

**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 398-410 Commercial Street (400)		Owner: Berlin Mills Wharf, PO 3542, Ptld, ME 04104		Phone: 774-3683	Bill Nemmers	Permit No: <b>991184</b>
Owner Address: 398 Commercial St. Ptland, ME 04101		Lessee/Buyer's Name: N/A		Phone: N/A	BusinessName: N/A	
Contractor Name: Owner		Address: SAA		Phone: SAA		
Past Use:  Boat Repair Facility Storage		Proposed Use:  Same		COST OF WORK: \$ 18,000		PERMIT FEE: \$ 132.00
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type: BOCA 96 Signature: <i>[Signature]</i>
Proposed Project Description:  Add 488 SF of building area to existing structure, repair and rebuild and renovate portions of existing structure.				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zone: <b>W2</b> CBL: 042-E-001 & 2 Zoning Approval: <i>[Signature]</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan, major <input type="checkbox"/> minor #19990143 - <i>[Signature]</i> Zoning Appeal <i>[Signature]</i> <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
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		
Permit Taken By:  KA		Date Applied For:  10-18-99				

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..

\*\*\* CALL for Pick Up Bill Nemmers  
774-3683

**PERMIT ISSUED  
WITH REQUIREMENTS**

**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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT \_\_\_\_\_ ADDRESS: \_\_\_\_\_ DATE: 10-27-99 PHONE: \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE: \_\_\_\_\_

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**Historic Preservation**  
 Not in District or Landmark  
 Does Not Require Review  
 Requires Review

Action:  
 Approved  
 Approved with Conditions  
 Denied  
 Date: *[Signature]*

**PERMIT ISSUED  
WITH REQUIREMENTS**  
 GEO DISTRICT 1  
 ub

COMMENTS

1-3-00 - Pres-con w/ Bill Scharr @ Gowan MARING. Went over all plans. Demo is finished  
work to begin on rock wall JR

	Type	Inspection Record	Date
Foundation:	_____	_____	_____
Framing:	_____	_____	_____
Plumbing:	_____	_____	_____
Final:	_____	_____	_____
Other:	_____	_____	_____

**THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED**

**Building or Use Permit Pre-Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*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 (include Portion of Building): <b>398 - 410 COMMERCIAL ST. (400)</b>			
Total Square Footage of Proposed Structure <b>488</b>		Square Footage of Lot <b>N/A.</b>	
Tax Assessor's Chart, Block & Lot Number Chart# <b>42</b> Block# <b>E</b> Lot# <b>132</b>	Owner: <b>BERLIN MILLS WHARF PO. 3542 PORTLAND ME 04104</b>	Telephone#: <b>400 WIL. WENMERS 774.3683</b>	
Owner's Address: <b>398 COMMERCIAL ST PORTLAND ME. 04101</b>	Lessee/Buyer's Name (If Applicable) <b>N/A.</b>	Cost Of Work: <b>\$ 18,000</b>	Fee <b>\$ 132<sup>00</sup></b>
Proposed Project Description:(Please be as specific as possible) <b>ADD 488 SF OF BUILDING ADDED TO EXISTING STRUCTURE, REPAIR REBUILD &amp; RENOVATE PORTIONS OF EXISTING STRUCTURE addition for existing storage</b>			
Contractor's Name, Address & Telephone <b>BY OWNER</b>			Rec'd By <b>UB</b>
Current Use: <b>BOAT REPAIR FACILITY STORAGE</b>		Proposed Use: <b>BOAT REPAIR FACILITY</b>	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC(Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

**CALL BILL WENMERS  
FOR PICKUP.  
774.3683**

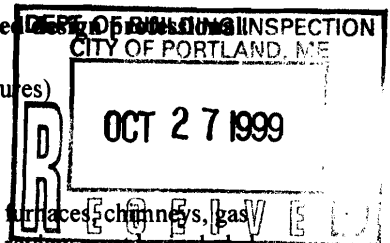
Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

**4) Building Plans**

**Unless exempted by State Law, construction documents must be designed by a registered Professional Engineer or Architect.**

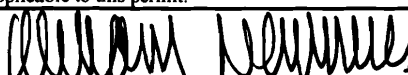
A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as air conditioning, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.



**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/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: 	Date: <b>Oct. 18 1999</b>
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Building Permit Fee: \$25.00 for the 1st \$1000.cost plus \$5.00 per \$1,000.00 construction cost thereafter.  
Additional Site review and related fees are attached on a separate addendum

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

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

**NOTE\*\*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.**

Applicant <u>BERLIN MILLS WHARF</u>	Application Date <u>10/5/99</u>	
Applicant's Mailing Address <u>PO. 3592 PORTLAND, ME 04104</u>	Project Name/Description <u>ADDITION TO STORAGE FACILITY</u>	
Consultant/Agent <u>Wm. Nemmers. Architect. 774 3683</u>	Address Of Proposed Site <u>398-410 COMMERCIAL ST.</u>	
Applicant/Agent Daytime telephone and FAX <u>(761-2836 FAX)</u>	Assessor's Reference, Chart#, Block, Lot# <u><del>42-E-152</del> (42-E001)</u>	
Proposed Development (Check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail		
<input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Other(Specify) <u>STORAGE BLDG AT BOUYARD.</u>		
<u>ADD 488 SF.</u>	<u>N/A.</u>	<u>WCZ - FLOOD PLAIN. ZONE</u>
Proposed Building Square Footage and /or # of Units	Acreage of Site	Zoning

You must Include the following with you application:

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

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

I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if an approval for the proposed project or use described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: 	Date: <u>10/5/99.</u>
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Site Review Fee: Major \$500.00 Minor 400.00

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

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

**19990143**

I. D. Number

**Berlin Mills Wharf**

Applicant

**P.O. Box 3542, Portland, ME 04109**

Applicant's Mailing Address

**Wm. Nemmers Architect**

Consultant/Agent

**774-3683** **761-2836**

Applicant or Agent Daytime Telephone, Fax

**10/5/99**

Application Date

**Commercial St 398-410**

Project Name/Description

**398- 410 Commercial St, Portland, Maine 04101**

Address of Proposed Site

**042-E-001**

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) **Storage Bldg Boat yard**  
**488 sf.**

Proposed Building square Feet or # of Units 488 sf. Acreage of Site                      Zoning WCZ

**Check Review Required:**

- Site Plan (major/minor)
- Flood Hazard
- Zoning Conditional Use (ZBA/PB)
- Subdivision # of lots
- Shoreland
- Zoning Variance
- PAD Review
- Historic Preservation
- 14-403 Streets Review
- DEP Local Certification
- Other

Fees Paid: Site Plan \$400.00 Subdivision                      Engineer Review                      Date: 10/5/99

**Fire Approval Status:**

Reviewer Lt. Mc dougall

- Approved
- Approved w/Conditions see attached
- Denied

Approval Date 10/6/99 Approval Expiration                      Extension to                       Additional Sheets Attached

Condition Compliance Lt. Mc Dougall 10/6/99  
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	<u>                    </u> date	<u>                    </u> amount	<u>                    </u> expiration date
<input type="checkbox"/> Inspection Fee Paid	<u>                    </u> date	<u>                    </u> amount	
<input type="checkbox"/> Building Permit Issued	<u>                    </u> date		
<input type="checkbox"/> Performance Guarantee Reduced	<u>                    </u> date	<u>                    </u> remaining balance	<u>                    </u> signature
<input type="checkbox"/> Temporary Certificate of Occupancy	<u>                    </u> date	<input type="checkbox"/> Conditions (See Attached)	
<input type="checkbox"/> Final Inspection	<u>                    </u> date	<u>                    </u> signature	
<input type="checkbox"/> Certificate of Occupancy	<u>                    </u> date		
<input type="checkbox"/> Performance Guarantee Released	<u>                    </u> date	<u>                    </u> signature	
<input type="checkbox"/> Defect Guarantee Submitted	<u>                    </u> submitted date	<u>                    </u> amount	<u>                    </u> expiration date

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

**19990143**

I. D. Number

**Berlin Mills Wharf**

Applicant

**P.O. Box 3542, Portland, ME 04109**

Applicant's Mailing Address

**Wm. Nemmers Architect**

Consultant/Agent

**774-3683 761-2836**

Applicant or Agent Daytime Telephone, Fax

**10/5/99**

Application Date

**Commercial St 398-410**

Project Name/Description

**398- 410 Commercial St, Portland, Maine 04101**

Address of Proposed Site

**042-E-001**

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Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Storage Bldg Boat yard**  
**488 sf.**

Proposed Building square Feet or # of Units

Acreage of Site

**WCZ**

Zoning

**Check Review Required:**

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

Fees Paid: Site Plan **\$400.00** Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: **10/5/99**

**Planning Approval Status:**

Reviewer **Wm.Needelman**

- Approved**  **Approved w/Conditions**  **Denied**  
 See Attached

Approval Date **10/27/99** Approval Expiration **10/27/00** Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permit **wbn** **10/27/99**  
 signature date

Performance Guarantee  **Required\***  **Not Required**

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |  |                 |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____          | _____  | _____           |
|   | date           | amount   | expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____          | _____  |                 |
|   | date           | amount   |                 |
| <input type="checkbox"/> Building Permit Issued             | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Final Inspection                   | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Certificate Of Occupancy           | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Released     | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____          | _____  | _____           |
|   | submitted date | amount   | expiration date |

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

**19990143**

I. D. Number

**Berlin Mills Wharf**

Applicant  
**P.O. Box 3542, Portland, ME 04109**

Applicant's Mailing Address  
**Wm. Nemmers Architect**

Consultant/Agent  
**774-3683 761-2836**

Applicant or Agent Daytime Telephone, Fax

**10/5/99**

Application Date  
**Commercial St 398-410**

Project Name/Description  
**398- 410 Commercial St, Portland, Maine 04101**

Address of Proposed Site  
**042-E-001**

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Storage Bldg Boat yard**  
 New Building  Building Addition  Change Of Use  Residential  
**488 sf.** **WCZ**

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

**Check Review Required:**

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

Fees Paid: Site Plan **\$400.00** Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: **10/5/99**

**DRC Approval Status:**

Reviewer **Steve Bushy**

- Approved**  **Approved w/Conditions**  **Denied**  
 see attached

Approval Date **10/25/99** Approval Expiration **10/25/00** Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance **Steve Bushy** **10/25/99**  
 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	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate Of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	date		
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date

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

**19990143**

I. D. Number

**Berlin Mills Wharf**

Applicant  
**P.O. Box 3542, Portland, ME 04109**  
 Applicant's Mailing Address  
**Wm. Nemmers Architect**  
 Consultant/Agent  
**774-3683 761-2836**  
 Applicant or Agent Daytime Telephone, Fax

**10/5/99**  
 Application Date  
**Commercial St 398-410**  
 Project Name/Description

**398- 410 Commercial St, Portland, Maine 04101**  
 Address of Proposed Site  
**042-E-001**  
 Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  New Building  Building Addition  Change Of Use  Residential  Other (specify) **Storage Bldg Boat yard**  
**488 sf.**  
 Proposed Building square Feet or # of Units      Acreage of Site      **WCZ** Zoning

**Check Review Required:**

Site Plan (major/minor)       Subdivision # of lots \_\_\_\_\_       PAD Review       14-403 Streets Review  
 Flood Hazard       Shoreland       Historic Preservation       DEP Local Certification  
 Zoning Conditional Use (ZBA/PB)       Zoning Variance       Other \_\_\_\_\_  
 Fees Paid: Site Plan **\$400.00** Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: **10/5/99**

**Inspections Approval Status:**

Reviewer **Marge Schmuckal**

Approved       Approved w/Conditions see attached       Denied  
 Approval Date **10/27/99**      Approval Expiration \_\_\_\_\_      Extension to \_\_\_\_\_       Additional Sheets Attached  
 Condition Compliance      signature \_\_\_\_\_      date \_\_\_\_\_

Performance Guarantee       Required\*       Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issued	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	date		
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date



CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
ENGINEERING DEPARTMENT PROCESSING FORM  
ADDENDUM

19990143

I. D. Number

Berlin Mills Wharf

Applicant

Portland, ME 04109

Applicant's Mailing Address

100 Commercial St, Portland, Maine 04101

Consultant/Agent

774-3683 761-2836

Applicant or Agent Date

10/6/99

Application Date

Commercial St 398-410

Project Name/Description

Commercial St, Portland, Maine 04101

042-E-001

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**DRC Conditions of Approval**

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**Planning Conditions of Approval**

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**Inspections Conditions of Approval**

1. Shall meet all the building criteria in reference to the Flood Zone as submitted.

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**Fire Conditions of Approval**

BUILDING PERMIT REPORT

DATE: 28 OCT. 99 ADDRESS: 398-410 Commercial ST. CBL: 042-E-0012

REASON FOR PERMIT: Add 488 SF of bldg. area to existing structure

BUILDING OWNER: Berlin Mills Wharf

PERMIT APPLICANT: CONTRACTOR OWNERS

USE GROUP: S-1 CONSTRUCTION TYPE: S-B CONSTRUCTION COST: \$18,000.00 PERMIT FEES: \$132.00

The City's Adopted Building Code (The BOCA National Building code/1996 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: \*12\*4 \*23 \*27 \*29 \*32 \*33 \*34 \*36 \*37 \*38

- 1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts.
5. Waterproofing and damp proofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
12. Headroom in habitable space is a minimum of 7'6".
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/4" maximum rise.
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
15. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue.
16. Each apartment shall have access to two (2) separate, remote and approved means of egress.
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's.
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment.



WILLIAM NEMMERS ASSOCIATES ARCHITECTS  
424 FORE ST. PORTLAND, ME 04101 774-3683.

SEPTEMBER 29, 1999

Marge Schmuckel,  
Building Inspections Office  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: Berlin Mills Wharf  
400 Commercial Street

Dear Marge:

With this letter I am applying for a Flood Hazard Development Permit (FHDP) on behalf of my Client, Berlin Mills Wharf, Inc. As you know the statute, Section 14-450, is quite a jungle so I have, in an attempt to understand it and be sure that I have covered all the bases, enclosed the attached EXHIBIT #1, an outline of the statute. I will refer to that outline as I go through the application in hopes that it will make things easier to understand.

Before I get started I would like to make a couple notes regarding definitions.

One of the items for Exemption from Site Plan Review is, according to the language on the Form, (b) Footprint increase Less than 500 Sq.Ft. Footprint increases of less than 500 sf are not to be considered as Site Plan Review Projects, but treated as improvements to existing structures. I would like to request that you review the Application for Exemption from Site Plan Review which we have submitted and make a ruling that this project is not an Increase-of-Footprint of more than 500sf.

In Section 14-450-5 the definition of Substantial Improvement is any improvement, including addition, to a structure which equals 50% of the market value of the pre-improved structure. By that definition this project does not qualify as Substantial Improvement.

Since it is not a building project subject to Site Plan Review and since it is not a Substantial Improvement, I would like to request that you make a ruling that this Project requires a Permit only under section 14-450-9(3) for Minor Developments. It is our contention that the Project as described fits neither into 14-450-9.(1) for elevated structures, or 14-450-9.(2) for new construction or Substantial Improvement.

If you rule that this Project is neither a New construction requiring a Site Plan Review nor a Substantial Improvement, then Section 14-450-8(7) Standards does not apply to this project, and a Permit under 14-450-9.(3) can be issued, without the requirement for floodproofing and professional certification.

If you rule that the Project is subject to the requirements of a Permit under 14-450-9.(2)

then that will require floodproofing as per the (FEMA Coastal Construction Manual) as tempered by Standards under 14-450-8.(16).(6). We are submitting the floodproofing design and the certification required for this type of approval.

The Building addition we are proposing will be used as the existing space is used; as an unheated storage area for steel and materials used for the boatyard's work, storage for an occasional boat, as an area to work on small boats in inclement weather. This definition conforms to 14-450-8.(16).(6) which states that in the Coastal Zone enclosed areas can be used for "...parking, storage and building access."

The Floodproofing procedures included in the FEMA Coastal Construction Guide are general in nature and do not address specifically the concerns and uses of this project, and therefore I have interpreted and designed details which go to the intent of the legislation and I believe accomplish the spirit of the law.

Our design insures that the following floodproofing details are included:

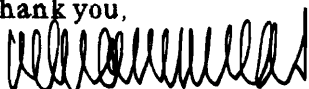
- a) Because all construction below the +12.00 elevation flood level is reinforced concrete, problems with rotting or rusting of materials and other water damage are eliminated.
- b) Because the concrete wall is anchored to the existing concrete deck, no horizontal water pressures can move the wall sideways, and no ground based upward acting hydrostatic pressure can be applied to the structure.
- c) Because 23 feet of the 90 feet of perimeter wall is doorway (and also the existing attached building is at the same elevation) there will be plenty of area available for a rising or retreating flood water to enter and exit the building, thus keeping the pressure equal on the inside and outside of the concrete wall.
- d) Because all electrical equipment will be wall mounted several feet above the +12.00 elevation, the building will be protected from flood caused electrical shorts.
- e) Because the use of the building is material storage of boat building materials and boat storage the contents and finishes of the building will not be adversely affected by incidental flood water, and no protective measures to guard contents need be taken.

The proposed construction details include a 3 foot high concrete wall around the entire construction, anchored to the existing reinforced concrete wharf deck. This wall was designed to prevent forklifts from damaging the building siding but will also serve to keep any construction joints above the +12 ft elevation. The building will have (2) garage doors, a 12' x 12' and a 8' x 10'. These garage doors will allow any flood water to enter and exit the building thus equalizing the hydrostatic pressure on the 3 foot high foundation wall. All electrical equipment, switches and outlets will be located above the concrete wall and thus above the 12ft elevation. Please note the details on the attached plan.

The existing deck of Berlin Mills Wharf, and the existing building set on it have, according to the management of the Boatyard, not been under water in anyone's memory, and no water damage has been incurred. The site has been surveyed to confirm that the existing deck at the location of the proposed project is at elevation (+9.90 feet above MSL) and the existing building was built with this deck as it's floor at elevation (+10.14 feet above MSL).

We therefore request that we be issued a Flood Hazard Development Permit under Section 14-450-9 for this project.

Thank you,



William Nemmers

copy, Joe Schmader, Berlin Mills Wharf, Inc.



WILLIAM NEMMERS ASSOCIATES ARCHITECTS  
424 FORE ST. PORTLAND, ME 04101 774-3683.

SEPTEMBER 29, 1999

Marge Schmuckel,  
Building Inspections Office  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: Berlin Mills Wharf  
400 Commercial Street

Dear Marge:

This is the Letter of Certification from the Architect as required by 14-450-6(2)d.4 of the Site Plan Ordinance for Flood Plain Construction. Please refer to the detail of the construction included on the Plan sheet accompanying this application.

The Elevation of the site has been determined by Nadeau and Lodge, Surveyors. They took the elevation from the City of Portland Datum as reflected by the invert on an adjacent manhole whose elevation was set at the City's Mean Sea Level (MSL) Datum at the time of the construction of the sewer line. Based on this benchmark, the elevation of the existing and proposed floor level for the subject addition was determined to be +9.90 feet above MSL.

According to Section 14-450-8(7) of the Code, Non-residential structures must have the lowest floor at +12.0 feet above MSL; OR:

- a) be floodproofed to elevation +12.0 MSL
- b) have components able to resist hydrostatic loads and buoyancy
- c) Architectural certifications required by 14-450-6(2)d.4

The points noted below fulfill these three requirements.

A• The design of the concrete flood wall is such that the top of the wall is at elevation +12.90 feet above MSL, which is above the +12.00 standard set in the Ordinance

B• This wall has been anchored to the existing structural concrete deck with 1/2" diameter rods so as to prevent lateral movement as per the direction of the standard (FEMA Coastal Construction Guide). (See detail on the drawings)

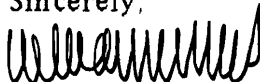
C• The existing conditions on the pier consists of two structural concrete slabs separated by a depth of structural gravel fill. The deck is built to resist upward acting hydrostatic forces, as there is no confined area below grade which will act to trap a flood surge and exert that upward pressure.

D• The concrete flood wall has been designed to raise all building connections above the level of the +12.0 foot limit line, and therefore all wall materials which may be subject to water damage are above that elevation.

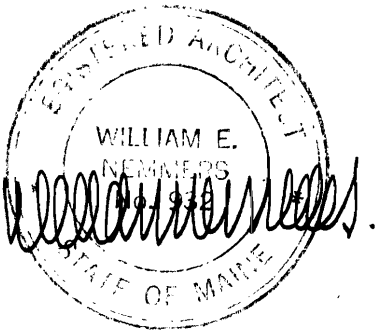
E• There are located two large garage doors which open to the level pf the floor at elevation +9.90. This, plus the fact that the floor level of the remainder of the existing building is at +9.90, will insure that the level of any rising or ebbing flood waters will be equalized on both sides of the wall. Therefore no unequal pressures will be generated which may tend to have a destabilizing effect on the wall.

F• Finally, the use of the addition is important in the determination of its floodproof status. This building is being used for the same purpose as the existing building, that is, parking for boats, and storage. These are uses approved under section 14-450-8(16)6 which can be housed in enclosed areas.

Sincerely,



William Nemmers, Architect  
Maine Reg #932



## **OUTLINE OF REQUIREMENTS OF THE FLOOD ZONE PERMIT APPLICATION**

- 14-450-5 substantial improvement - cost exceeds 50% of market value of structure  
(this is not the case here we are less than 50%)
- 14-450-7 (municipal review directions)
- 14-450-6 Application for Permit needs
- (2)a - site plan DONE
  - (2)b - plat plan (survey) DONE
  - (2)c - development not meeting minimum threshold (less than 500sf addition)
    - 1. name of owner DONE
    - 2. map with site loc DONE
    - 3. site plan DONE
    - 4. statement of intended use DONE
    - 5. cost DONE
    - 6. wastewater treatment N/A
  - (2)d. 1 elevation information
    - (1)- floor elevation relative to mean sea level +9.90 feet
    - (2)- high and low grades at site adjacent to building +9.90 feet
    - (3)- basement elev if any N/A
    - (4)- floodproofing level +12.90 feet
  - (2)d. 2 -set elevation reference point
    - (invert of San. Man Hole @ station 38+57.2) +0.97 feet
    - (current top of manhole rim @ station 38+57.2) +12.07 feet
  - (2)d. 3 -FEMA Form 81-65.05/93 verification by surveyor that el are accur-
  - (2)d. 4 -certification by architect that structure will meet floodproofing criteria of 14-450-6(2)d.4 [this paragraph is section 14-450-6(2)d.4] DONE  
14-450-8(7) (non-residential standards- see directly below)  
14-450-8 (standards - see directly below)
  - (2)d. 5 -N/A watercourse alteration
  - (2)d. 6 -details of 14-450-8 will be met (standards - see below)
  - (2)d. 7 -cross section of site ( see plan sheet )
- 14-450.8 Standards
- 1. design to prevent flotation, collapse of lateral movement damage
  - 2. N/A (water supply systems)
  - 3. N/A (Sanitary sewer systems)
  - 4. N/A (Waste disposal systems)
  - 5. N/A (Watercourse carrying capacity)
  - 6. N/A (Residential)
  - 7. For Zone A-1 - Non-residential have lowest floor at +12.0 feet OR:
    - a) be floodproofed to elevation +12.0
    - b) have components able to resist hydrostatic loads and buoyancy
    - c) Architectural certifications required by 14-450-6(2)d.4
  - 8. N/A (Manufactured homes)
  - 9. N/A (Recreational Vehicles)
  - 10. N/A (Accessory structures)
  - 11. N/A (Floodways)
  - 12. N/A (Subfloor enclosed areas)
  - 13. N/A (Bridges)
  - 14. N/A (Containment walls)
  - 15. N/A (Wharves, piers and docks)( no new wharf or pier construction is proposed)
  - 16. Coastal flood plain.

1. New construction in Zone A1 shall be located landward of mean high tide. Site is above Mean High Tide
2. N/A (only applies to zone V)
3. Architect must review and certify design to meet Coastal Construction Manual(FEMA-55, 1986) and 14-450-8(16)2 N/A (only applies to zone V)
4. N/A ( Structural fill requirements)
5. N/A (Sand dune in zone "V")
6. Enclosed areas can be used for parking, storage building access. The purpose of this proposed building is the same as the existing building, that is, parking for boats, and storage.
7. N/A (Lobster sheds)

#### 14-450-9 Permits

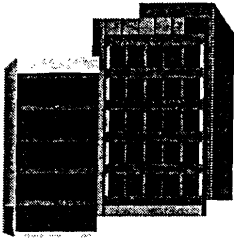
Building authority shall issue one of the following permits

- (1) N/A (for elevated structures only)
- (2) Flood Hazard Deveelopment Permit for Floodproofing of Nonresidential Structures ...that are not elevated... meet standards of 14-450-8(7)1 a.thru c. DONE
- (3) N/A ( for maintenance and utility and other accessory items)

#### 14-450-10 Certificate of Compliance

prior to occupation a Certifivation of Compliance must be issued by the Building Authority. (1) need elevation certificate by serveyor, (2) Certification by Applicant (3) inspection by Authority.





**CITY OF PORTLAND  
BUILDING CODE CERTIFICATE**

**TO:** Inspector of Buildings City of Portland, Maine  
Department of Planning & Urban Development  
Division of Housing & Community Service

**FROM:** William Nemmers

**RE:** Certificate of Design

**DATE:** 10/5/99

These plans and/or specifications covering construction work on:

ADDITION TO STORAGE BUILDING @  
339-400 COMMERCIAL ST. (BERLIN NEES WORK)

Have been designed and drawn up by the undersigned, a Maine registered architect/engineer according to the BOCA National Building Code/1996 Thirteenth Edition, and local amendments.

(SEAL)

Signature William Nemmers

Title ARCHITECT

on DRAWINGS

Firm WILLIAM NEMMERS ARCH

Address 424 FORE ST. - PORTLAND

As per Maine State Law:

\$50,000.00 or more in new construction, repair expansion, addition, or modification for Building or Structures, shall be prepared by a registered design Professional.



# City of Portland, Maine

## ACCESSIBILITY CERTIFICATE

TO: Inspector of Buildings City of Portland, Maine  
Department of Planning & Urban Development  
Division of Housing & Community Services

FROM: WILLIAM NUMMERS.

RE: Certificate of Design, HANDICAP ACCESSIBILITY

DATE: 10/5/99

These plans and/or specifications covering construction work on:

ADDITION TO STORAGE BUILDING @ 398  
-410 COMMERCIAL ST. PORTLAND.

Have been designed and drawn up by the undersigned, a Maine registered engineer/architect according to State Regulations as adopted by the State of Maine on Handicapped Accessibility.

(SEAL)

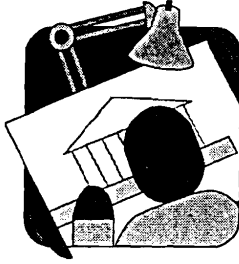
on drawings

Signature William Nummers

Title ARCHITECT.

Firm WILLIAM NUMMERS ARCH.

Address 424 FORE ST.  
Portland ME



**CITY OF PORTLAND MAINE 04101**

Tel. - 207-874-8704

Fax - 207-874-8716

**TO:** Inspector of Buildings City of Portland, Maine  
Planning & Urban Development  
Division of Housing & Community Services

**FROM DESIGNER:** William Nemmers, Architect  
424 Fore St. 774 3683

**DATE:** 10/5/99

**Job Name:** ADDITION TO STORAGE BUILDING

**Address of Construction:** 398-410 COMMERCIAL STREET,

**THE BOCA NATIONAL BUILDING CODE/1996 THIRTEENTH EDITION**

Construction project was designed according to the building code criteria listed below:

Building Code and Year 1995 BOCA Use Group Classification(s) STORAGE

Type of Construction CONC/WOOD Bldg. Height 14'-0" Bldg. Sq. Footage ADD. 488<sup>SF</sup>

Seismic Zone \_\_\_\_\_ Group Class \_\_\_\_\_

Roof Snow Load Per Sq. Ft. 40 Dead Load Per Sq. Ft. 15

Basic Wind Speed (mph) 50 Effective Velocity Pressure Per Sq. Ft. \_\_\_\_\_

Floor Live Load Per Sq. Ft. 100 #/SF

Structure has full sprinkler system? Yes \_\_\_\_\_ No X Alarm System? Yes \_\_\_\_\_ No X  
Sprinkler & Alarm systems must be installed according to BOCA and NFPA Standards with approval from the from the Portland Fire Department.

Is structure being considered unlimited area building: Yes \_\_\_ No X

If mixed use, what subsection of 313 is being considered \_\_\_\_\_

List Occupant loading for each room or space, designed into this Project. 100#/SF

PSH 9/24/99

(Designers Stamp & Signature)

STAMP ON DRAWINGS

# FLOOD HAZARD DEVELOPMENT PERMIT APPLICATION PORTLAND, Maine

(All applicants must complete entire application)  
[60.3(e)]

Application is hereby made for a Flood Hazard Development Permit as required under Article II of the Floodplain Management Ordinance of Portland Maine, for development as defined in said ordinance. This permit application does not preclude the need for other municipal permit applications. [Article II, also NFIP Reg. Part 60.3(a)(1)]

Owner: Article III.A. Berlin Mills Wharf, Inc. Address: Article III.A. P.O. Box 3542 - Portland

Ph. No: Article III.A.

Applicant: Article III.A. William Nemmers Address: Article III.A. 424 Fore St

Ph. No: Article III.A. 774-3683 Portland, ME 04101

Contractor: Article III.A. owner Address: Article III.A. see above

Ph. No: Article III.A.

### LEGAL DESCRIPTION

Is this lot a part of a subdivision?  Yes  No If yes, give the name of the subdivision and lot number:

Subdivision: Recommended but not required by FPMO Lot #: Same

Tax Map: Map required in Article III.B. is not necessarily a Tax Map Lot #: 42-E-192

Address: Article III.B. 400 Commercial St - Berlin Mills Wharf  
Street/Road Name

Article III.B. Portland, ME 04101  
Town/Zip Code

General explanation of proposed development: Article III.D. shed for storage - no heating

Estimated value of proposed development: \$18,000 § Article III.E. [Necessary to administer Substantial Improvement requirements]

Proposed lowest floor elevation [for new or substantially improved structure]: § Article III.H.3.

### OTHER PERMITS [Article V.D. Also NFIP Regs Part 60.3(a)(2)]

Are other permits required from State or Federal Jurisdictions?  Yes  No Wetlands?, DEP?  
If yes, are copies of these permits attached?  Yes  No  Not Applicable

Federal and State Permits may include but not limited to: ME/DEP/Natural Resource Protection Act, Site Location of Development Act, Metallic Mineral Exploration, Advanced Exploration and Mining; USACE/Section 9 & 10 of the Rivers and Harbors Act/ Section 404 of the Clean Water Act; Federal Energy Regulation Commission.

### SEWER AND WATER

Sewage Disposal:  Public  Private [Article III.E, Article VI.C, & D. and NFIP Reg. Part 60.3(a)(6)]  
 existing  proposed  not applicable Type \_\_\_\_\_

Water Supply:  Public  Private [Article III.E, Article VI.B. and NFIP Reg. Part 60.3(a)(5)]

(This section to be completed by Municipal Official)

LOCATION

Flooding source (name of river, pond, ocean, etc): Ocean *Recommended but not required by FPMO*

- VI-30 Zone  VB Zone  AE Zone  A1-30 Zone  AO Zone  A Zone *(Needed to administer Article VI)* A-2
- FRINGE  FLOODWAY (1/2 width of floodplain in A Zone) *(Needed to administer Article VI)*

Base Flood Elevation (bfe) at the site Article III H.1. and Article V.B. also see NFIP Reg. Part 60.3(b)(4) 21.0 NGVD. *(Required for New Construction or Substantial Improvements)*

Lowest floor elevation of existing structure Article III H.3. NGVD. *(Required for New Construction or Substantial Improvements)*

If proposed development is in an "AE" or "A1-A30" Zone and cross section data is available in the Flood Insurance Study please note the Nearest Cross Section References and Elevation of Base Flood at Nearest Cross Section. *(Recommended but not required by FPMO)*

Cross Section Letter	Base Flood Elevation
Above Site _____	Above Site _____
Below Site _____	Below Site _____

Basis of unnumbered A Zone bfe determination: *(Article V.B. also see NFIP Reg Part 60.3(b)(4))*

- From a Federal Agency:  USGS  USDA/NRCS  USACE  Other \_\_\_\_\_
- From a State Agency:  MDOT  Other \_\_\_\_\_
- Established by Professional Land Surveyor
- Established by Professional Engineer  HEC II  HY 7  Quick-2  Other \_\_\_\_\_
- Highest Known Water level
- Other (Explain) \_\_\_\_\_

VALUE

If the development involves work on an existing structure, enter the Market Value of existing structure. Assessment *(Needed to administer Substantial Improvement requirements of Article VI)*

- New Construction or Substantial Improvement Blag - \$ 003,610 Land - 524,920
- Minor Improvement or minor addition to existing development.

TYPE OF DEVELOPMENT *(Article III.D. Also see Article XIII Definition of Development)*

Check the appropriate box to the left for the type(s) of development requested, and complete information for each applicable line:

- |   |                   |                 |
|---|-------------------|-----------------|
| <input type="checkbox"/> 1. Residential Structure   | Dimensions        | Cubic Yards     |
| <input type="checkbox"/> 1a. New Structure  | _____             | _____           |
| <input type="checkbox"/> 1b. Add to Structure   | _____             | _____           |
| <input type="checkbox"/> 1c. Renovations/repairs/maintenance  | _____             | _____           |
| <input type="checkbox"/> 2. Non-Residential Structure   |                   |                 |
| <input type="checkbox"/> 2a. New structure  | _____             | _____           |
| <input checked="" type="checkbox"/> 2b. Add to Structure  | <u>App 400 SF</u> | _____           |
| <input type="checkbox"/> 2c. Renovations/repairs/maintenance  | _____             | _____           |
| <input type="checkbox"/> 2d. Floodproofing  | _____             | _____           |
| <input type="checkbox"/> 3. Water Dependent use:  |                   | Number of Acres |
| <input type="checkbox"/> 3a. Dock   | _____             | _____           |
| <input type="checkbox"/> 3b. Pier   | _____             | _____           |
| <input type="checkbox"/> 3c. Boat Ramp  | _____             | _____           |
| <input type="checkbox"/> 3d. Other  | _____             | _____           |
| <input type="checkbox"/> 4. Paving  | _____             | _____           |
| <input type="checkbox"/> 5. Filling'  | _____             | _____           |
| <input type="checkbox"/> 6. Dredging  | _____             | _____           |
| <input type="checkbox"/> 7. Excavation  | _____             | _____           |
| <input type="checkbox"/> 8. Levee   | _____             | _____           |
| <input type="checkbox"/> 9. Drilling  | _____             | _____           |
| <input type="checkbox"/> 10. Mining:  | _____             | _____           |
| <input type="checkbox"/> 11. Dam: Water surface to be created   | _____             | _____           |
| <input type="checkbox"/> 12. Water Course Alteration <i>(Article III.L. also NFIP Reg 60.3(b)(6))</i> | _____             | _____           |
| Detailed description must be attached with copies of all applicable state and federal permits.        |                   |                 |
| <input type="checkbox"/> 13. Storage of equipment or materials  | _____             | _____           |
| <input type="checkbox"/> 14. Sewage Disposal System   | _____             | _____           |
| <input type="checkbox"/> 15. Water Supply System  | _____             | _____           |
| <input type="checkbox"/> 16. Other: Explain _____   | _____             | _____           |

<sup>3</sup> Certain prohibitions apply in Velocity Zones

Attach a Site Plan - drawn to scale with north arrow. [Article III.C.]

- Show property boundaries, floodway and floodplain lines.
- Show dimensions of the lot.
- Show dimensions and location of existing and/or proposed development on the site.
- Show areas to be cut and filled.

Attach Statement - describing in detail how each applicable development standard in Article VI will be met. [Article III.M.]

For New Construction or Substantial Improvements also show:

- Include existing and proposed grade elevations adjacent to the walls of the structure done by a Professional Land Surveyor, Architect or Engineer.
- Show location and elevation of temporary elevation reference mark on the site.

Special Note: Substantial Improvement is defined as any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. Please refer to the floodplain management ordinance, Article XIII, for more complete definitions of New Construction and Substantial Improvement.

Structures in Velocity Zones are not permitted on fill or excavations. Structures must be built on open foundation systems, i.e., columns, piles, posts. [Article VII.L.]

The applicant understands and agrees that:

- The permit applied for, if granted, is issued on the representations made herein;
- Any permit issued may be revoked because of any breach of representation;
- Once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- Any permit issued on this application will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the municipality;
- The applicant hereby gives consent to the Code Enforcement Officer to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance;
- If issued, the permit form will be posted in a conspicuous place on the premises in plain view and;
- If issued, the permit will expire if no work is commenced within 180 days of issuance.

I hereby certify that all the statements in, and the attachments to this application are a true description of the existing property and the proposed development project.

Owner: Recommended but not required by FPMO Date: Recommended but not required by FPMO  
signature

or

Authorized Agent: Recommended but not required by FPMO Date: Recommended but not required by FPMO  
William Wommells signature SECURITY  
OCTOBER 18, 1999

[Article IV & V] (This Section to be completed by Municipal Official)

Date Submitted \_\_\_\_\_ Fee Paid \_\_\_\_\_ Reviewed by CEO \_\_\_\_\_ Reviewed by Planning Board \_\_\_\_\_

Permit # \_\_\_\_\_ Issued by \_\_\_\_\_ Date \_\_\_\_\_

# FLOOD HAZARD DEVELOPMENT PERMIT

## For Minor Development

### PORTLAND, Maine

(Development not considered a Substantial Improvement)

This Flood Hazard Development Permit allows minor development as provided in Article V.F.3. of the Floodplain Management Ordinance of PORTLAND, Maine, for development in a Special Flood Hazard Area as defined in said ordinance. Development authorized by this permit must be adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, be constructed with materials resistant to flood damage and be constructed by methods and practices that minimize flood damage. This permit is issued based on documentation that the information provided in the Flood Hazard Development Permit Application is in compliance with the Floodplain Management Ordinance.

Tax Map: A2-E-102 Lot #: 102 - 400 Commercial St - Berlin Mills Wharf  
*[Recommended but not required by FPMO]*

Project Description: shed for storage - no heating etc  
*[Recommended but not required by FPMO]*

The permittee understands and agrees that:

- The permit is issued on the representations made herein and on the application for permit;
- The permit may be revoked because of any breach of representation;
- Once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- The permit will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the municipality;
- The permittee hereby gives consent to the Code Enforcement Officer to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance;
- The permit form will be posted in a conspicuous place on the premises in plain view and;
- The permit will expire if no work is commenced within 180 days of issuance.

I hereby certify that all the statements in, and the attachments to this permit are a true description of the existing property and the proposed development project.

Owner: Recommended but not required by FPMO  
signature

Date: Recommended but not required by FPMO

or  
↑

Authorized Agent: Recommended but not required by FPMO  
signature WILLIAM NEMMEES ARCHITECT.

Date: October 18, 1999  
Recommended but not required by FPMO

Issued by: Recommended but not required by FPMO

Date: Recommended but not required by FPMO

Permit #: Recommended but not required by FPMO



WILLIAM NEMMERS ASSOCIATES ARCHITECTS  
424 FORE ST. PORTLAND, ME 04101 774-3683.

SEPTEMBER 29, 1999

7U-2836 (FA)

Marge Schmuckel,  
Building Inspections Office  
City of Portland  
389 Congress Street  
Portland, Maine 04101

874 8716 BSA

Re: Berlin Mills Wharf  
400 Commercial Street

Dear Marge:

With this letter I am applying for a Flood Hazard Development Permit (FHDP) on behalf of my Client, Berlin Mills Wharf, Inc. As you know the statute, Section 14-450, is quite a jungle so I have, in an attempt to understand it and be sure that I have covered all the bases, enclosed the attached EXHIBIT #1, an outline of the statute. I will refer to that outline as I go through the application in hopes that it will make things easier to understand.

Before I get started I would like to make a couple notes regarding definitions.

One of the items for Exemption from Site Plan Review is, according to the language on the Form, (b) Footprint increase Less than 500 Sq.Ft. Footprint increases of less than 500 sf are not to be considered as Site Plan Review Projects, but treated as improvements to existing structures. I would like to request that you review the Application for Exemption from Site Plan Review which we have submitted and make a ruling that this project is not an Increase-of-Footprint of more than 500sf.

This is  
PLANNING

In Section 14-450-5 the definition of Substantial Improvement is any improvement, including addition, to a structure which equals 50% of the market value of the pre-improved structure. By that definition this project does not qualify as Substantial Improvement.

Since it is not a building project subject to Site Plan Review and since it is not a Substantial Improvement, I would like to request that you make a ruling that this Project requires a Permit only under section 14-450-9(3) for Minor Developments. It is our contention that the Project as described fits neither into 14-450-9.(1) for elevated structures, or 14-450-9.(2) for new construction or Substantial Improvement.

If you rule that this Project is neither a New construction requiring a Site Plan Review nor a Substantial Improvement, then Section 14-450-8(7) Standards does not apply to this project, and a Permit under 14-450-9.(3) can be issued, without the requirement for floodproofing and professional certification

If you rule that the Project is subject to the requirements of a Permit under 14-450-9.(2)



then that will require floodproofing as per the (FEMA Coastal Construction Manual) as tempered by Standards under 14-450-8.(16).(6). We are submitting the floodproofing design and the certification required for this type of approval.

The Building addition we are proposing will be used as the existing space is used; as an unheated storage area for steel and materials used for the boatyard's work, storage for an occasional boat, as an area to work on small boats in inclement weather. This definition conforms to 14-450-8.(16).(6) which states that in the Coastal Zone enclosed areas can be used for "...parking, storage and building access."

The Floodproofing procedures included in the FEMA Coastal Construction Guide are general in nature and do not address specifically the concerns and uses of this project, and therefore I have interpreted and designed details which go to the intent of the legislation and I believe accomplish the spirit of the law.

Our design insures that the following floodproofing details are included:

a) Because all construction below the +12.00 elevation flood level is reinforced concrete, problems with rotting or rusting of materials and other water damage are eliminated.

b) Because the concrete wall is anchored to the existing concrete deck, no horizontal water pressures can move the wall sideways, and no ground based upward acting hydrostatic pressure can be applied to the structure.

c) Because 23 feet of the 90 feet of perimeter wall is doorway (and also the existing attached building is at the same elevation) there will be plenty of area available for a rising or retreating flood water to enter and exit the building, thus keeping the pressure equal on the inside and outside of the concrete wall.

d) Because all electrical equipment will be wall mounted several feet above the +12.00 elevation, the building will be protected from flood caused electrical shorts.

e) Because the use of the building is material storage of boat building materials and boat storage the contents and finishes of the building will not be adversely affected by incidental flood water, and no protective measures to guard contents need be taken.

The proposed construction details include a 3 foot high concrete wall around the entire construction, anchored to the existing reinforced concrete wharf deck. This wall was designed to prevent forklifts from damaging the building siding but will also serve to keep any construction joints above the +12 ft elevation. The building will have (2) garage doors, a 12' x 12' and a 8' x 10'. These garage doors will allow any flood water to enter and exit the building thus equalizing the hydrostatic pressure on the 3 foot high foundation wall. All electrical equipment, switches and outlets will be located above the concrete wall and thus above the 12ft elevation. Please note the details on the attached plan.

The existing deck of Berlin Mills Wharf, and the existing building set on it have, according to the management of the Boatyard, not been under water in anyone's memory, and no water damage has been incurred. The site has been surveyed to confirm that the existing deck at the location of the proposed project is at elevation (-9.90 feet above MSL) and the existing building was built with this deck as it's floor at elevation (+10.14 feet above MSL).

We therefore request that we be issued a Flood Hazard Development Permit under Section 14-450-9 for this project

Thank you,



William Nemmers

copy. Joe Schmader, Berlin Mills Wharf, Inc



WILLIAM NEMMERS ASSOCIATES ARCHITECTS  
424 FORE ST. PORTLAND, ME 04101 774-3693.

SEPTEMBER 29, 1999

Marge Schmuckel,  
Building Inspections Office  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: Berlin Mills Wharf  
400 Commercial Street

Dear Marge:

This is the Letter of Certification from the Architect as required by 14-450-6(2)d.4 of the Site Plan Ordinance for Flood Plain Construction. Please refer to the detail of the construction included on the Plan sheet accompanying this application.

The Elevation of the site has been determined by Nadeau and Lodge, Surveyors. They took the elevation from the City of Portland Datum as reflected by the invert on an adjacent manhole whose elevation was set at the City's Mean Sea Level (MSL) Datum at the time of the construction of the sewer line. Based on this benchmark, the elevation of the existing and proposed floor level for the subject addition was determined to be +9.90 feet above MSL.

According to Section 14-450-8(7) of the Code, Non-residential structures must have the lowest floor at +12.0 feet above MSL; OR:

- a) be floodproofed to elevation +12.0 MSL
- b) have components able to resist hydrostatic loads and bouyancy
- c) Architectural certifications required by 14-450-6(2)d.4

The points noted below fulfill these three requirements.

A\* The design of the concrete flood wall is such that the top of the wall is at elevation +12.90 feet above MSL, which is above the +12.00 standard set in the Ordinance

B\* This wall has been anchored to the existing structural concrete deck with 1/2" diameter rods so as to prevent lateral movement as per the direction of the standard (FEMA Coastal Construction Guide). (See detail on the drawings)

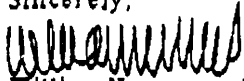
C• The existing conditions on the pier consists of two structural concrete slabs separated by a depth of structural gravel fill. The deck is built to resist upward acting hydrostatic forces, as there is no confined area below grade which will act to trap a flood surge and exert that upward pressure

D• The concrete flood wall has been designed to raise all building connections above the level of the +12.0 foot limit line, and therefore all wall materials which may be subject to water damage are above that elevation.

E• There are located two large garage doors which open to the level pf the floor at elevation +9.90. This, plus the fact that the floor level of the remainder of the existing building is at +9.90, will insure that the level of any rising or ebbing flood waters will be equalized on both sides of the wall. Therefore no unequal pressures will be generated which may tend to have a destabilizing effect on the wall.

F• Finally, the use of the addition is important in the determination of its floodproof status. This building is being used for the same purpose as the existing building that is parking for boats, and storage. These are uses approved under section 14-450-8(16)6 which can be housed in enclosed areas

Sincerely,



William Nemmers, Architect  
Maine Reg #932



**OUTLINE OF REQUIREMENTS OF THE FLOOD ZONE PERMIT APPLICATION**

- 14-450-5 substantial improvement - cost exceeds 50% of market value of structure  
(this is not the case here we are less than 50%)
- 14-450-7 (municipal review directions)
- 14-450-6 Application for Permit needs
- |  |      |             |
|--|------|-------------|
| (2)a - site plan   | DONE |             |
| (2)b - plat plan (survey)  | DONE |             |
| (2)c - development not meeting minimum threshold (less than 500sf addition)        |      |             |
| 1. name of owner   | DONE |             |
| 2. map with site loc   | DONE |             |
| 3. site plan   | DONE |             |
| 4. statement of intended use   | DONE |             |
| 5. cost  | DONE |             |
| 6. wastewater treatment  | N/A  |             |
| (2)d 1 elevation information   |      |             |
| (1)- floor elevation relative to mean sea level                                    |      | +9.90 feet  |
| (2)- high and low grades at site adjacent to building                              |      | +9.90 feet  |
| (3)- basement elev if any  |      | N/A         |
| (4)- floodproofing level   |      | +12.90 feet |
| (2)d 2 -set elevation reference point  |      |             |
| (invert of San. Man Hole @ station 38+57.2)  |      | +0.97 feet  |
| (current top of manhole rim @ station 38+57.2)                                     |      | +12.07 feet |
| (2)d. 3 -FEMA Form 81-55,05/93 verification by surveyor that el are accur-         |      |             |
| (2)d 4 -certification by architect that structure will meet floodproofing criteria |      |             |
| of 14-450-6(2)d.4 [this paragraph is section 14-450-6(2)d 4]                       | DONE |             |
| 14-450-8(7) (non-residential standards- see directly below)                        |      |             |
| 14-450-8 (standards - see directly below)  |      |             |
| (2)d. 5 -N/A watercourse alteration  |      |             |
| (2)d 6 -details of 14-450-8 will be met (standards - see below)                    |      |             |
| (2)d 7 -cross section of site ( see plan sheet )                                   |      |             |
- 14-450.8 Standards
1. design to prevent flotation, collapse of lateral movement damage
  2. N/A (water supply systems)
  3. N/A ( Sanitary sewer systems )
  4. N/A (Waste disposal systems)
  5. N/A ( Watercourse carrying capacity)
  6. N/A ( Residential)
  7. For Zone A-1 - Non-residential have lowest floor at +12.0 feet OR.
    - a) be floodproofed to elevation +12.0
    - b) have components able to resist hydrostatic loads and buoyancy
    - c) Architectural certifications required by 14-450-6(2)d.4
  8. N/A ( Manufactured homes)
  9. N/A ( Recreational Vehicles)
  10. N/A ( Accessory structures)
  11. N/A ( Floodways)
  12. N/A ( Subfloor enclosed areas)
  13. N/A (Bridges)
  14. N/A ( Containment walls)
  15. N/A ( Wharves, piers and docks)( no new wharf or pier construction is proposed)
  16. Coastal flood plain.

1. New construction in Zone A1 shall be located landward of mean high tide. Site is above Mean High Tide
2. N/A (only applies to zone V)
3. Architect must review and certify design to meet Coastal Construction Manual(FEMA-55, 1986) and 14-450-8(16)2 N/A (only applies to zone V)
4. N/A ( Structural fill requirements)
5. N/A (Sand dune in zone "V")
6. Enclosed areas can be used for parking, storage building access. The purpose of this proposed building is the same as the existing building that is, parking for boats, and storage.
7. N/A (Lobster sheds)

#### 14-450-9 Permits

Building authority shall issue one of the following permits

- (1) N/A (for elevated structures only)
- (2) Flood Hazard Deveelopment Permit for Floodproofing of Nonresidential Structures ...that are not elevated... meet standards of 14-450-8(7)1.a.thru c DONE
- (3) N/A ( for maintenance and utility and other accessory items)

#### 14-450-10 Certificate of Compliance

prior to occupation a Certifivation of Compliance must be issued by the Building Authority. (1) need elevation certificate by serveyor, (2) Certification by Applicant (3) inspection by Authority