

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.

APL – all documents behind this target sheet pertain to the original application submitted by the Applicant.

REVIEW – all documents behind this target sheet pertain to those documents submitted to and from staff as part of the project review.

PBM1 – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR1 - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

CC1 - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

DRC1 - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

MISC1 - all documents behind this target sheet are those that may not be included in any of the categories above.

REVIEW



PORTLAND MAINE

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

Planning & Urban Development Department
Penny St. Louis Littell, Director

JANUARY 11, 2010

Roger Hale
446 Commercial St.
Portland, ME 04101

Project Name: Holyoke Finger Pier
Project ID: 09-79900020
Project Address: 418 COMMERCIAL ST.
Planner: Erick Giles, AICP, LEED AP

Dear Applicant:

On 1/6/10, the Portland Planning Authority approved a minor site plan for 418 Commercial Street as submitted by the Applicant and shown on the approved plan dated 7/16/09 prepared by Baker Design Consultants with the following conditions:

1. The applicant shall submit a Flood Hazard Development application to the Zoning Administrator for review and approval.

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.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Authority pursuant to the terms of Chapter 14 of the Portland Land Use Code.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
4. Seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any

modifications to the approved plans, you must submit a revised site plan application for staff review and approval.

5. 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. Requests to extend approvals must be received before the expiration date.
6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service'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 to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

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 make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If you have any questions, please contact **Erick Giles** at **207-874-8723** or **egiles@portlandmaine.gov**

Sincerely,



Alexander Jaegerman
Planning Division Director

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Erick Giles, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director

Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File

City of Portland
 Development Review Application
 Planning Division Transmittal form

Application Number: 09-79900020 **Application Date:**

Project Name: HOLYOKE FINGER PIER

Address: 418 Commercial St **CBL:** 042 - F-001-001

Project Description: Commercial Street - 418; Holyoke Finger Pier; General Marine Construction; Applicant.

Zoning: WTRNT/SHORELAND OVERLAY

Other Reviews Required:

Review Type: MINOR SITE PLAN

General Marine Construction
 Roger Hale

Portland Me 04101

Distribution List:

<input checked="" type="checkbox"/> Planner	Eric Giles	<input type="checkbox"/> City Arborist	Jeff Tarling
<input type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input type="checkbox"/> Traffic	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Inspections	Tammy Munson	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input type="checkbox"/> Fire Department	Keith Gautreau	<input type="checkbox"/> Stormwater	Dan Goyette
<input type="checkbox"/> Parking	John Peverada	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
<input type="checkbox"/> DRC Coordinator	Phil DiPierro		

Preliminary Comments needed by: Wednesday, December 30th.

Final Comments needed by:



Development Review Application
PORTLAND, MAINE

Department of Planning and Urban Development,
Planning Division and Planning Board

PROJECT NAME: Holyoke Finger Pier

PROPOSED DEVELOPMENT ADDRESS:

Holyoke Pier ; 418 Commercial St. ; PORTLAND

PROJECT DESCRIPTION:

NEW MOORING DOCK AND CAIWAY TO SERVE EXISTING VESSEL BERTH AT END OF HOLYOKE PIER.

CHART/BLOCK/LOT: MAP 42 / F-1

CONTACT INFORMATION:

APPLICANT

Name: ATTN: Roger Hank-So.

Address: GENERAL MARINE CONSTRUCTION
446 COMMERCIAL ST.

Zip Code: PORTLAND, ME 04101

Work #: 772-5354

Cell #: _____

Fax #: _____

Home: _____

E-mail: genmar@mol.com

PROPERTY OWNER

Name: _____

Address: SAME AS APPLICANT

Zip Code: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

BILLING ADDRESS

Name: _____

Address: SAME AS APPLICANT

Zip: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

~As applicable, please include additional contact information on the next page~

AGENT/REPRESENTATIVE

Name: _____

Address: SANZ AS ENGINEER

Zip Code: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

ENGINEER

Name: BREWSTER PARKER PE

Address: BAKER Design CONSULTANTS
11 STONY BROOK LANE

Zip Code: YARMOUTH, ME 04096

Work #: 207 846 9724

Cell #: 207 838 3636

Fax #: 207 846 3620

Home: _____

E-mail: bbaker@maine.vv.com

ARCHITECT

Name: _____

Address: _____

Zip Code: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

CONSULTANT

Name: _____

Address: _____

Zip Code: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

SURVEYOR

Name: _____

Address: _____

Zip Code: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

ATTORNEY

Name: _____

Address: _____

Zip Code: _____

Work #: _____

Cell #: _____

Fax #: _____

Home: _____

E-mail: _____

PROJECT DATA

The following information is required where applicable, in order complete the application

Total Site Area Area & CHANGE WITHIN PROPERTY 97,500 sq. ft.
Proposed Total Disturbed Area of the Site MOORING PLATFORM 50 sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.)

IMPERVIOUS SURFACE AREA

Proposed Total Paved Area
Existing Total Impervious Area
Proposed Total Impervious Area
Proposed Impervious Net Change

0 NO CHANGE sq. ft.
2 60,000 sq. ft.
_____ sq. ft.
50 sq. ft. **ADD MOORING DOLPHIN.**

BUILDING AREA

Existing Building Footprint
Proposed Building Footprint
Proposed Building Footprint Net change
Existing Total Building Floor Area
Proposed Total Building Floor Area
Proposed Building Floor Area Net Change
New Building

_____ sq. ft.
_____ sq. ft.
_____ sq. ft.
_____ sq. ft.
_____ sq. ft.
_____ sq. ft.
_____ sq. ft.
_____ (yes or no)

ZONING

Existing
Proposed, if applicable

WATERFRONT / SHORELAND OVERLAY
NO CHANGE.

LAND USE

Existing
Proposed

WORKING WATERFRONT
NO CHANGE.

RESIDENTIAL, IF APPLICABLE

Proposed Number of Affordable Housing Units
Proposed Number of Residential Units to be Demolished
Existing Number of Residential Units
Proposed Number of Residential Units
Subdivision, Proposed Number of Lots

_____ N/A

NO CHANGE FROM EXISTING

PARKING SPACES

Existing Number of Parking Spaces
Proposed Number of Parking Spaces
Number of Handicapped Parking Spaces
Proposed Total Parking Spaces

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces
Proposed Number of Bicycle Parking Spaces
Total Bicycle Parking Spaces

NO CHANGE.

\$50,000

ESTIMATED COST OF PROJECT

Please check all reviews that apply to the proposed development

Design Review	_____	Stormwater Quality	_____
Flood Plain Review	_____	Traffic Movement	_____
Historic Preservation	_____	Zoning Variance	_____
Housing Replacement	_____	Historic District/Landmark	_____
14-405 Street Review	_____	Off Site Parking	_____
Shoreland	<input checked="" type="checkbox"/>	Multi-Family Dwelling	_____
Site Location Act Local Review	_____	B-3 Pedestrian Activity Review	_____
Single Family Dwelling	_____	Change of Use	_____
2 Family Dwelling	_____		

APPLICATION FEE:

Check all reviews that apply. Payment may be made in cash or check to the City of Portland.

<p>Major Development (more than 10,000 sq. ft.)</p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p>Plan Amendments</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p>Subdivision</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$_____ + (applicable Major site plan fee)</p>
<p>Minor Site Plan Review</p> <p><input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p>Other Reviews</p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00 (except for residential projects which shall be \$200.00 per lot _____))</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)</p> <p><input type="checkbox"/> Storm water Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other _____</p>

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include seven (7) packets with folded plans containing the following materials:

1. Seven (7) full size site plans that must be folded.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist (page 9) for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

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 Planning Authority and Code Enforcement'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.

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

<p>Signature of Applicant: <i>Arzet Bismey Palmer</i></p>	<p>Date: <i>12.18.09</i></p>
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Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

Haystack Wharf Finger Pier, 418 Commercial St.

Project Name, Address of Project

Application Number

(The form is to be completed by the Applicant or Designated Representative)

Check Submitted Required Information Section 14-525 (b,c)

Applicant	Staff	Required Information	Section 14-525 (b,c)
<input checked="" type="checkbox"/>	_____	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including: <i>(Plans use survey base)</i>)	1
<input checked="" type="checkbox"/>	_____	Name and address of applicant and name of proposed development	a
<input checked="" type="checkbox"/>	_____	* Scale and north points	b
<input checked="" type="checkbox"/>	_____	* Boundaries of the site	c
<input checked="" type="checkbox"/>	_____	* Total land area of site	d
<input checked="" type="checkbox"/>	_____	* Topography - existing and proposed (2 feet intervals or less)	e
<input checked="" type="checkbox"/>	_____	Plans based on the boundary survey including:	2
<input checked="" type="checkbox"/>	_____	* Existing soil conditions	a
<input checked="" type="checkbox"/>	_____	* Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
<input checked="" type="checkbox"/>	_____	* Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
<input checked="" type="checkbox"/>	_____	* Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (<u>example page 11 of packet</u>)	d
<input checked="" type="checkbox"/>	_____	* Location of on-site waste receptacles	e
<input checked="" type="checkbox"/>	_____	* Public utilities	e
<input checked="" type="checkbox"/>	_____	* Water and sewer mains	e
<input checked="" type="checkbox"/>	_____	* Culverts, drains, existing and proposed, showing size and directions of flows	e
<input checked="" type="checkbox"/>	_____	* Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
<input checked="" type="checkbox"/>	_____	* Location and dimensions of on-site pedestrian and vehicular access ways	g
<input checked="" type="checkbox"/>	_____	* Parking areas	g
<input checked="" type="checkbox"/>	_____	* Loading facilities	g
<input checked="" type="checkbox"/>	_____	* Design of ingress and egress of vehicles to and from the site onto public streets	g
<input checked="" type="checkbox"/>	_____	* Curb and sidewalks	g
<input checked="" type="checkbox"/>	_____	Landscape plan showing:	h
<input checked="" type="checkbox"/>	_____	* Location of existing vegetation and proposed vegetation	h
<input checked="" type="checkbox"/>	_____	* Type of vegetation	h
<input checked="" type="checkbox"/>	_____	* Quantity of plantings	h
<input checked="" type="checkbox"/>	_____	* Size of proposed landscaping	h
<input checked="" type="checkbox"/>	_____	* Existing areas to be preserved	h
<input checked="" type="checkbox"/>	_____	* Preservation measures to be employed	h
<input checked="" type="checkbox"/>	_____	* Details of planting and preservation specifications	h
<input checked="" type="checkbox"/>	_____	* Location and dimensions of all fencing and screening	i
<input checked="" type="checkbox"/>	_____	Location and intensity of outdoor lighting system	j
<input checked="" type="checkbox"/>	_____	Location of fire hydrants, existing and proposed (<u>refer to Fire Department checklist - page 11</u>)	k
<input checked="" type="checkbox"/>	_____	Written statements to include:	c
<input checked="" type="checkbox"/>	_____	* Description of proposed uses to be located on site	cl
<input checked="" type="checkbox"/>	_____	* Quantity and type of residential, if any	cl
<input checked="" type="checkbox"/>	_____	* Total land area of the site	c2
<input checked="" type="checkbox"/>	_____	* Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
<input checked="" type="checkbox"/>	_____	* General summary of existing and proposed easements or other burdens	c3
<input checked="" type="checkbox"/>	_____	* Type, quantity and method of handling solid waste disposal	c4
<input checked="" type="checkbox"/>	_____	* Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (<u>refer to the wastewater capacity application - page 12</u>)	c5
<input checked="" type="checkbox"/>	_____	* Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

✓	_____	①	* An estimate of the time period required for completion of the development	7
✓	_____	②	* A list of all state and federal regulatory approvals to which the development may be subject to, the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
✓	_____	③	* Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	
✓	_____	④	* Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
-	_____		* A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
✓	_____	⑤	* A jpeg or pdf of the proposed site plan, if available.	
✓	_____	⑥	* Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

- ① CONSTRUCTION WINTER / SPRING 2010
- ② ATTACHED TO ORIGINAL SUBMISSION.
- ③ CERTIFICATE OF GOOD STANDING PROVIDED. SWORE WITH COMPLETE WORK WITH OWN CONSTRUCTION COMPANY.
- ④ PROVIDED WITH ORIGINAL SUBMISSION.
- ⑤ EMITTED TO CITY.
- ⑥ WILL PROVIDE WHEN REQUESTED TO DO SO.

Example of Zoning Summary

1.	Property is located in the IM Zone (Moderate Impact Industrial)		
2.	Parcel Acreage: 1.37 AC (59,677.2 sf)		
	Regulations	<u>Required/Allowed</u>	<u>Provided</u>
	Min Lot Area	none	59,677.2 sf.
	Min Street Frontage	60 ft.	314.46 ft.
	Min Front Yard Setback	1 ft./1 ft. Building Height	72.04 ft.
	Min Rear Yard Setback	1 ft./1 ft. Building Height	35.66 ft.
	Min Side Yard Setback	1 ft./1 ft. Building Height	82.80 and 38.22
	Max Building Height	75 ft.	65 ft.
4.	Parking – Warehouse Distribution:	1 space/1000 sf.	10 spaces
5.	Maximum Impervious Surface Ratio:	75%	43%

Portland Fire Department Checklist

A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews, which shall include:

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
7. Hydrant locations
8. Water main[s] size and location
9. Access to any fire department connections
10. Access to all structures [min. 2 sides]
11. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.
12. Elevators shall be sized to fit an 81" x 23" stretcher and two personnel.
13. Some structures may require Fire flows using annex H of NFPA 1

Additional Submission for Subdivisions:

Street Names and Street Numbering for Proposed Subdivisions

Notice to Developers of New Subdivisions

Effective January 1, 1998, the City of Portland requests that developers of new subdivisions submit information regarding the origin of the name of any new street(s) created within the City limits. This information shall be submitted to the Planning Division with all other related application materials and shall include information regarding the person or subject for which all new streets are being named. In the case of a person, the full name should be submitted, as well as their vocation, relationship to the developer or the area, or other pertinent information.

Street Numbering Assignments

The assignment of official street addresses is the sole responsibility of the Department of Public Services. These assignments proceed by a set of guidelines and are done from submitted site plans whenever possible. For Enhanced 9-1-1 purposes, they need to be as accurate as possible and, depending on size and site layout, the creation of new street names may be required. Despite addresses listed on such things as the check sheet for site plan approval, building inspection documents or tax maps, it is requested you contact the Department of Public Services for your official address(es). Please call, Leslie Kaynor, GIS Surveyor at (207) 874-8346.

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,
55 Portland Street,
Portland, Maine 04101-2991



Mr. Frank J. Brancely,
Senior Engineering Technician,
Phone #: (207) 874-8832,
Fax #: (207) 874-8852,
E-mail: fjb@portlandmaine.gov

Date: _____

1. Please, Submit Utility, Site, and Locus Plans.

Site Address: _____
(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)

Proposed Use: _____

Previous Use: _____

Existing Sanitary Flows: _____ GPD

Existing Process Flows: _____ GPD

Description and location of City sewer, at proposed building sewer lateral connection: _____

Chart Block Lot Number: _____

Site Category	Commercial _____	
	Industrial <i>(complete part 4 below)</i> _____	
	Governmental _____	
	Residential _____	
	Other <i>(specify)</i> _____	

Clearly, indicate the proposed connection, on the submitted plans.

2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: _____ GPD

Peaking Factor/ Peak Times: _____

Specify the source of design guidelines: *(i.e. "Handbook of Subsurface Wastewater Disposal in Maine," "Plumbers and Pipe Fitters Calculation Manual," Portland Water District Records, Other (specify)*

Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.

3. Please, Submit Contact Information.

Owner/Developer Name: _____

Owner/Developer Address: _____

Phone: _____ Fax: _____ E-mail: _____

Engineering Consultant Name: _____

Engineering Consultant Address: _____

Phone: _____ Fax: _____ E-mail: _____

City Planner's Name: _____ Phone: _____

Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.

4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

Do you currently hold Federal or State discharge permits? Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____ *(<http://www.osha.gov/oshstats/sicser.html>)*

Peaking Factor/Peak Process Times: _____

Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

Holyoke Wharf

Project Name, Address of Project
(The form is to be completed by the Applicant or Designated Representative)

Application Number

Check Submitted

Required Information

Section 14-525 (b,c)

Applicant Staff

cat walk + mooring dolphin!

minor review of finger over -

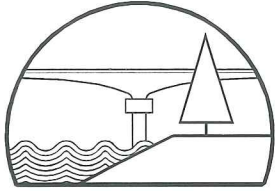
_____	_____	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
_____	_____	Name and address of applicant and name of proposed development	a
_____	_____	* Scale and north points	b
_____	_____	* Boundaries of the site	c
_____	_____	* Total land area of site	d
_____	_____	* Topography - existing and proposed (2 feet intervals or less)	e
_____	_____	Plans based on the boundary survey including:	2
_____	_____	* Existing soil conditions	a
_____	_____	* Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
_____	_____	* Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
_____	_____	* Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 11 of packet)	d
_____	_____	* Location of on-site waste receptacles	e
_____	_____	* Public utilities	
_____	_____	* Water and sewer mains	e
_____	_____	* Culverts, drains, existing and proposed, showing size and directions of flows	e
_____	_____	* Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
_____	_____	* Location and dimensions of on-site pedestrian and vehicular access ways	g
_____	_____	* Parking areas	
_____	_____	* Loading facilities	g
_____	_____	* Design of ingress and egress of vehicles to and from the site onto public streets	g
_____	_____	* Curb and sidewalks	g
_____	_____	Landscape plan showing:	h
_____	_____	* Location of existing vegetation and proposed vegetation	h
_____	_____	* Type of vegetation	h
_____	_____	* Quantity of plantings	h
_____	_____	* Size of proposed landscaping	h
_____	_____	* Existing areas to be preserved	h
_____	_____	* Preservation measures to be employed	h
_____	_____	* Details of planting and preservation specifications	h
_____	_____	* Location and dimensions of all fencing and screening	i
_____	_____	Location and intensity of outdoor lighting system	j
_____	_____	Location of fire hydrants, existing and proposed (refer to Fire Department checklist – page 11)	k
_____	_____	Written statements to include:	c
_____	_____	* Description of proposed uses to be located on site	cl
_____	_____	* Quantity and type of residential, if any	cl
_____	_____	* Total land area of the site	c2
_____	_____	* Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
_____	_____	* General summary of existing and proposed easements or other burdens	c3
_____	_____	* Type, quantity and method of handling solid waste disposal	c4
_____	_____	* Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (refer to the wastewater capacity application – page 12)	c5
_____	_____	* Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

(attached approvals deeds)

_____	_____	* An estimate of the time period required for completion of the development	7
_____	_____	* A list of all state and federal regulatory approvals to which the development may be subject to. the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
_____	_____	* Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	
_____	_____	* Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
_____	_____	* A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
_____	_____	A jpeg or pdf of the proposed site plan, if available.	
_____	_____	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- | | |
|---|---|
| - drainage patterns and facilities | - an environmental impact study |
| - erosion and sedimentation controls to be used during construction | - a sun shadow study |
| - a parking and/or traffic study | - a study of particulates and any other noxious emissions |
| - a wind impact analysis | - a noise study |



BAKER DESIGN CONSULTANTS
Civil, Marine and Structural Engineering

December 15, 2009

City of Portland
Attn: Bill Needleman/Barbara Barhydt
Planning and Development Department
389 Congress Street
Portland, ME 04101

Subject: Portland Site Plan Application- General Marine Construction
Holyoke Wharf Finger Pier 418 Commercial Street, Portland

Dear Bill/Barbara,

I have enclosed seven (7) copies of an application and \$400 fee to support a Minor Site Plan application. This follows our November 18, 2009 meeting to discuss the work. A brief narrative of the proposed amendment is provided below.

Narrative of the Work Activity:

Holyoke Pier is an existing wharf that is an integral part of the Portland working waterfront. The proposed Finger Pier project improves an existing vessel berth on the pier by providing a new mooring dolphin with an access walkway. Refer to appended drawings. The project will not result in an expansion of the use or site infrastructure of the Holyoke pier property. No changes will be made to building or parking features of the existing site.

The main element of the Finger Pier is the Mooring Dolphin. The dolphin provides a secure mooring point for bow, stern or spring lines. Currently, a vessel is moored 'stern to' which places significant strain on the existing timber pier. By providing lateral restraint, the proposed mooring dolphin reduces loads applied to the pier and provides safer and more secure berthing for the vessel. The improvements to the berth protect the moored vessel and minimize potential damage to the existing pier.

Refer to plans appended to this permit. The proposed mooring dolphin has the following construction elements that improve an existing vessel berth on Holyoke Wharf.

- Steel piles are driven into the seabed to anchor the mooring platform. Batter piles are specified to resist lateral forces.
- A large diameter steel casing extends from the seabed. Initially it serves as a pile guide. Once the piles are driven, the casing is ballasted with concrete to lock the piles into position. During construction, the casing effectively contains and isolates the ballast material within the resource. Once in operation the ballasted/locked construction increases the lateral load capacity of the mooring dolphin over that of an uncased pile supported structure.

- Tire fenders are attached to the steel casing to cushion the moored vessel and absorb impact forces.
- An access walkway connects the mooring platform with the existing timber wharf.

To date, permits have been obtained from the Board of Harbor Commissioners, the Maine Bureau of Submerged lands, the Army Corps of Engineers and the Maine Department of Environmental Protection. All that remains before construction can begin this winter is approval of a Site Plan by the Portland Planning Authority.

Please contact me with any questions or comments concerning this and the appended support documents noted below.

Support Documents (with page reference):

Development Review Application Portland, Maine	3
Site Plan Checklist Portland, Maine	6
AGENT AUTHORIZATION.....	8
PROPERTY DEED.....	9
PROJECT PERMITS	11
PROJECT PLANS.....	

Please contact me with any questions regarding this application.

Sincerely,

BAKER DESIGN CONSULTANTS, Inc.



Barney Baker PE
Principal

BJB
JN: 07075



**Development Review Application
 Portland, Maine**

Address of Proposed Development: Holyoke Pier; 418 Commercial Street, Portland Zone: Waterfront/Shoreland Overlay Project Name: Holyoke Finger Pier		
Existing Building Size: NA sq. ft. Existing Acreage of Site: NA sq. ft.	Proposed Building Size: NA sq. ft. Proposed Acreage of Site: NA sq. ft.	
Proposed Total Disturbed Area of the Site: NA sq. ft. * * If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) or Chapter 500, Stormwater Management Permit with the Maine Department of Environmental Protection (DEP).		
Tax Assessor's Chart, Block & Lot: Chart # MAP 42 Block # Lot # Lot F-1	Property Owners Name/ Mailing address: Attn: Roger Hale General Marine Construction 446 Commercial Street Portland, Maine 04101	Telephone #: (207) 772-5354 Cell Phone #:
Consultant/Agent Name, Mailing Address, Telephone #, Fax # and Cell Phone # : Barney Baker PE Baker Design Consultants 11 Stony Brook Lane Yarmouth, Maine 04096 207.846.9724 (office) 207.838.3636 (cell)	Applicant's Name/ Mailing Address: Same as Property Owner.	Telephone #: Cell Phone #:
Fee for Service Deposit (all applications) (\$200.00) Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable <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"/> Storm water Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input checked="" type="checkbox"/> Other		

~ Please see next page ~

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

- \$400 Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

Billing Address: (name, address and contact information)


Submittals shall include **seven (7) folded** packets containing of the following materials:

- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

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 Planning Authority and Code Enforcement'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.

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

Signature of Applicant: 	Date: <u>12.15.09</u>
<u>AGENT:</u>	

Development Review Fee Schedule (effective July 15, 2005)

- Fee for Service Deposit (all applications) \$200.00
 - Planning Services \$30.00/hour
 - Legal Services \$40.00/hour

- Major Site Plan Review (more than 10,000 sq. ft.)

Under 50,000 sq. ft.	\$500.00
50,000 - 100,000 sq. ft.	\$1,000.00
Parking Lots over 100 spaces	\$1,000.00
100,000 - 200,000 sq. ft.	\$2,000.00
200,000 - 300,000 sq. ft.	\$3,000.00
Over 300,000 sq. ft.	\$5,000.00

- After-the-fact Major Site Plan Review \$1,000.00 + applicable application fee
- Minor Site Plan Review (less than 10,000 sq. ft.) \$400.00 (or up to 20,000 in an industrial zone)
- After-the-fact Minor Site Plan Review \$1,000.00 + applicable application fee
- Minor-Minor Site Plan Review (Single Families) \$300.00
- Amendment to Plans Planning Board Review \$500.00 Planning Staff Review \$250.00
- Subdivision Fee \$500.00 + \$25.00 per lot
- Section 14-403 Review \$400.00 + \$25.00 per lot
- Site Location of Development \$3,000.00 (except for residential projects which shall be \$200.00 per lot)
- Traffic Movement Permit \$1,000.00
- Storm water Quality Permit \$250.00
- Street Vacation \$2,000.00

- **Engineering Fees**
- Engineer Review Fee - This fee is assessed by the Engineer
- Inspection Fee - This fee is 2% of the Performance Guarantee or as assessed by Planning or Public Works Engineer with \$300.00 being the minimum.

- **Zone Change**
- Zoning Map Amendments \$2,000.00
- Text Amendments \$2,000.00
- Contract/Conditional Rezoning: Under 5,000 sq. ft. \$1,000.00 5,000 sq. ft. and over \$3,000.00
- Conditional Use \$100.00

- **Historic Preservation**
- Administrative Review \$50.00
- Minor Projects - Committee Review \$100.00
- Major Projects - Committee Review \$500.00
- After-the-fact Review \$750.00
- HP Special Exception Sign Review \$35.00

- **Noticing/Advertisements for Historic Preservation and Planning Board Review**
- Legal Advertisement: Percent of total bill (Legal Ads are placed in the newspaper for workshop and public hearing meetings)
- Notices: .75 cents each (Notices are sent to abutters upon receipt of an application, workshop mtgs. and public hearing mtgs.)

**Site Plan Checklist
 Portland, Maine**

Department of Planning and Development, Planning Division and Planning Board
Application Number _____

The form was completed by Baker Design Consultants: "NA" means not applicable to proposed work.

Check Submitted	Site Plan Item	Required Information Section 14-525 (b,c)
<input checked="" type="checkbox"/>	(1)	Standard boundary survey (stamped by a registered surveyor, at a 1 scale of not less than 1 inch to 100 feet and including:
<input checked="" type="checkbox"/>	(2)	Name and address of applicant and name of proposed development a
<input checked="" type="checkbox"/>	(3)	Scale and north points b
<input checked="" type="checkbox"/>	(4)	Boundaries of the site c
<input checked="" type="checkbox"/>	(5)	Total land area of site d
<input checked="" type="checkbox"/>	(6)	Topography - existing and proposed (2 feet intervals or less) e
<input checked="" type="checkbox"/>	(7)	Plans based on the boundary survey including: 2
<input checked="" type="checkbox"/> NA	(8)	Existing soil conditions a
<input checked="" type="checkbox"/>	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas b
<input checked="" type="checkbox"/>	(10)	Location, ground floor area and grade elevations of building and other c structures existing and proposed, elevation drawings of exterior facades, and materials to be used
<input checked="" type="checkbox"/>	(11)	Approx location of buildings or other structures on parcels abutting the site d and a zoning summary of applicable dimensional standards (example page 9 of packet)
<input checked="" type="checkbox"/> NA	(12)	Location of on-site waste receptacles e
<input checked="" type="checkbox"/> NA	(13)	Public utilities e
<input checked="" type="checkbox"/> NA	(14)	Water and sewer mains e
<input checked="" type="checkbox"/> NA	(15)	Culverts, drains, existing and proposed, showing size and directions of flows e
<input checked="" type="checkbox"/> NA	(16)	Location and dimensions, and ownership of easements, public or private f rights-of-way, both existing and proposed
<input checked="" type="checkbox"/> NA	(17)	Location and dimensions of on-site pedestrian and vehicular access ways g
<input checked="" type="checkbox"/> NA	(18)	Parking areas g
<input checked="" type="checkbox"/> NA	(19)	Loading facilities g
<input checked="" type="checkbox"/> NA	(20)	Design of ingress and egress of vehicles to and from the site onto public streets g
<input checked="" type="checkbox"/> NA	(21)	Curb and sidewalks g
<input checked="" type="checkbox"/> NA	(22)	Landscape plan showing: h
<input checked="" type="checkbox"/> NA	(23)	Location of existing vegetation and proposed vegetation h
<input checked="" type="checkbox"/> NA	(24)	Type of vegetation h
<input checked="" type="checkbox"/> NA	(25)	Quantity of plantings h
<input checked="" type="checkbox"/> NA	(26)	Size of proposed landscaping h
<input checked="" type="checkbox"/> NA	(27)	Existing areas to be preserved h
<input checked="" type="checkbox"/> NA	(28)	Preservation measures to be employed h
<input checked="" type="checkbox"/> NA	(29)	Details of planting and preservation specifications h
<input checked="" type="checkbox"/> NA	(30)	Location and dimensions of all fencing and screening i

- NA..... (31) Location and intensity of outdoor lighting system j
- NA..... (32) Location of fire hydrants, existing and proposed (refer to Fire Department checklist) k
- NA..... (33) Written statements to include: c
- NA..... (34) Description of proposed uses to be located on site cl
- NA..... (35) Quantity and type of residential, if any cl
- NA..... (36) Total land area of the site c2
- NA..... (37) Total floor area, total disturbed area and ground coverage of each proposed c2
Building and structure
- NA..... (38) General summary of existing and proposed easements or other burdens c3
- NA..... (39) Type, quantity and method of handling solid waste disposal c4
- NA..... (40) Applicant's evaluation or evidence of availability of off-site public facilities, c5
including sewer, water and streets
- NA..... (41) Description of existing surface drainage and a proposed stormwater management c6
plan or description of measures to control surface runoff. c6

- (42) An estimate of the time period required for completion of the development 7

- (43) A list of all state and federal regulatory approvals to which the development may be 8 subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction. h8

- (47) Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.

- (48) Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.

- (49) A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.

- (50) A jpeg or pdf of the proposed site plan, if available.

- (51) Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities -an environmental impact study
- erosion and sedimentation controls to be used during construction -a sun shadow study
- a parking and/or traffic study -a study of particulates and any other noxious emissions -a noise study
- a wind impact analysis

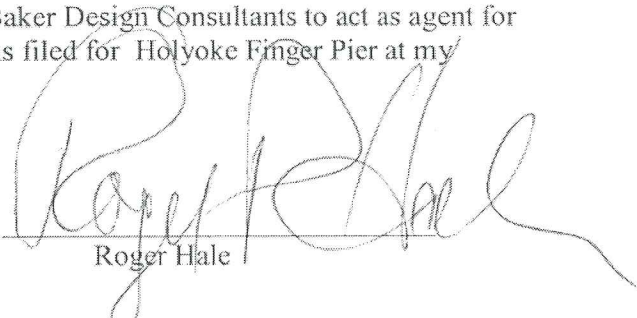
Other comments:

AGENT AUTHORIZATION

Roger Hale
General Marine Construction Corporation
446 Commercial Street
Portland, Maine 04101

By signing below, I authorize Barney Baker PE of Baker Design Consultants to act as agent for the purpose of permit communication on applications filed for Holyoke Finger Pier at my property in Portland, Maine.

Signed:



Roger Hale

PROPERTY DEED

45250 & 10208 1:83

KNOW ALL MEN BY THESE PRESENTS

THAT BAR MAR REALTY, INC., a Maine corporation having a principal place of business in Portland, County of Cumberland and State of Maine, for consideration paid by GENERAL MARINE CONSTRUCTION CORPORATION whose address is 446 Commercial Street, Portland, Maine 04101, the receipt whereof is hereby acknowledged, does hereby demise, bargain, sell, convey and forever grant unto the said GENERAL MARINE CONSTRUCTION CORPORATION, its successors and assigns, with WARRANTY COVENANTS, the following described real property situated in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

All that certain wharf property, land and flats known as Holyoke Wharf, situated on the southerly side of Commercial Street between Studivant's Wharf and High Street Wharf and extending from Commercial Street to Fore River; said premises being bounded on the west by land now or formerly of Isaac F. Studivant, on the east by land formerly of Robert Porterfield and Joseph W. Yates and others, and including a strip about five feet (5') wide conveyed to Jonas H. Purley by said Yates and Porterfield and others, by deed dated October 18, 1855 and recorded in said Cumberland County Registry of Deeds in Book 145, Page 518; the whole of said lot being the same conveyed to Eliza A. Soule by Portland Savings Bank by deed dated October 11, 1884, recorded in said Registry in Book 519, Page 10.

Being the same premises conveyed to Robert J. Levine, as Trustee of the Levine Real Estate Trust by deed of Moulton Realty Co. dated January 2, 1930 and recorded in said Registry of Deeds in Book 4549, Page 110 and conveyed by Robert J. Levine as Trustee of the Levine Real Estate Trust to Grantor herein by deed dated January 14, 1983 and recorded in said Registry of Deeds in Book 6655, Page 87.

The delivery of this deed, and its acceptance by Grantee, is on the express condition that the real estate, and all buildings, structures, wharfs, piers, piling, fixtures or roadways, is conveyed "AS IS, WHERE IS".

IN WITNESS WHEREOF, BAR MAR REALTY, INC., as Grantor, and releasing all its rights in the above-described premises, has caused this instrument to be sealed with its corporate seal and signed in its corporate name by JOHN P. MARTIN, its Treasurer thereunto duly authorized, this 4th day of August, 1992.

Signed, Sealed and Delivered
in the presence of:

BAR MAR REALTY, INC.



By: 
Its Treasurer

45250 & 10208

MAINE REAL ESTATE TAX PAID

is 45350 9: 10208 9: B4

STATE OF MAINE
Cumberland, SS.

August 4, 1992

Personally appeared the above-named John P. Martin, Treasurer of Grantor corporation, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me.



Daniel W. Monette
Notary Public
Attorney at Law

Recorded
Cumberland County
Register of Deeds
08-04-92 03:12:45PM
Robert P. Titcomb
Register

PROJECT PERMITS

The following Documentation is appended. In addition, the Portland Harbor Commissioners approved the revised plans at their 12March2009 meeting.

1. Portland Board of Harbor Commissioners.
2. Maine DEP NRPA Permit
3. Maine Submerged Lands Lease approval
4. US Army Corps of Engineers Permit

**BOARD OF HARBOR COMMISSIONERS
PORT OF PORTLAND
PERMIT-A**

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To.....General Marine Construction, 446 Commercial Street, Portland, ME 04101.....

The undersigned, Board of Harbor Commissioners for the Harbor of Portland, has carefully considered your application, Dated the 11th day of February 2009, for a permit authorizing the installation of a mooring dolphin and access walkway to improve an existing marine berth on Holyoke Wharf.....

Having given public notice of this pending application, as required by law, and therein designated the 12th day Of March 2009, at 5:00 o'clock in the afternoon prevailing time as the time when they would meet At the South Portland City Hall, City Council Chambers to examine this issue and here all interested parties, and having met at the time and place mentioned and examined the location of this proposed construction project.....

And having heard all interested parties, the Board of Harbor Commissioners for the Port of Portland hereby issues this permit which authorizes you to proceed under all applicable local and federal regulations hereinafter stated, and to maintain within the limits mentioned in the permit application.

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

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

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

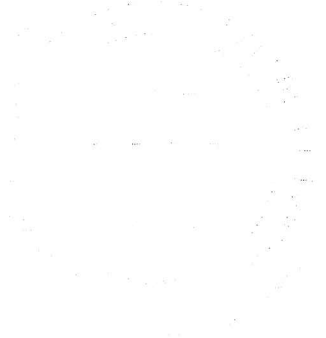
Nothing in this permit shall be construed to justify or authorize any invasion to the private rights of others. Moreover, nothing in this permit shall limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland with its applicable statute. Attested copies will be submitted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

In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland hereunto set their hands and affix their corporate seal on this 12th day of March 2009.

Thomas A. D. H.
.....

The work authorized to this permit must be completed on or before the 12th day of March 2010.

Board of Harbor Commissioners for the Port of Portland





STATE OF MAINE
Department of Environmental Protection

JOHN ELIAS BALDACCI
GOVERNOR

David P. Littell
COMMISSIONER

November, 2009

General Marine Construction
C/o Roger Hale
446 Commercial Street
Portland, Maine 04101

RE: Natural Resources Protection Act Application, Portland, DEP #L-24691-4P-A-N

Dear Mr. Hale:

Please find enclosed a signed copy of your Department of Environmental Protection land use permit. You will note that the permit includes a description of your project, findings of fact that relate to the approval criteria the Department used in evaluating your project, and conditions that are based on those findings and the particulars of your project. Please take several moments to read your permit carefully, paying particular attention to the conditions of the approval. The Department reviews every application thoroughly and strives to formulate reasonable conditions of approval within the context of the Department's environmental laws. You will also find attached some materials that describe the Department's appeal procedures for your information.

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at 207- 822-6300 or at robert.green@maine.gov

Yours sincerely,

A handwritten signature in cursive script that reads "Robert L. Green, Jr.".

Robert L. Green, Jr., Project Manager
Division of Land Resource Regulation
Bureau of Land & Water Quality

pc: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST

BANGOR
106 HOGAN ROAD
BANGOR ME 04401
(207-941-4570 FAX 207-941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-3143

WEB SITE: WWW.MAINE.GOV/DEP



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, ME 04333

DEPARTMENT ORDER

IN THE MATTER OF

GENERAL MARINE CONSTRUCTION) NATURAL RESOURCES PROTECTION
Portland, Cumberland County) COASTAL WETLAND ALTERATION
MOORING DOLPHIN AND ACCESS WALKWAY) WATER QUALITY CERTIFICATION
L-24691-4P-A-N (approval)) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of GENERAL MARINE CONSTRUCTION with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. Summary: The applicant proposes to construct a mooring dolphin with an access walkway. The project need and purpose is to provide safe berthing of 90-foot long fishing vessels that moor "stern to" at the end of Holyoke Wharf. The mooring dolphin will be placed 55 feet from the end of the wharf and remain 90 feet from the Federal Navigation Channel. The dolphin will consist of three vertical, 20-inch diameter piles and three batter (angled), 20-inch diameter piles set within an eight-foot diameter pipe casing set into the seabed. Concrete will be poured into the casing to lock the piles into position and provide additional lateral stability. Tire fenders will be attached to the top of the casing to protect moored vessels. The walkway will be constructed of steel I-beams with steel grates as decking. The applicant also proposes to replace timber fenders at the end of Holyoke Wharf, as necessary.

The mooring dolphin and access walkway are shown on a set of plans, the first of which is entitled "Holyoke Wharf – Finger Pier", drawn by Baker Design Consultants, and dated May 1, 2008, with a last revision date of February 10, 2009. The project site is located at the end of Holyoke Wharf, which is located on Commercial Street in the City of Portland.

B. Current Use of the Site: Holyoke Wharf is a commercial wharf on Commercial Street that is the site of several marine related businesses.

2. EXISTING SCENIC, AESTHETIC, RECREATIONAL OR NAVIGATIONAL USES:

In accordance with Chapter 315, Assessing and Mitigating Impacts to Scenic and Aesthetic Uses, the applicant submitted a copy of the Department's Visual Evaluation Field Survey Checklist as Appendix A to the application along with a description of the property and the proposed project. The applicant also submitted several photographs of the proposed project site including an aerial photograph of the project site. Department staff visited the project site on November 3, 2009. The proposed project is located in Portland Harbor, which is a scenic resource visited by the general public, in part, for the use, observation, enjoyment and appreciation of its natural and

cultural visual qualities. The site of the proposed project is developed with existing commercial wharves in the viewshed of the scenic resource in the project area.

The proposed project was evaluated using the Department's Visual Impact Assessment Matrix and was found to have an acceptable potential visual impact rating. Based on the information submitted in the application, the visual impact rating, and the site visit, the Department determined that the location and scale of the proposed activity is compatible with the existing visual quality and landscape characteristics found within the viewshed of the scenic resource in the project area.

The Department did not identify any issues involving existing recreational and navigational uses.

The Department finds that the proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational uses of the protected natural resource.

3. SOIL EROSION:

The proposed dolphin construction requires no excavation or soil disturbance. The piles will be set from the platform of an offshore barge. The piles will be driven into the substrate, which will cause little or no erosion problems.

The Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

4. HABITAT CONSIDERATIONS:

Department staff reviewed a Geographic Information System (GIS) database that contains information provided by the DIFW. The GIS database indicates the project site is not located in or adjacent to Essential Wildlife Habitats or Significant Wildlife Habitats, as defined in the Natural Resources Protection Act.

The Department of Marine Resources (DMR) stated that the proposed project should not cause any significant adverse impact to marine resources, navigation, or recreation.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

5. WATER QUALITY CONSIDERATIONS:

The Department does not anticipate that the proposed project will violate any state water quality law, including those governing the classification of the State's waters.

6. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to alter approximately 50 square feet of subtidal coastal wetland to construct the mooring dolphin.

The Department's Wetlands and Waterbodies Protection Rules, Chapter 310, require that the applicant meet the following standards:

A. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. Each application for a coastal wetland permit must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist. The applicant submitted an alternative analysis for the proposed project completed by Baker Design Consultants, dated May 8, 2009. The “do nothing” alternative is not a viable option, because it does not meet the project’s need and purpose. The applicant determined that the selected alternative presented in the application is the least damaging practicable alternative that will provide safe berthing for fishing vessels moored “stern to” Holyoke Wharf.

B. Minimal Alteration. The amount of coastal wetland to be altered must be kept to the minimum amount necessary for meeting the overall purpose of the project. The dolphin mooring is sized to withstand the lateral forces placed on it from stern-moored vessels, given the tidal currents in Portland Harbor.

C. Compensation. In accordance with Chapter 310(5)(C)(6), compensation is not required to achieve the goal of no net loss of coastal wetland functions and values, since the proposed project will not fill more than 500 square feet of intertidal or subtidal area, and will not have an adverse impact on marine resources or wildlife habitat.

The Department finds that the applicant has avoided and minimized coastal wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

7. OTHER CONSIDERATIONS:

The Department did not identify any other issues involving existing scenic, aesthetic, or navigational uses, soil erosion, habitat or fisheries, the natural transfer of soil, natural flow of water, water quality, or flooding.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.

- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- H. The proposed activity is not on or adjacent to a sand dune.
- I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES the above noted application of GENERAL MARINE CONSTRUCTION to construct a mooring dolphin with an access walkway, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicant shall take all necessary measures to ensure that its activities or those of its agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

rlg/ats#70497/124961an



DEPARTMENT OF THE ARMY
 NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
 696 VIRGINIA ROAD
 CONCORD, MASSACHUSETTS 01742-2751

REPLY TO
 ATTENTION OF

MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
 AUTHORIZATION LETTER AND SCREENING SUMMARY

GENERAL MARINE CONSTRUCTION CORP.
 C/O BAKER DESIGN CONSULTANTS
 11 STONY BROOK LANE
 YARMOUTH, MAINE 04096

CORPS PERMIT # NAE-2009-00838
 CORPS PGP ID# 09-306
 STATE ID# NRPA

DESCRIPTION OF WORK:

Construct and maintain a 52'x 6' pile supported steel finger pier extending southeast from Holyoke Wharf to an 8' diameter circular mooring dolphin in Portland Harbor at Portland, Maine. This work is shown on the attached plans entitled "HOLYOKE PIER EXTENSION, PORTLAND, MAINE" in five sheets dated "12-29-08".

LAT/LONG COORDINATES : 43.6488602° N 70.2559616° W USGS QUAD: PORTLAND WEST, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine Programmatic General Permit (PGP).

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

II. STATE ACTIONS: PENDING [X] ISSUED [] DENIED [] DATE _____

APPLICATION TYPE: PBR: TIER 1: TIER 2: TIER 3: X LURC: DMR LEASE: NA:

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 10/2/09 LEVEL OF REVIEW: CATEGORY 1: CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10: X 404: 10/404: 103:

EXCLUSIONS. The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO_ USF&WS_NO_ NMFS_NO_

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

JAY L. CLEMENT
 SENIOR PROJECT MANAGER
 MAINE PROJECT OFFICE

For FRANK J. DEL GIUDICE DATE 11/6/09
 CHIEF, PERMITS & ENFORCEMENT BRANCH
 REGULATORY DIVISION



US Army Corps
of Engineers
New England District

PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
NO. NAE-2009-00838

1. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).
2. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
3. The permittee shall not interfere with Corps of Engineers personnel or its contractors engaged in hydrographic surveys, maintenance or improvement of the existing Portland Harbor Federal Navigation Project ("FNP"). If, in the opinion of the Corps, the permittee's structures or vessels attached to them must be moved to allow for the maintenance or improvement of the existing FNP, the permittee shall move the structures or vessels as directed by the Corps.
4. No later than 30 days after completion of the authorized work, the permittee shall submit an as-built drawing of the authorized structures. The as-built drawing(s) shall include:
 - The structure's horizontal location relative to the closest FNP and the waterway, horizontal coordinates, the FNP limits, bar (graphic) scale, north arrow, and the dates of the survey and drawings.
 - The structure's horizontal coordinates in U.S. survey feet based on the Maine State Planar format, Zone 1802, NAD 1983.
 - A stamp by a professional engineer or land surveyor registered in the state the work is being performed.
5. All submittals to the Corps shall be marked with the words "**Permit No. NAE-2009-00838.**" The Corps address is "PATS Branch, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751." Documents which are not marked and addressed in this manner may not reach their intended destination and do not comply with the requirements of this permit.
6. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.



STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

JOHN ELIAS BALDACCI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

November 23, 2009

General Marine Construction Corp.
Attn: Roger Hale
446 Commercial St.
Portland, ME 04101

RE: Submerged Lands Lease Application, Proposed Finger Pier & Mooring Dolphin, Holyoke Wharf

Dear Mr. Hale:

The Bureau of Parks and Lands has completed its review of your application for an amendment to Submerged Lands Lease No. 0643A-L-34 to include your proposed finger pier, mooring dolphin and associated berthing area. Enclosed are copies of the Bureau's Final Findings and Decision and two copies of the lease amendment for your signature. The rental fee, due and payable at this time, is \$26.54, the pro-rated rental for the remainder of 2009 for the proposed structures and associated berthing area. I have enclosed an invoice for that amount. Starting next year the annual rental fee for your amended lease for your entire facility will be \$586.81.

Please sign *both* copies of the lease amendment and return them to the Bureau, along your 2009 rental payment. Please make your check payable to **Treasurer, State of Maine**. Once executed by the Bureau, a signed lease amendment will be returned to you and we will keep the other signed copy for our files.

Thank you for your patience and cooperation throughout our review process. If you have any questions, please feel free to contact me at (207) 287-6128 or via email at sara.brusila@maine.gov.

Sincerely,

Sara L. Brusila
Submerged Lands Technician

enc: findings, invoice (2009) & lease amendment (2 copies)

xc: Barney Baker, Baker Design Consultants



JOHN ELIAS BALDAGGI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

SUBMERGED LANDS LEASE – FINAL FINDINGS AND DECISION

APPLICANT: General Marine Construction Corporation

PROJECT LOCATION: Portland

APPLICATION: Bureau of Parks and Lands Submerged Lands Application No. SL 1525
Dept. of Environmental Protection Application No. L-24691-4P-A-N

PROJECT DESCRIPTION: The applicant proposes to construct a finger pier and dolphin on the easterly end of the southeast face of Holyoke Wharf at Portland Harbor for commercial fishing use. The Bureau granted Submerged Lands Lease No. 0643-L-34 to the applicant in December of 2006 to replace the prior constructive easement for the wharf that had expired in September of 2005. The lease was amended in June of 2008, modifying Item #6 of the lease regarding the annual rental and changing the lease number to 0643A-L-34. The applicant is now seeking an amendment to their lease to include the proposed finger pier, mooring dolphin and associated berthing area.

REVIEW COMMENTS: Notification letters were sent to the municipality and abutting property owners. No comments in opposition were received.

FINDINGS: Based upon its review of all information in the administrative record, the Bureau of Parks and Lands makes the following findings in accordance with Title 12 M.R.S.A. Sections 1801 & 1862 and pertinent regulations.

PUBLIC ACCESS WAYS:

The project is located on private property and not on or adjacent to a public access point to the shore. As such, the project does not unreasonably interfere with public access ways to submerged lands.

PUBLIC TRUST RIGHTS:

The project does not unreasonably interfere with fishing, fowling, navigation, or other existing marine uses of the area.

RECREATION:

The project does not unreasonably interfere with recreation.

SERVICES AND FACILITIES NECESSARY FOR COMMERCIAL MARINE ACTIVITIES:

The project does not unreasonably diminish the availability of services and facilities necessary for commercial marine activities.

LITTORAL ZONES AND SETBACK DISTANCES:

Under the Submerged Lands Rules (Rules), boundaries of littoral zones lying off-shore of upland properties are generally established by right angle projections from a baseline established along the



shoreline at the intersection of the high water line and the side boundary of each property. However, the Bureau may establish additional baselines to accommodate irregular shorelines. Setback standards are established from other existing structures, the applicant's littoral zone boundary, and the midpoint between divergent littoral boundaries.

The Bureau finds that it is appropriate for this heavily developed area of Portland Harbor, where the shoreline has been significantly altered from its natural state for many years, to establish a baseline to accommodate the filled, irregular shoreline in determining the littoral zone for the applicant's property. Specifically, the littoral zone for the applicant's property is established by a baseline perpendicular to the centerline of the existing wharf, and littoral boundary lines that extend from the applicant's property at the high water line perpendicular to the baseline. These boundaries run parallel to the wharf and roughly bisect the waterways between the applicant's and the adjacent Berlin Mills and Sturdivant's wharves.

The Bureau finds that the applicant's existing and proposed structures are located within the littoral zone of their property and meet the 25-foot setback littoral boundary standard for new structures. The applicant's existing and proposed structures also meet the 50-foot setback standard from adjacent structures.

INGRESS AND EGRESS OF RIPARIAN OWNERS:

The project does not unreasonably interfere with ingress and egress of riparian owners.

DECISION: In accordance with Title 12 M.R.S.A. Sections 1801 & 1862, the Director of the Bureau of Parks and Lands has determined that Submerged Lands No. 0643B-L-34 will be granted to General Marine Construction Corporation.

APPEAL RIGHTS: In accordance with 5 M.R.S.A. section 11002 and Maine Rules of Civil Procedure 80C, this decision may be appealed to Superior Court within 30 days after receipt of notice of the decision by a party to this proceeding, or within 40 days from the date of the decision by any other aggrieved person.

Signed: 
for Willard R. Harris, Jr., Director

Date: November 24, 2009

AMENDMENT TO SUBMERGED LANDS LEASE NO. 0643A-L-34

Submerged Lands Lease Number 0643A-L-34 (hereinafter Lease) entered into by and between the State of Maine, acting through its Director of the Bureau of Parks and Lands, and **General Marine Construction Corporation** is hereby amended as follows:

1. The Lease number is changed to **0643B-L-34**.
2. The leased premises description on Page 1 is changed from "5,756 +/- square feet" to "12,587 +/- square feet".
3. Paragraph 2. USE is changed to include a finger pier, dolphin and associated berthing area as described in Submerged Lands Lease Application No. SL 1525 and Dept. of Environmental Protection Application No. L-24691-4P-A-N.
4. Paragraph 6. RENTAL is changed from "\$923.26 per year" to "\$586.81 per year".
5. "Attachment C" of the Lease is replaced by "Attachment C – Revised 11/18/09" which is attached hereto.
6. Any and all terms and conditions of the Lease not herein amended remain in full force and effect for the duration of the Lease.

Agreed to on

_____, 2009

_____, 2009

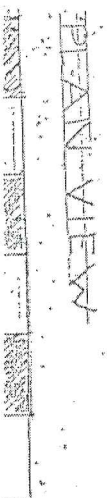
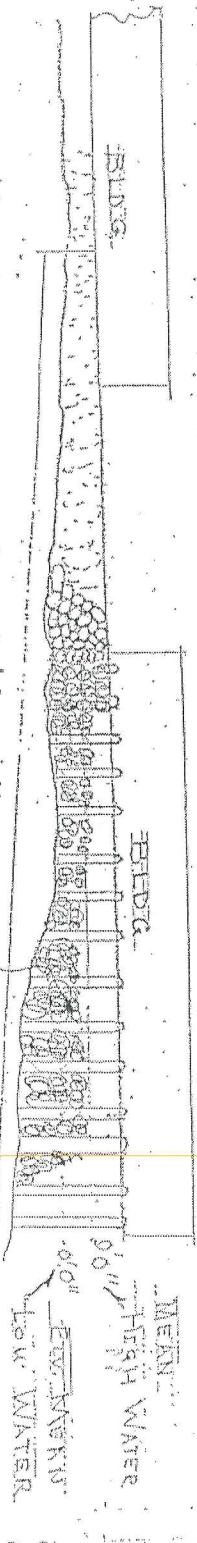
(Lessee Signature)

(Lessor Signature)

(Print Name)

Willard R. Harris, Jr.
Director, Bureau of Parks and Lands

EXHIBIT #2
SITE DETAIL



PROJECT PLANS

- T-1 Title Sheet
- T-2 Notes and Schedules
- C-1 Portland Harbor Site Plan
- C-2 Site Plan
- S-1 Finger Pier Plan & Profile
- S-2 Typical Sections



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

Planning & Urban Development Department
Penny St. Louis Littell, Director

JANUARY 11, 2010

Roger Hantz
418 Commercial St.
Portland, ME 04101

Project Name: Holyoke Finger Pier
Project ID: 09-79900020
Project Address: 418 COMMERCIAL ST.
Planner: Erick Giles, AICP, LEED AP

Dear Applicant:

On 1/6/10, the Portland Planning Authority approved a minor site plan for 418 Commercial Street as submitted by the Applicant and shown on the approved plan dated 7/16/09 prepared by Baker Design Consultants with the following conditions:

1. The applicant shall submit a Flood Hazard Development application to the Zoning Administrator for review and approval.

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.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Authority pursuant to the terms of Chapter 14 of the Portland Land Use Code.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
4. Seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any

modifications to the approved plans, you must submit a revised site plan application for staff review and approval.

5. 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. Requests to extend approvals must be received before the expiration date.
6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service'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 to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

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 make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If you have any questions, please contact **Erick Giles** at **207-874-8723** or **egiles@portlandmaine.gov**

Sincerely,

Alexander Jaegerman
Planning Division Director

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Erick Giles, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director

HOLYOKE WHARF - FINGER PIER

PORTLAND, MAINE

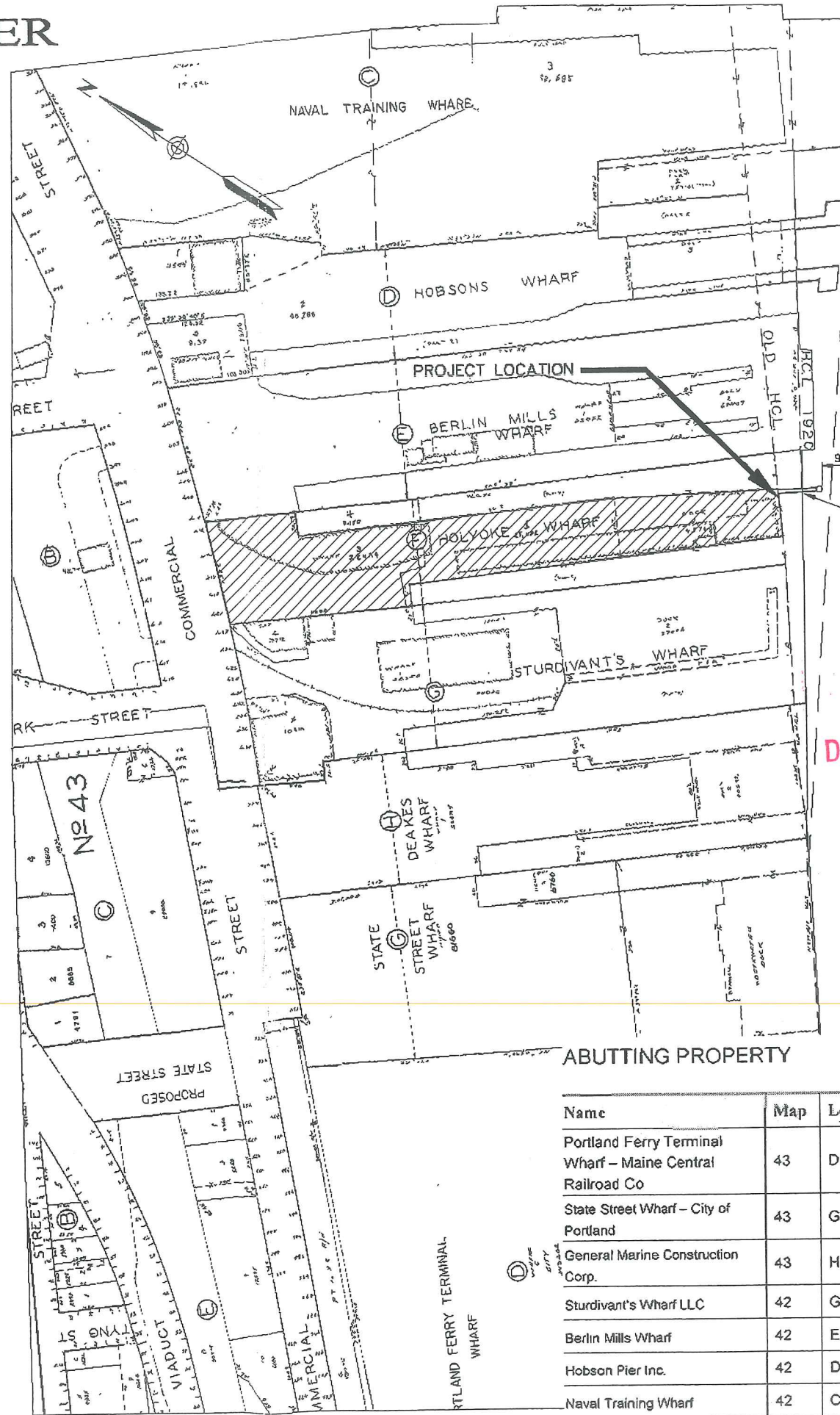
PROJECT NO. 07075



LOCATION MAP



PRELIMINARY



INDEX OF SHEETS

- T-1 - TITLE SHEET
- T-2 - NOTES AND SCHEDULES
- C-1 - PORTLAND HARBOR SITE PLAN
- G-2 - SITE PLAN
- S-1 - FINGER PIER PLAN AND PROFILE
- S-2 - TYPICAL SECTIONS

LINE FROM HOBSON'S WHARF TO STATE STREET WHARF

CLEAR DISTANCE TO THE 35'-FT FEDERAL CHANNEL

PROPOSED FINGER PIER

LIMITS OF FEDERAL NAVIGATIONAL CHANNEL

CITY OF PORTLAND APPROVED SITE PLAN
 Subject to Dept. Conditions
 Date of Approval: 11/16/08

PROPERTY INFORMATION

OWNER: Map 42 Lot F-1
 Holyoke Wharf
 General Marine Construction Corporation, Inc.
 446 Commercial Street
 Portland, Maine 04101

ZONING: WCZ Waterfront
 SOD Shoreland Zoning Overlay

ABUTTING PROPERTY

Name	Map	Lot	Address
Portland Ferry Terminal Wharf - Maine Central Railroad Co	43	D	466 COMMERCIAL STREET, PORTLAND, ME 04104
State Street Wharf - City of Portland	43	G	454 COMMERCIAL STREET, PORTLAND, ME 04104
General Marine Construction Corp.	43	H	450 COMMERCIAL STREET, PORTLAND, ME 04104
Sturdivant's Wharf LLC	42	G	430 COMMERCIAL STREET, PORTLAND, ME 04104
Berlin Mills Wharf	42	E	400 COMMERCIAL STREET, PORTLAND, ME 04104
Hobson Pier Inc.	42	D	390 COMMERCIAL STREET, PORTLAND, ME 04104
Naval Training Wharf	42	C	378 COMMERCIAL STREET, PORTLAND, ME 04104

BAKER DESIGN CONSULTANTS
 Civil, Marine, and Structural Engineering
 11 Stony Brook Lane, Yarmouth, Maine 04096 Tel: (207) 846-9784 Fax: (207) 846-9820

DESIGNED BY: BJB
 DRAWN BY: MSH
 CHECKED BY: BJB
 SCALE: AS SHOWN

SHEET TITLE: TITLE SHEET
 PROJECT: GENERAL MARINE CONSTRUCTION CORP., INC.
HOLYOKE WHARF - FINGER PIER
 PORTLAND, MAINE

DATE: 07/14/08
 CONTRACT NO.: 07075
 SHEET NO.: T-1
 REV.: 1

10.26.08 BJB
 10.01.08 BJB
 DATE DATE DATE
 Progress Rev
 Preliminary Approval
 SUBMISSION

STATE OF MAINE
 BARNEY J. BAKER
 No. 5737
 LICENSED PROFESSIONAL ENGINEER

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SITE NOTES

- The Contractor shall be governed by the Construction Safety Rules as adopted by the State Board Of Construction Safety, Augusta, Maine.
- The project is subject to the Safety And Health Regulations Of The Occupational Safety And Health Act (OSHA) as promulgated by the US Department Of Labor.
- The plan is based on City of Portland Tax Map information, Army Corps FND Data, supplemental field survey by Royal River Surveying and test pile information provided by General Marine Corporation.
- All elevations are to based on MLLW =0. NGVD Conversion noted in the Table below.
- Base flood/tidal information was taken from FEMA and NOAA published data for Portland (NGVD datum).

Elevation	Chart Datum (ft)	NGVD (ft)	Notes
FEMA Base Flood	14.6	10.0	FEMA A2-10, V3-12
Highest	14.2	9.6	Based on Portland
Spring Tide Elevation	10.7	6.1	Maine DEP
MHHW	9.9	5.3	Based on Portland
MHW	9.5	4.9	"
Mean Tide Level	4.9	0.3	"
NGVD	4.6	0.0	"
MLW	0.4	-4.2	"
MLLW	0.00	-4.6	"
Lowest	-3.4	-8.0	"

EROSION CONTROL NOTES

- The contractor will be required to have a copy of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, current edition and will be required to comply with the standards.
- Material Stockpile. Material will be stockpiled off site or delivered directly to the site from barge or truck.

DESIGN CRITERIA

- Finger Pier Design Loading
 - Dead Loads + Utilities
 - Walkway Live Load: 100PSF
- Mooring Platform
 - Vessel Impact
 - Vessel Line Loads
 - Wave Height
 - Max Wind Speed
- All handrail and posts shall be constructed to withstand a 200 lb load applied in any direction or 50 lb/ft applied along rail length.
- Pier structure components have been sized with consideration of location on a hurricane coastline. In the event of a pending significant storm, vessels should be relocated to a protected area

REINFORCED CONCRETE

- Cast-In-Place: MDOT Class A; $f_c = 4350$ PSI
- DCI Admixture; 3 GAL/CY. Exposed concrete only.
- Minimum cover to reinforcement = 3"
- Reinforcing Steel: ASTM Grade 36; $f_y = 60,000$ PSI, Epoxy Coated

STEEL PIPE PILES and CASING

- Steel pipe piles shall be in accordance with ASTM A252 Grade 3.
- Casing shall be A36 Steel protected with marine coating prior to placement.
- All piles to be fitted with open cutting shoe.
- The contractor shall take steps to protect coating from damage during handling and driving operations.
- Piles shall be filled with concrete after installation of pile cap.
- All submerged steel shall have anodic protection. Use Aloline Aluminum Anodes by Wilson international inc. Model No. W-120 (or approved equal). Position 3'-0" below MLW around the circumference of the steel casing at 5-ft spacing. Attach with 2 - 1/2" welded studs.

MISCELLANEOUS METALS AND FASTENERS

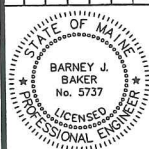
- All metal items to be A36 steel, hot-dip galvanized after fabrication unless otherwise noted.
- All fasteners shall be hot dipped galvanized or stainless steel to resist corrosion.
- All bolts shall be heavy hex, ASTM A-307 unless otherwise noted. Minimum size shall be 3/4" dia. unless otherwise noted.
- At all timber connections, 'dock' washers shall be provided.
- All decking shall be fastened with 2 stainless steel screws or galvanized lag bolts at each support.

**CITY OF PORTLAND
 APPROVED SITE PLAN**
 Subject to Dept. Conditions
 Date of Approval: 11/1/10

PRELIMINARY

BAKER DESIGN CONSULTANTS

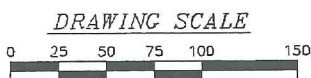
Civil, Marine, and Structural Engineering
 11 Stony Brook Lane, Yarmouth, Maine 04096 Tel: (207) 846-9724 Fax: (207) 846-8820



DESIGNED BY:	BUB	DRAWN BY:	MSH	CHECKED BY:	BUB
SCALE:	AS SHOWN				

SHEET TITLE: **NOTES & SCHEDULES**
 PROJECT: GENERAL MARINE CONSTRUCTION CORP., INC.
HOLYOKE WHARF - FINGER PIER
 PORTLAND, MAINE

DATE	07-14-08
CONTRACT NO.	07075
SHEET NO.	T-2
REV.	



BRIDGE
FENDERS

ABANDONED
PIPELINE AND
CABLE AREA

PORTLAND
INTERNATIONAL
MARINE
TERMINAL WHARF

DEAKE'S WHARF

STURDIVANTS
WHARF

HOLYOKE WHARF
BOWEN MARINE

BERLIN MILLS WHARF

HOBSONS WHARF

PORTLAND COAST GUARD
WRIGHT WHARF
MOORINGS

LIMIT OF FEDERAL
NAVIGATION CHANNEL

50-FT OFFSET FROM
CHANNEL AND EXISTING
PIER LIMITS

PROPOSED FINGER PIER
AND MOORING DOLPHIN

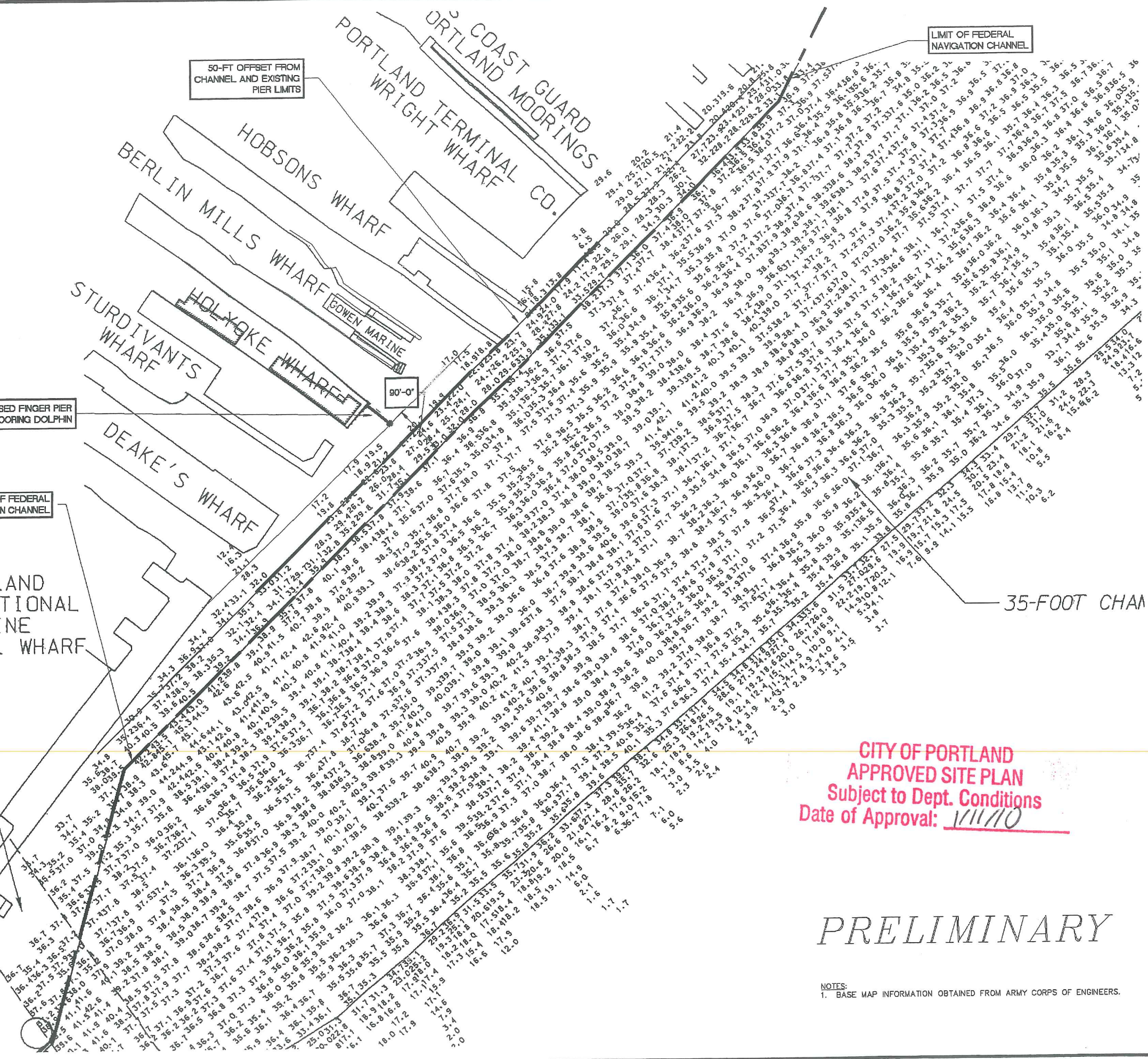
LIMIT OF FEDERAL
NAVIGATION CHANNEL

35-FOOT CHAN

CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 11/1/10

PRELIMINARY

NOTES:
1. BASE MAP INFORMATION OBTAINED FROM ARMY CORPS OF ENGINEERS.



DESIGNED BY: BUB
DRAWN BY: MSH
CHECKED BY: BUB
SCALE: AS SHOWN

SHEET TITLE: PORTLAND HARBOR SITE PLAN
PROJECT: GENERAL MARINE CONSTRUCTION CORP., INC.
HOLYOKE WHARF - FINGER PIER
PORTLAND, MAINE

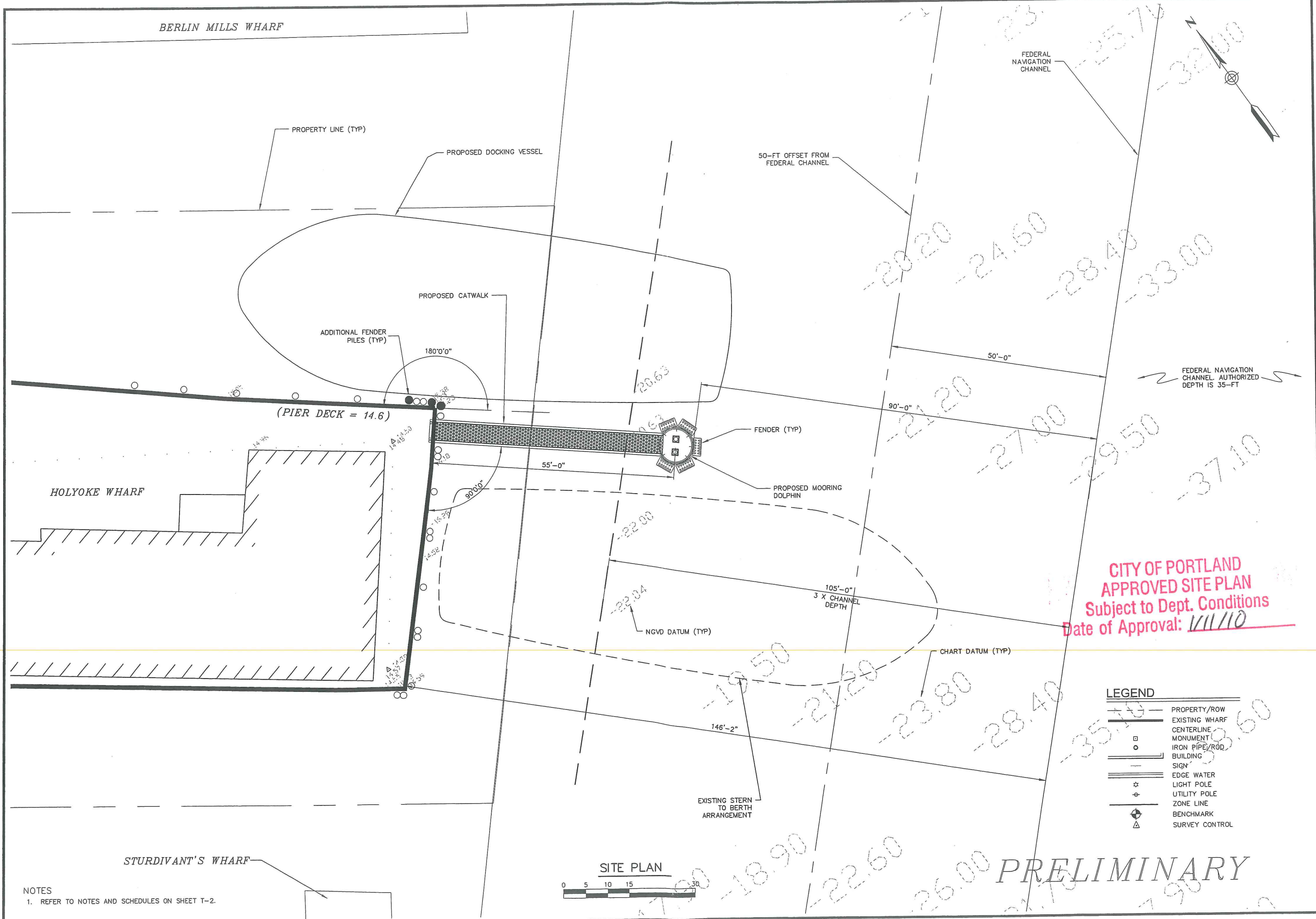
DATE: 08-01-08
CONTRACT NO.: 07075
SHEET NO.: C-1
REV.

NO.	DATE	INT.	DATE	INT.
2	10.28.08	BUB	10.01.08	BUB
1				

PROGRESS REVIEW
PRELIMINARY APPROVAL
SUBMISSION

BAKER DESIGN CONSULTANTS
Civil, Marine, and Structural Engineering
Tarrmouth, Maine 04080 Tel: (207) 846-8721 Fax: (207) 846-8820

C:\bjt\proj\landprojects\2007\07075 Holyoke Wharf\Holyoke Wharf\07075 Holyoke Wharf Plans 7-11-08.dwg, 10/29/2008 9:52:10 AM



**CITY OF PORTLAND
APPROVED SITE PLAN**
Subject to Dept. Conditions
Date of Approval: 1/11/10

LEGEND

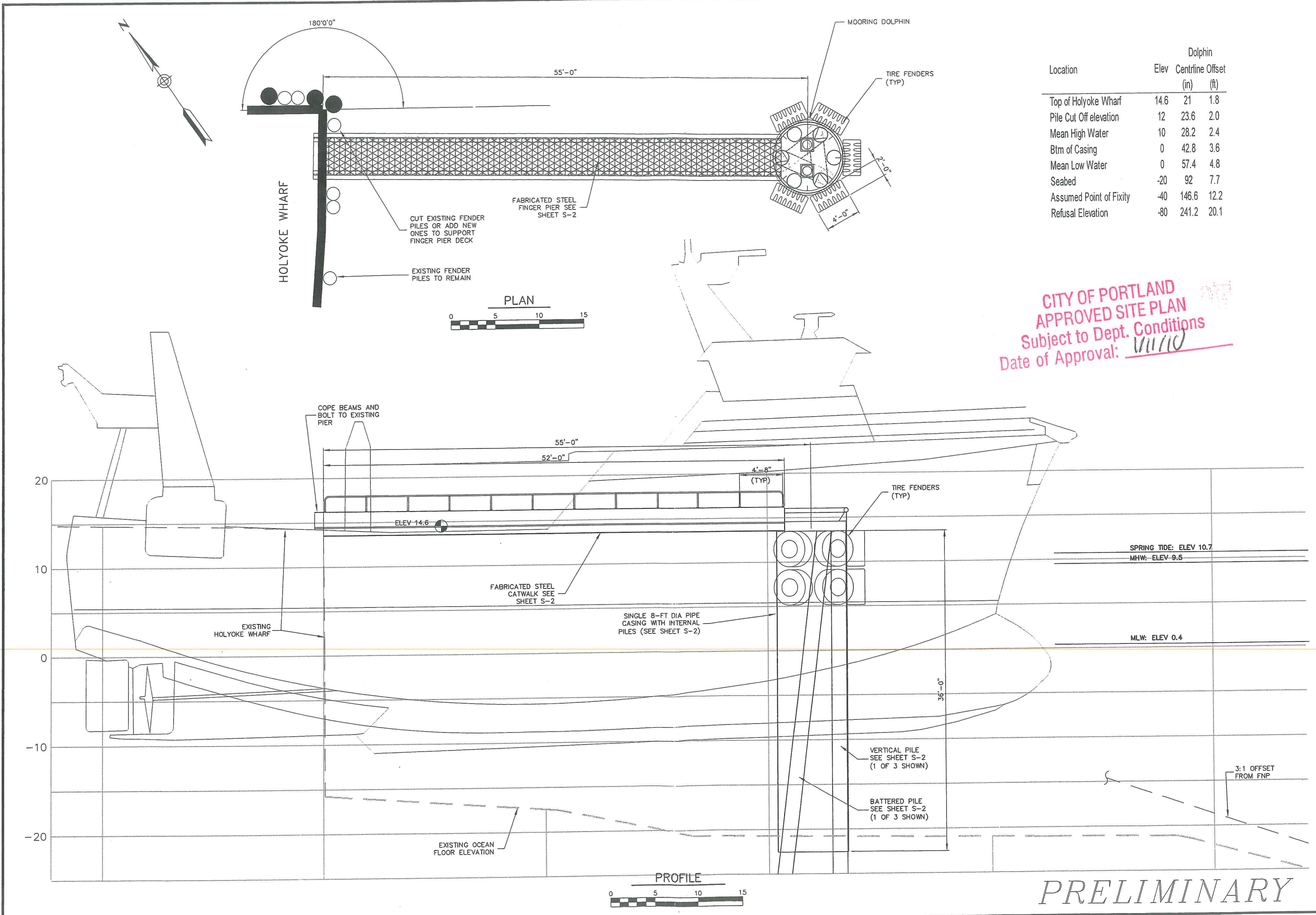
- PROPERTY/ROW
- EXISTING WHARF
- CENTERLINE
- MONUMENT
- IRON PIPE/ROD
- BUILDING
- SIGN
- EDGE WATER
- ☆ LIGHT POLE
- ⊕ UTILITY POLE
- ZONE LINE
- ⊙ BENCHMARK
- △ SURVEY CONTROL

NOTES
1. REFER TO NOTES AND SCHEDULES ON SHEET T-2.



<p>BAKER DESIGN CONSULTANTS Civil, Marine, and Structural Engineering 11 Stony Brook Lane, Yarmouth, Maine 04096 Tel: (207) 846-9724 Fax: (207) 846-3620</p>	
DESIGNED BY:	BUB
DRAWN BY:	MSH
CHECKED BY:	BUB
SCALE:	AS SHOWN
SHEET TITLE:	SITE PLAN
PROJECT:	GENERAL MARINE CONSTRUCTION CORP., INC. HOLYOKE WHARF - FINGER PIER PORTLAND, MAINE
DATE:	07-16-08
CONTRACT NO.:	07075
SHEET NO.:	C-2
REV.:	

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DESIGNED BY:	BUB
DRAWN BY:	MSH
CHECKED BY:	BUB
SCALE:	AS SHOWN

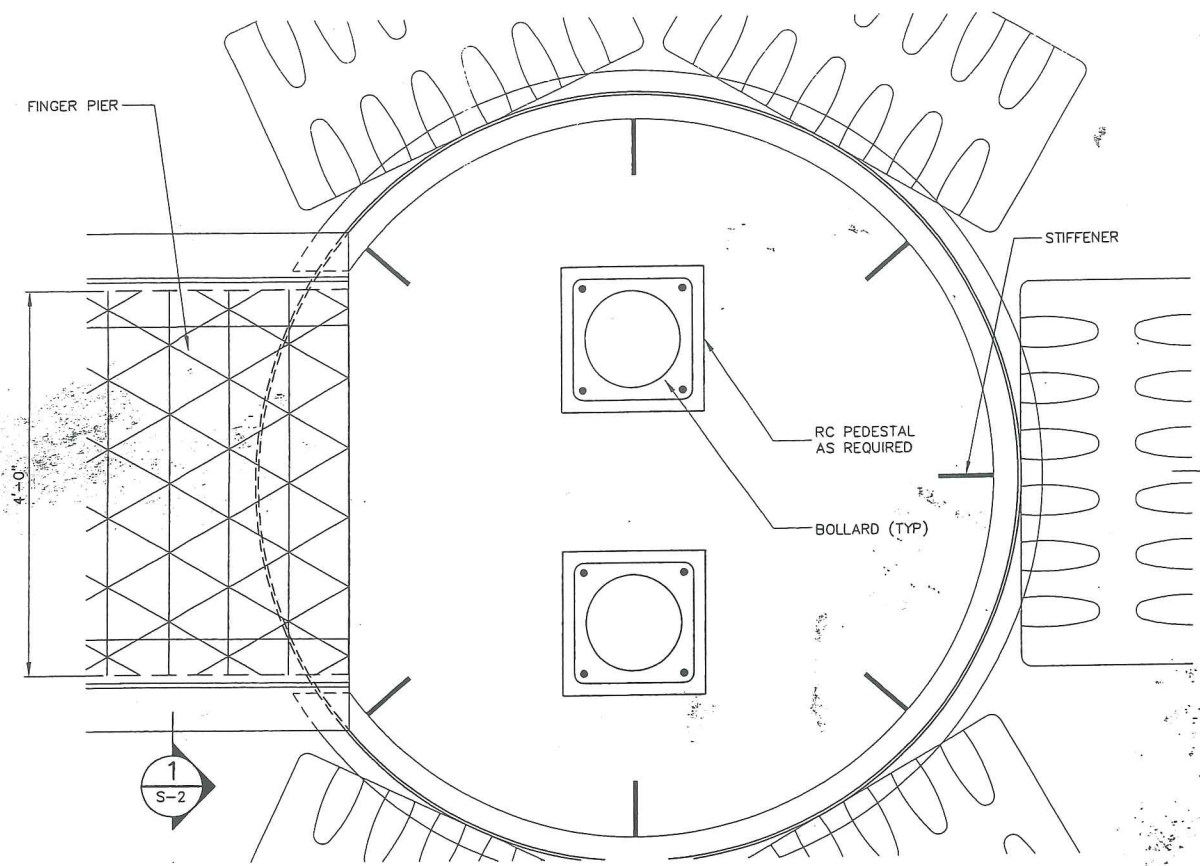
STATE OF MAINE
 BARNEY J. BAKER
 No. 5737
 LICENSED PROFESSIONAL ENGINEER

FINGER PIER PLAN & PROFILE
 PROJECT: GENERAL MARINE CONSTRUCTION CORP., INC.
HOLYOKE WHARF - FINGER PIER
 PORTLAND, MAINE

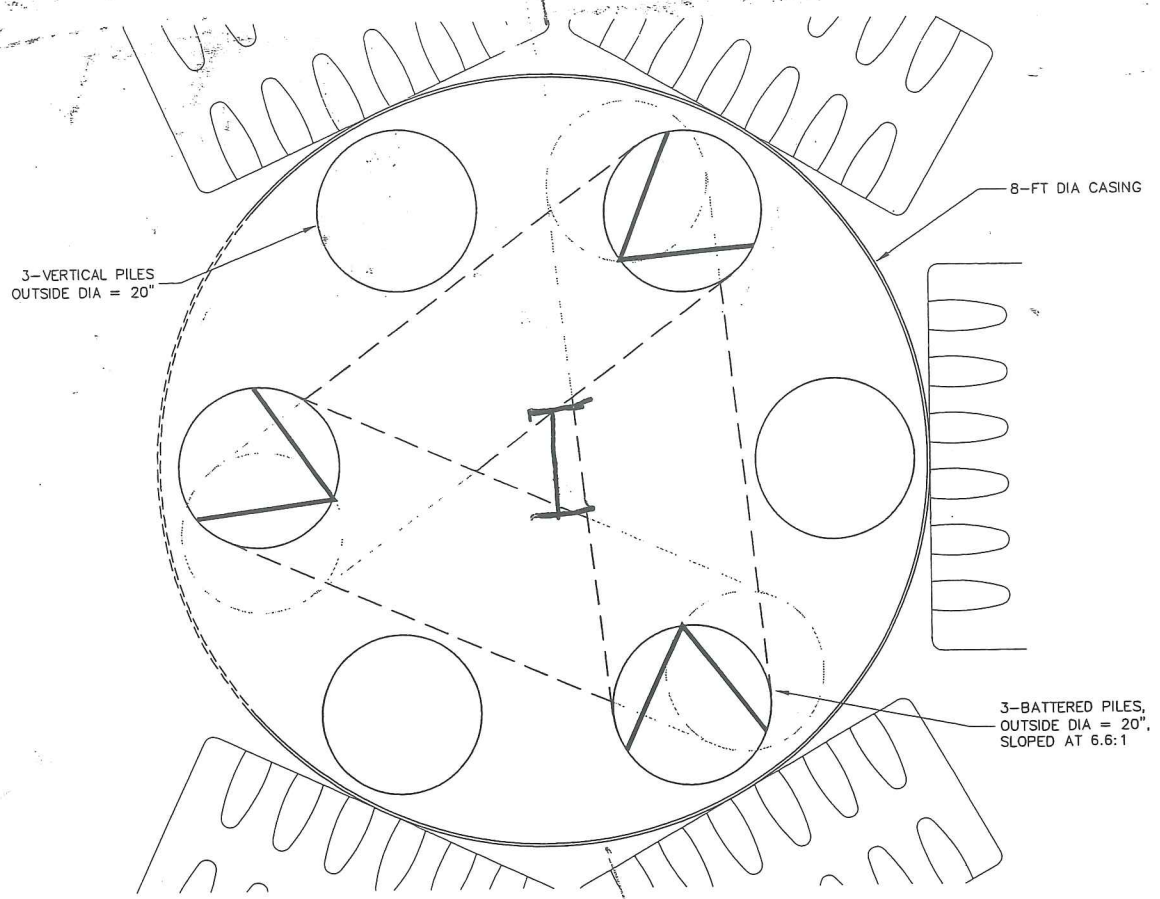
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CONTRACT NO.	07075
SHEET NO.	REV.
5-1	

PRELIMINARY

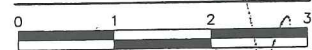
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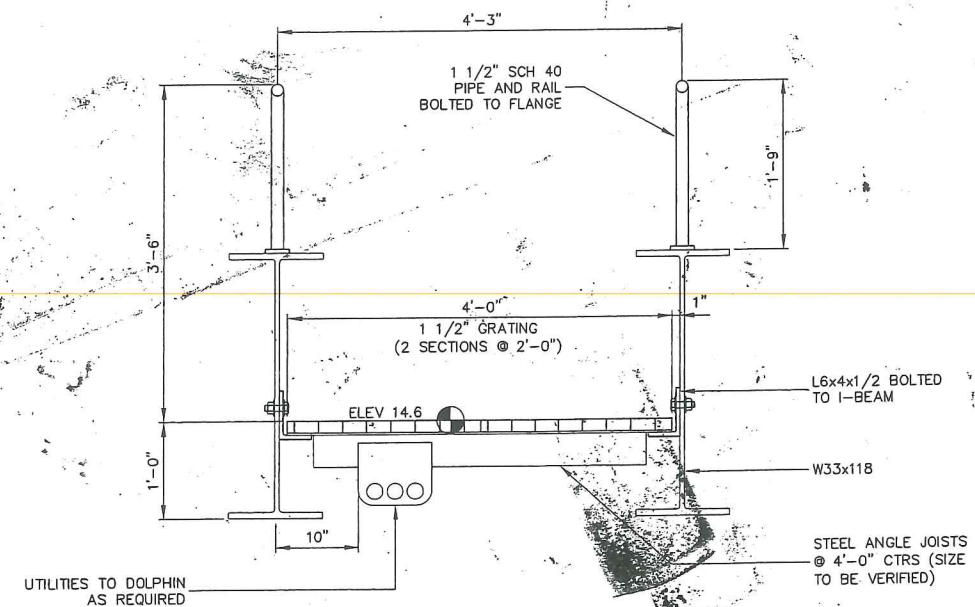
MOORING DOLPHIN PLAN DETAIL



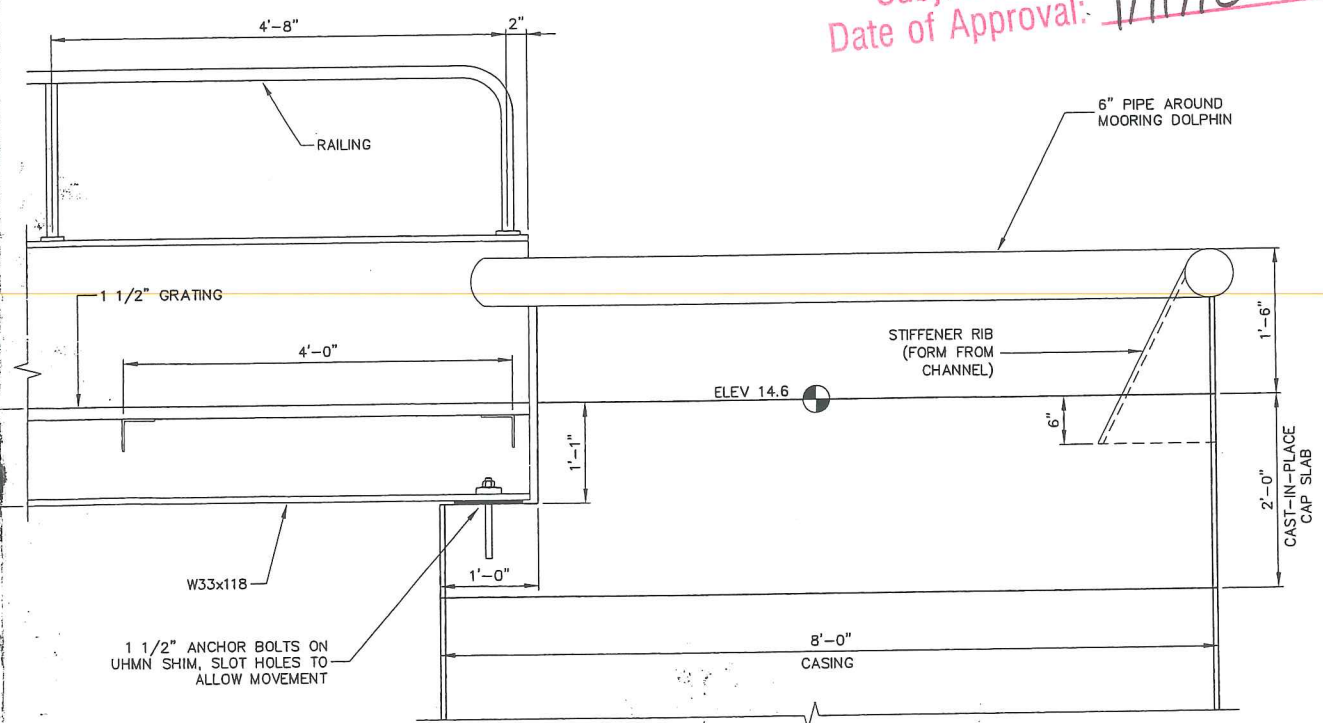
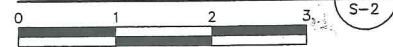
PILE LAYOUT DETAIL



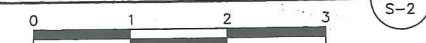
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GANGWAY SECTION



MOORING DOLPHIN SECTION



PRELIMINARY

BAKER DESIGN CONSULTANTS
Civil, Marine, and Structural Engineering
11 Stony Brook Lane
Yarmouth, Maine 04096 Tel: (207) 846-9784 Fax: (207) 846-0620

DESIGNED BY:	BJB
DRAWN BY:	MSH
CHECKED BY:	BJB
SCALE:	AS SHOWN

STATE OF MAINE
BARNEY J. BAKER
No. 5737
LICENSED PROFESSIONAL ENGINEER

NO.	1	DATE	10.01.08	INT.
NO.	2	DATE	10.25.08	BUB
SUBMISSION		Preliminary Approval		
PROGRESS REVIEW		10.25.08		BUB

SHEET TITLE: TYPICAL SECTION

PROJECT: GENERAL MARINE CONSTRUCTION CORP., INC.
HOLYOKE WHARF - FINGER PIER
PORTLAND, MAINE

DATE: 07-16-08
CONTRACT NO.: 07075

SHEET NO. 5-2 REV.