

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land Quality Control
State House Station 17

—
Augusta, Maine 34333
Tel: (207) 287-2111

FOR DEP USE

#L- _____

Date Received _____

NOTIFICATION OF APPLICATION ACCEPTANCE
MUNICIPAL REVIEW OF DEVELOPMENT
(38 M.R.S.A. Section 489-A)

This form is to be used by a registered municipality to notify the Department upon the acceptance of an application for review pursuant to 38 M.R.S.A. Section 489-A. This form must be received by the Department within 14 days of acceptance of an application. The municipality must also submit one copy of the project application and one copy of the record of review and action.

If the application which is the subject of this notice should subsequently be amended during the review process, this form should also be used to submit notice to the Department of the amendment.

Municipality: Portland

Contact Person: Bill Needelman, senior Planner
Address/Phone: Planning Office, City Hall,
 389 Congress Street
 Portland ME 04101
 207-874-8722

Project Applicant: New Yard, LLC
Address/Phone: 58 Fore Street
 Portland, Maine 04101
 207-774-1067

Title of Project: Canal Landing

Date Accepted as Complete by Municipality: August 27, 2012

- I. Type of Project for which permit is sought: (Check One)
- _____ Subdivision as described in section 482, subsection 5 of more than 20 acres but less than 100 acres;
- X Structure as described in section 482, subsection 6, paragraph B, in excess of 3 acres but less than 7 acres;
- _____ Excavation on more than 5 acres of land for borrow, topsoil, clay or silt, whether alone or in combination as described in section 482, subsection 2-B.

II. Description of Project. (Include number of units or lots, parcel size, footprint, etc.)

Construction of a boat yard is proposed along the Fore River on +/-22 acres of previously developed industrial land. The proposal includes a new +/-20, 000 sq ft maintenance building and attached office trailer, a yacht brokerage building, two boat ramps to the Fore River, a boat hauling travel lift with excavated basin, and a fully graded yard with drainage infrastructure. An existing propane gas distribution facility will remain active on-site. The site will use two existing vehicle entrances to West Commercial Street.

The project is subject to review under the Waterfront Port Development Zone, Site Plan, Shoreland, Flood Plain, and Conditional Use (marine retail in the WPDZ) standards of the landuse code. The project request to be reviewed under delegated local authority for a Site Location of Development permit. The subject review is limited to the first phase of development and additional reviews may be required for later phases.

III. Submit as attachments to this form:

- A. One copy of complete application filed with municipality (include site plans);
To be provided by Applicant under separate cover
- B. Identification of any outside review agents or consultants who will be performing reviews of any aspect of the application;

Army Corps of Engineers, Portland Harbor Commission, Maine Dept. of Conservation (submerged lands), Maine DEP (VRAP), and Maine DEP (NRPA).
- C. One copy of the legal notices served by the municipality.

NOTE: APPLICANT IS ADVISED TO REVIEW THE NATURAL RESOURCES PROTECTION ACT 38 M.R.S.A. SECTIONS 480-A 480-U (N.R.P.A.) TO ENSURE CONSISTENCY WITH THAT LAW. THE MUNICIPALITY'S DELEGATED REVIEW AUTHORITY PURSUANT TO 38 M.R.S.A. SECTION 489-A DOES NOT EXTEND TO THE N.R.P.A. IF AN N.R.P.A. PERMIT IS NECESSARY IT MUST BE OBTAINED FROM THE DEPARTMENT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

City of: Portland, Maine

Date: November 5, 2012

By:

Printed Name: Bill Needelman

Title: Senior Planner