03/2004

Print

rah H. Site
ending

1/2004

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

2003-0156
Application I. D. Number

Couture Jon Rene
Applicant

07/29/2003
Application Date

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:
Applicant or Agent Daytime Telephone, Fax

420 A007001
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

Proposed Building square Feet or # of Units _____ Acreage of Site _____ IM
Zoning _____

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 _____ Subdivision _____ Engineer Review _____ Date _____

Zoning Approval Status:

Reviewer Marge Schmuckale
 Approved Approved w/Conditions See Attached Denied Inspection

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 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: 399 Presumpscot St.		Zone: IM
Total Square Footage of Proposed Structure: N/A (existing structure 6000sq)		Square Footage of Lot: 40,564 sf (0.93 ac)
Tax Assessor's Chart, Block & Lot: Chart# Block# Lot# 420 -A - 007		Property owner's mailing address: Jon Couture, Diver Down Underwater Services, Inc., 399 Presumpscot St., Portland, ME 04103
		Telephone #: 207/828-0444
Consultant/Agent, mailing address, phone # & contact person: Sebago Technics, Inc., one Chabot St., PO Box 1339 Portland, ME 04098 Westbrook 207/856-0277 contact: Danielle Betts		Applicant's name, mailing address, telephone #/Fax#/Pager#: Same as owner
		Project name: Amended Site Plan - Diver Down Underwater Services, Inc.
<p>Proposed Development (check all that apply)</p> <p> <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> </p> <p>Major Development (more than 10,000 sq. ft.)</p> <p> <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) </p> <p>Minor Site Plan Review</p> <p> <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) </p> <p>Plan Amendments</p> <p> <input checked="" type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00) </p>		
- 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
207/828-0444

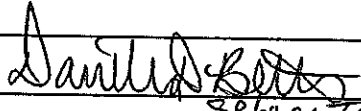
Submittals shall include (9) separate folded packets of the following:

- 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: cl.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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Sebago 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'.

Ms. Hopkins

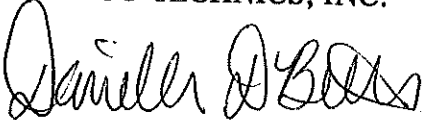
-3-

July 28, 2003

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

2311

66108

BK 12815PG292

QUITCLAIM DEED WITH COVENANT

MAINE REAL ESTATE TAX PAID

KNOW ALL BY THESE PRESENTS, That I, TIMOTHY E. SANDERS ("Grantor"), of Yarmouth, Cumberland County, Maine, for consideration paid, grant to LUCIE WING COUTURE ("Grantee"), of Portland, Cumberland County, Maine, whose mailing address is 6 Fayette Street, Portland, Maine 04103, with Quitclaim Covenant, the land in Portland, Cumberland County, Maine, described more particularly as follows:

A certain lot or parcel of land situated on the Easterly side of Presumpscot Street in Portland, Cumberland County, Maine, being more particularly bounded and described as follows:

Commencing at a 4" by 4" concrete monument found on the easterly sideline of said street marking the most westerly corner of land now or formerly of the John J. Nissen Baking Company as described in deed recorded in Cumberland County Registry of Deeds in Book 3195, Page 558, and the most northerly corner of the premises herein described, said point being the POINT OF BEGINNING.

Thence South 13°51'23" West along said street a distance of 164.15 feet to an angle point in said sideline;

Thence South 14°52'06" West along said street a distance of 28.13 feet to a steel rebar set and remaining land of the within grantor;

Thence South 75°08'03" East along said remaining land a distance of 311.18 feet to a concrete monument and land now or formerly of the Canadian National Railway Company;

Thence North 20°42'24" East a distance of 44 feet, more or less, to the thread of Barbour's Creek;

Thence Northwesterly along said Creek a distance of 350 feet, more or less, to the POINT OF BEGINNING. Said Point of Beginning bears North 43°39'40" West a distance of 368.24 feet from the last mentioned monument; said described tract containing 0.93 acre (40,564 square feet), more or less. Bearings are based on Magnetic North observed in 1995.

EXCEPTING the right-of-way of the Grand Trunk Railroad, 99 feet in width, which lies adjacent to the above-described land.

470/A-1

12815/292

TOGETHER WITH all right, title and interest in and to reversionary rights, if any, in and to said railroad right-of-way of that portion of the Grand Trunk Railroad lying adjacent to the above-described land, later the Canadian National Railway Company.

TOGETHER WITH all right, title and interest in and to the portion of Presumpscot Street lying adjacent to the above-described land.

Being a portion of the land described in deed from Erik K. Sanders to Timothy E. Sanders dated May 5, 1975 and recorded in Cumberland County Registry of Deeds in Book 3690, Page 50.

Witness my hand and seal this 13 day of November, 1996.

Witness:

James M. Ruffin

Timothy E. Sanders
Timothy E. Sanders

STATE OF MAINE
COUNTY OF Cumberland, ss.

On November 13, 1996, personally appeared the above-named Timothy E. Sanders and acknowledged the foregoing instrument to be his free act and deed.

Before me,

James M. Ruffin
Notary Public
Maine Attorney-at-Law
Print: James M. Ruffin

TXR:63761-1.DOC

RECEIVED
RECORDED REGISTRY OF DEEDS
95 NOV 13 PM 1:25
CUMBERLAND COUNTY
John B. O'Brien

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

October 14, 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:

On October 8, 2003, the Portland Planning Authority granted minor site plan approval for the site improvements at 399 Presumpscot Street, as shown on the approved plan with the following condition:

That the esplanade along the property frontage be widened to eight feet (thereby moving the sidewalk back three feet), and planted with two 3" caliper Honey Locust street trees. Also, that the three trees shown in the front yard should also be Honey Locust.

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. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 2.0% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

From: Marge Schmuckal
To: Sarah Hopkins
Date: Thu, Aug 4, 2005 3:43 PM
Subject: 399 Presumpscot St - Diver down

Sarah,
Is there an approved site plan for a new 1,620 sq ft portable building for Diver Down? I really have very little here and they reactivated an old permit. I have nothing showing where this building might be placed. Can you help me out on this?
Marge

Applicant: Jon Couture

Date: 8/18/05

Address: 399 Presumpscot St.

C-B-L: 420-A-007

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing Dev.

#04-0100

Zone Location - I-M

Interior or corner lot -

Proposed Use/Work - Add 1,620[#] portable bldg ^{36'x45'}

Sevage Disposal - City

Lot Street Frontage - 60' min

Front Yard - 1' for every 1' of height - N/A - currently a building in front

Rear Yard - 1' for every 1' of height up to 25'
Does not Abutt Res

Side Yard - 1' for every 1' of height up to 25'
Does not Abutt Res.

Since this is a portable structure, it shall AT ALL times be no closer than 25' to a property line

Projections -

Width of Lot - N/A

Height - 45' MAX - 42' to ridge

Lot Area - NO min

40,564[#] per assessors

Lot Coverage (Impervious Surface -

75% impavious max

74.4% given (gravel mostly)

Area per Family - N/A

Off-street Parking - N/A for this project proposal (Added 9 spaces previously)

Loading Bays - N/A

Site Plan - # 2003-0156 Amended
2004-0006

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 7 Zone X

Pavement setback from property lines: 10' - Not doing any ^{new} paving

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

INVOICE FOR PERMIT FEES

Application No: 4-0100	Applicant: Couture Jon Rene
Project Name: Add 1,620 sq. Ft. Portable building	Location: 399 Presumpscot St
CBL: 420 A007001	Development Type:
Invoice Date: 02/04/2004	

Previous Balance	-	Payment Received	+	Current Fees	=	Total Due		Payment Due Date
\$246.00		\$246.00		\$200.00		\$200.00		On Receipt

First Billing

Previous Balance		\$246.00
Payment Received 2/3/2004 - Thank you	-	\$246.00

<u>Fee Description</u>	<u>Qty</u>	<u>Fee Charge</u>
Late Fee Above \$30	1	\$100.00
Stop Work Order Release	1	\$100.00
		<u>\$200.00</u>
	Total Current Fees:	+ <u>\$200.00</u>
	Amount Due Now:	\$200.00

pd 2/6/04

Detach and remit with payment

Bill to: Couture Jon Rene
 399 Presumpscot St
 Portland, ME 04103

CBL 420 A007001
Application No: 4-0100
Invoice Date: 02/04/2004
Invoice No: 12711
Total Amt Due: \$200.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Karen Dunfey, 3rd Floor, 389 Congress Street, Portland, ME 04101

January 30, 2004

Jon Rene Couture
Diver Down
399 Presumpscot Street
Portland, ME 04103

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

The Planning Division has received the application for an amendment to the Diver Down site at 399 Presumpscot Street to include the addition of a 1,620 square foot portable building and revisions to the gravel limits in the storage areas.

Upon a recent inspection of the site, work was proceeding on the grading of the rear storage area. As noted in the approval letter dated October 14, 2004, site work may not commence until a performance guarantee cost estimate, an approved performance guarantee and inspection fee is submitted.

Prior to the review of any further amendments to the site plan and prior to any further work occurring on the site, we will require the cost estimate, performance guarantee, and inspection fee submission covering the right of way and drainage improvements.

I am enclosing the necessary paperwork for your use.

Any further site work will require us to forward this issue to our Corporation Counsel for enforcement action.

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

Sincerely,

Sarah Hopkins
Development Review Services Manager

cc: Lee D. Urban, Planning and Development Department Director
Sarah Hopkins, Development Review Program Manager
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Michael Bobinsky, Public Works Director
Karen Dunfey, Inspections
Eric Labelle, City Engineer
Penny Littell, Associate Corporation Councse
Approval Letter File
Correspondence File

From: Sarah Hopkins
To: "LDU"@Portland.gwgwia; Alex Jaegerman ; Lori Paulette; Mike Nugent
Date: 2/4/2004 2:25:49 PM
Subject: Re: Jon Couture of Diver Down at 399 Presumpscot Street

I am attaching the letter I sent to Mr. Couture.

In summary, this is the chain of events:

1. In October, we approved an after the fact site plan for lot grading. We also required sidewalk and curb installation along Presumpscot Street as part of the site plan.
2. The approval letter states that a performance guarantee must be submitted prior to site work. We never received a PG.
3. An amended site plan came in two weeks ago for the construction of a movable steel structure on the lot.
4. Jay and I were out looking at sites in the area last week and found that site work was going on at Diver Down.
5. On Friday, I wrote a letter stating that the review (and approval) of the steel structure will not continue until he comes into compliance and guarantees the site work--namely the sidewalk and curb on Presumpscot.
6. At noon today, a cost estimate was submitted by Diver Down for the site work. We will review it and work with them on the PG.
7. I'll show the steel structure plans next Wednesday. We can probably approve it with conditions.

-sarah

>>> Alex Jaegerman 02/04 1:14 PM >>>

I just spoke with Jon Couture, and he is in the process of working out his site plan difficulties. Sarah sent him a letter which provided him with instructions about how to proceed, and answering his questions in his letter of today. I will find out from Sarah the particulars about the plan review. Apparently he was approved for a plan, but did not include the building. So the plans need to be or have been updated and reviewed. More to the story than I have been able to compile as yet. But it is in progress. I or Sarah will report back with an estimated time frame.

Alex.

>>> "Lee Urban" <LDU@portlandmaine.gov> 02/04 11:17 AM >>>

Thanks. When will site plan review be done?

>>> Lori Paulette 2/4/04 10:18:31 AM >>>

In talking with Mr. Couture, he said he will work with Enterprise Engineering to do what it takes to keep this moving along so that they can continue work.

>>> Mike Nugent 2/4/2004 10:07:49 AM >>>

Mr. Couture has a property at 399 Presumpscot St. where they have erected a 36 foot X 45 foot steel storage type structure without a building permit. I received a complaint from Jay Reynolds and sent the District C.E.O., Jon Reed. He evaluated the property and issued a stop work order. Mr. Couture applied for a permit yesterday, he lacked required engineering, which he advised is being created as we speak, the permit will be forwarded to Marge, who I suspect will not be able to approve until site plan review is done with it.

>>> "Lori Paulette" <ljn@portlandmaine.gov> 02/04 9:54 AM >>>

I just talked with Jon Couture who asked to speak with you. (He's at 233-9990.)

Diver Down (DD) is working with Cianbro on their Amethyst project. As part of that project, DD took a steel structure (construction modular) from Ricker's Wharf to DD's property on Presumpscot. DD's been working and spending a lot of money with Sebago Technics and Enterprise Engineering. Mike Nugent can probably fully apprise you, but Couture's says time is of the essence to get things ok'd now. I told him I was optimistic that we'd get back to him today and he really appreciated that.

CC: Jay Reynolds; Karen Dunfey; Mark Adelson

January 14, 2004
03111

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

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

Dear Sarah:

We have prepared a second amendment to the recently approved 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 an Amended Minor Site Plan application that was approved on October 14, 2003.

The current application requests approval for the following:

1. Addition of a 1,620 square foot portable building. ✓
2. Revisions to gravel limits in storage/maneuvering areas.

Portable Building

The applicant has purchased a portable structure that is approximately 36 feet wide, 45 feet long, with an overall height of 42 feet. The structure was designed and built by Cianbro to be used as a temporary duct enclosure for a recent project. The applicant has purchased the structure to be stored and utilized at his property on Presumpscot Street.

Elevation sketches (SK1, SK2, and SK3) of the structure as prepared by Cianbro are attached. SK1 is a longitudinal elevation sketch, SK2 is a transverse elevation sketch of the interior bays, and SK3 is a transverse elevation sketch of the end bays (note that the 26' diameter circle on SK2 depicts Cianbro's temporary duct and is not relevant to the structure).

The roofing and siding over the steel structure will be either fabric or panels. The fabric is a white flame-retardant fabric and the sides can be rolled up in summer. The fabric roofing and siding may be substituted with removable galvanized corrugated roof and siding panels.

The structure is portable and has been constructed to include cable attachments so that it can be lifted and moved by crane. Diver Down owns a crane truck that is parked at the site when not in use. The applicant intends to keep the structure at the back of the property within the building setback limits as shown on the attached plan. The structure may be moved on the site within the allowable building area, depending on the use and the amount of seasonal equipment stored on the site. The applicant intends to use the structure as a temporary covering for different projects associated with their marine services business. For example, the structure may be lifted and placed over the boat during repair or for storage, or the structure may be used for overhead protection during welding or fabrication projects.

Gravel Areas

The applicant proposes revisions to the gravel limits in the storage and maneuvering areas at the back of the site. As shown on the attached Amended Site Plan, the proposed gravel surface is generally located within the area shown to be fenced, with the exception of the southern area where an existing ditch and the proposed fill slope are located. There will be no gravel surface in this area, and a portion of existing gravel near the ditch will be removed and loamed and seeded. The total proposed impervious area on the site, including the building area, is just under 37,000 square feet, or 74.4% of the site area. This amount of impervious area is within the zoning requirement of no more than 75% of the total site area.

Please feel free to give me a call to discuss the Amended Site Plan if you have any questions or comments. Thank you for your time.

Sincerely,

SEBAGO TECHNICS, INC.



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

DDB:ddb/jc
Enc.

cc: Jon Couture

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 PRESUMPCOT ST.</u>		Zone: <u>IM</u>
Total Square Footage of Proposed Structure: <u>1,620 sq. ft. PORTABLE STRUCTURE</u>		Square Footage of Lot: <u>49,564 sq. ft. (deed)</u>
Tax Assessor's Chart, Block & Lot: Chart# Block# Lot# <u>420 - A - 007</u>		Property owner's mailing address: <u>J&N COUTURE, DIVER DOWN UNDERWATER SERVICES, INC. 399 PRESUMPCOT ST. PORTLAND, ME 04103</u>
		Telephone #: <u>207/828-0444</u>
Consultant/Agent, mailing address, phone # & contact person: <u>CONTACT: DANIELLE D. BETTS PHONE: 207/856-0277 SEBAGO TECHNICS, INC. ONE CHABOT ST., P.O. BOX 1339 WESTBROOK, ME 04098</u>		Applicant's name, mailing address, telephone #/Fax#/Pager#: <u>~ SAME AS OWNER ~</u>
		Project name: <u>AMENDED SITE PLAN - DIVER DOWN</u>
Proposed Development (check all that apply) <input checked="" 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"/> 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 type="checkbox"/> Other _____		
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 checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <u>\$400.00 Check Enclosed</u> <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
Plan Amendments <input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)		

* PORTABLE OVERHEAD STRUCTURE, SEE ATTACHED DRAWINGS

- Please see next page -

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

JON COUTURE
DIVER DOWN UNDERWATER SERVICES, INC.
399 PRESUMSCOT ST.
PORTLAND, ME 04103
207/828-0444

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:

David R. Brown A-AGENT
Sebaye Technics

Date: 01.13.04

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

SEBAGO TECHNICS, INC.

Check #

26489

Date: 01/12/2004
Amount: \$400.00
Vendor ID: CPORTL
Payee: City of Portland

Notes: STI 03111 Minor Site Plan application ...Diver Down Underwater Services, Inc.....DDB

26489

SEBAGO TECHNICS, INC.

P.O. BOX 1339
WESTBROOK, ME 04098-1339
(207) 856-0277

PEOPLES
PORTLAND, ME 04101
52-7445-2112

01/12/2004

DATE

AMOUNT
\$400.00

THE SUM OF FOUR HUNDRED DOLLARS 00/100 ONLY

PAY
TO THE
ORDER
OF

City of Portland

SEBAGO TECHNICS, INC. BY

Allen K. Stinson

Details on back.
Security Features Included.

⑈026489⑈ ⑆211274450⑆ 0291 13892⑈

VOID AFTER 90 DAYS

City of Portland, Maine - Building or Use Permit

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

Permit No: 04-0100	Date Applied For: 02/03/2004	CBL: 420 A007001
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Location of Construction: 399 Presumpscot St	Owner Name: Couture Jon Rene	Owner Address: 399 Presumpscot St	Phone: 207-828-0444
Business Name: n/a	Contractor Name: Jon Couture	Contractor Address: 399 Presumpscot Portland	Phone: (207) 828-0444
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Additions - Commercial	

Proposed Use: Add 1,620 sq. Ft. Portable building that will be maneuvered to different areas on site.	Proposed Project Description: Add 1,620 sq. Ft. Portable building that will be maneuvered to different areas on site.
--	--

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 08/19/2005
Note: 02/24/04 I still have no stamped approved site plan showing where this building is going - back to Karen **Ok to Issue:**
 8/19/05 received stamped approved site plan from BB
 1) This portable building shall be no closer than 25' to rear and side property lines at ALL times.

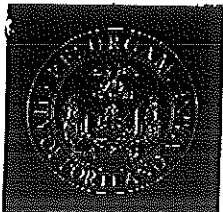
Dept: Building **Status:** Approved with Conditions **Reviewer:** Mike Nugent **Approval Date:** 08/22/2005
Note: **Ok to Issue:**
 1) The structure must be reinforced as shown on the design prior to use. The design engineer must provide a final inspection and sign off on the structure prior to use.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Cptn Greg Cass **Approval Date:** 08/22/2005
Note: **Ok to Issue:**
 1) Structure to comply with NFPA 101

Dept: Planning **Status:** Approved **Reviewer:** Sarah Hopkins **Approval Date:** 11/29/2004
Note: **Ok to Issue:**
 1) We were waiting for a performance guarantee, since site work was in violation of approval previously. PG and inspection fee were submitted. Planning is all set. Sending around stamped plans....sarah

Comments:

2/4/2004-kwd: Site plan #2003-0156 was approved but no performance guarantees provided, so not circulated per Sarah H. Site plan #2004-0006, an Amendment, has not yet been approved, Jay Reynolds doing review. On HOLD pending release of Site Plans. Kwd
 2/4/2004-kwd: invoice created and sent to applicant: late fee, removal of stop work order, total \$200.00. Kwd
 2/17/2004-gg: Received additional information on portable building. Forwarded permit to Marge per Mike Nugent. /gg
 2/25/2004-kwd: Still waiting for performance guarantee. Kwd
 7/14/2005-mjn: left a message with the owner, routing to Marge



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

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

January 25, 2005

Jon Rene Couture
Diver Down
399 Presumpscot Street
Portland, ME 04103

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

Dear Mr. Couture:

On November 29, 2004, the Portland Planning Authority granted minor site plan approval for the installation of the steel structure and related site improvements at 399 Presumpscot Street, as shown on the approved plan.

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. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 2.0% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner 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

O:\PLANDEVREVIEW\presumpscot399\approval2.doc

389 Congress Street • Portland, Maine 04101 • Ph (207) 874-8721 or 874-8719 • Fx 758-8258 • TTY 874-8938

24
374-8703
- 14

- to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
5. 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. 8822. (Only excavators licensed by the City of Portland are eligible.)
 6. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with seven sets of final plans.

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please note that no Certificates of Occupancy will be issued until all site improvements have been completed and inspected in the field by the Development Review Coordinator.

If there are any questions, please contact Sarah Hopkins at 874-8720.

Sincerely,



Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Sarah Hopkins, Development Review Program Manager
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Michael Bobinsky, Public Works Director
Inspections
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Assessor's Office
Approval Letter File
Correspondence File



CITY OF PORTLAND, MAINE
Department of Building Inspections

Feb 4 2004

Received from Davey Dem Under the

Location of Work 299 Pennington

Cost of Construction \$ _____

Permit Fee \$ 246.00

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

Other _____

CBL: 430 A009

Check #: 10991

Total Collected \$ 246.00

THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

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

