



Paul R. LePage
GOVERNOR

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

William H. Beardsley
COMMISSIONER

February 15, 2013

Municipal Officials
City of Portland
Corporate Counsel Office
389 Congress St
Portland ME 04101

RE: New Yard, LLC Boatyard Proposal

Dear Municipal Officials:

The Division of Parks and Public Lands (Division), within the Maine Department of Agriculture, Conservation and Forestry, has received an application from New Yard, LLC to construct a boatyard with waterfront structures that would extend over submerged lands in Portland Harbor.

Under the Division's standard review procedure, this correspondence is to provide the municipality with an opportunity to comment on any impacts the project may have as described in the enclosed NOTICE. Although this letter is addressed to the municipal officials, any interested party or anyone who is knowledgeable about the area is welcome to comment. If the municipality has a harbor committee, port authority, or other organization that has responsibility for reviewing coastal activities, please provide them with a copy of this NOTICE.

Please post the enclosed NOTICE in the municipal office. Comments must be received by the Division on or before March 15, 2013. Thank you.

Sincerely,

Carol DiBello
Submerged Lands Coordinator
Department of Agriculture, Conservation and Forestry
www.maine.gov/acf

Enc: Notice
cc: Harbormaster w/ enclosure



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NOTICE

Applicant: New Yard, LLC

Proposal: Construction of a commercial boatyard with three float systems and two boat ramps that would extend beyond the mean low-water mark on submerged lands.

Location: Fore River, 58 Fore Street, Portland

The Division of Parks and Public Lands (Division) has received an application to occupy submerged lands for the project described above. Pursuant to Title 12 M.R.S.A., Section 1801 & 1862, the Division serves as trustee of submerged lands for the State of Maine. Submerged lands include all land from the mean **low-water** mark seaward to the 3-mile territorial limit including all land below the mean **low-water** mark of tidal rivers upstream to the farthest natural reaches of the tides.

Before the proposal may take place, the applicant must obtain a lease or easement from the Division. A lease or easement may be granted for the project if it will not:

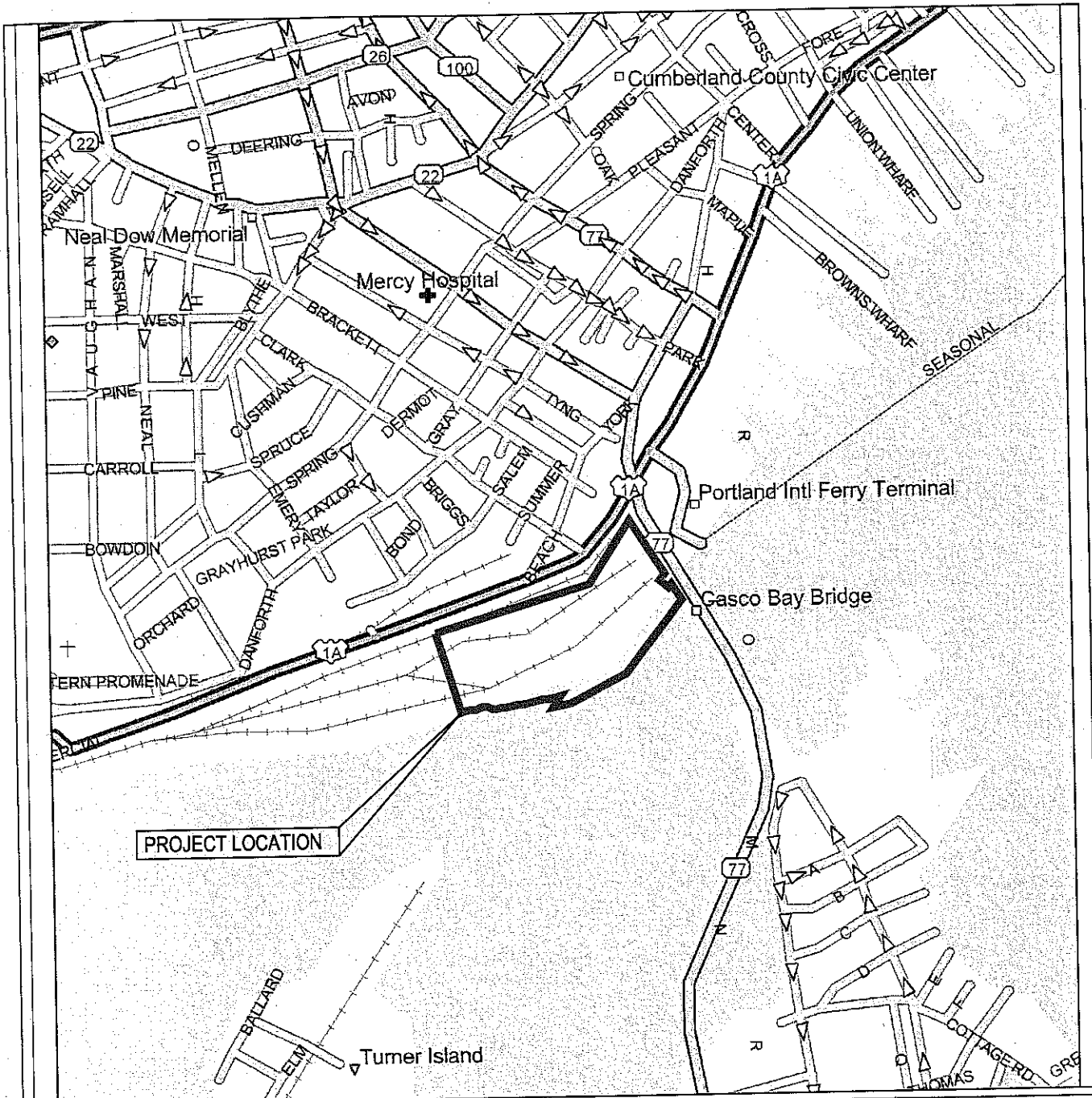
- unreasonably interfere with customary or traditional public access ways to, or public trust rights (fishing, fowling, recreation, and navigation) in, on or over the submerged lands;
- unreasonably interfere with fishing or other existing marine uses of the area;
- unreasonably diminish the availability of services and facilities necessary for commercial marine activities; and
- unreasonably interfere with ingress and egress of riparian owners.

A copy of the site plan is attached for information. Any interested party or anyone who is knowledgeable about the area is welcome to comment on possible impacts to the activities listed above. **Comments must be received on or before MARCH 15, 2013.**

For more information, please contact Carol DiBello, Division of Parks and Public Lands.
Phone: (207) 287-4922
Fax: (207) 287-6170
Email: carol.dibello@maine.gov

cc: Department of Marine Resources

Please note that all comments received are part of the public record and subject to the State of Maine Freedom of Access laws.



**LOCATION MAP
CANAL LANDING
PORTLAND, MAINE**

SOURCE: DELORME STREET ATLAS USA 5.0 © 1997

DeLuca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207-775-1121
www.delucahoffman.com

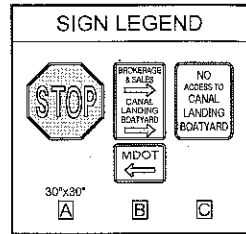
DRAWN: BEK
CHECKED: SRB
DATE: JULY 2012
FILENAME: LOCMAP.DWG
SCALE: 1" = 1000'

FIGURE
1

PHASE 1 TO INCLUDE:

- PREPARE ENTIRE SITE FOR CONSTRUCTION INCLUDING CLEARING OF EXISTING VEGETATION.
- CONSTRUCTION OF 19,200 SF CLEAR SPAN BUILDING.
- CONSTRUCTION OF 22,417 SF OPERATIONS BUILDING.
- CONSTRUCTION OF 720 SF BROKERAGE SERVICE BUILDING.
- PLACEMENT OF FENCE ALONG PORTION OF COMMERCIAL STREET.
- CREATION OF COMBINED ACCESS DRIVE FROM COMMERCIAL STREET WITH GATES BENEFITING MDOT AND CANAL LANDING.
- CONSTRUCTION OF 275,622 SF OF GRAVEL / STONE BOAT STORAGE / TRAVEL AREAS.
- CONSTRUCTION OF STORM WATER MANAGEMENT AREAS TO SERVE PHASE 1 DEVELOPMENT.
- CONSTRUCTION OF BOAT RAMPS, FLOATING DOCKS, DRY DOCK AND TRAVEL LIFT BASIN (TRAVEL LIFT SUBJECT TO COORDINATION WITH UNTIL VRAP).
- EXTENSION OF UTILITIES TO SERVICE THE PROPOSED BUILDING.
- COORDINATION WITH GAS COMPANY INFRASTRUCTURE DEMOLITION, REMOVAL AND OR RELOCATION.
- CONSTRUCTION OF THREE CONCRETE WASHDOWN AREAS.

LAYOUT TABLE		
PNT NO.	NORTHING	EASTING
1	296027.94	2927967.14
2	296162.73	2928063.35
3	296060.92	2927573.82
4	296079.62	2927569.71
5	295575.10	2927547.90
6	295579.02	2927508.09

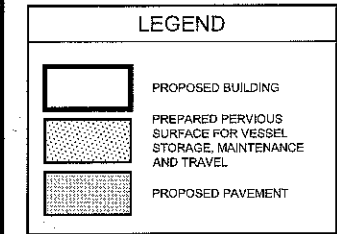
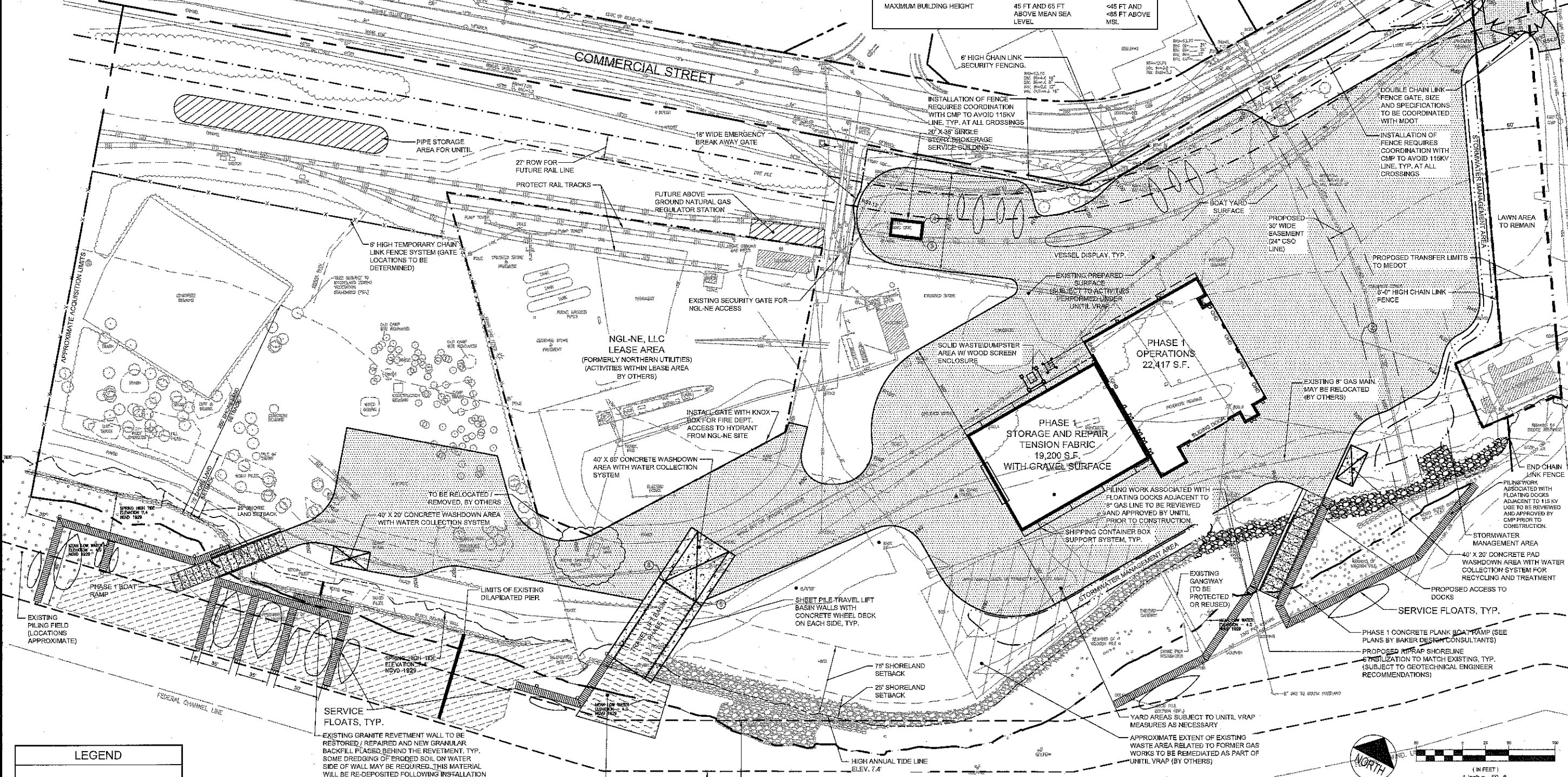


ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)
 PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	22.0 AC
MINIMUM LOT FRONTAGE	NONE	±1525 FT
MINIMUM YARD DIMENSIONS		
FRONT	NONE	±4578 FT
SIDE	NONE	±150 FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	>100 FT
MAXIMUM LOT COVERAGE	100%	<20 %
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

PEDESTRIAN ACCESS TO BE IDENTIFIED BY SIGNAGE AND PAVEMENT MARKINGS UP TO INT. CROSSWALK ALONG SOUTH SIDE OF COMMERCIAL STREET.
 2'-0" WIDE GRIND FOR CONNECTION TO PAVEMENT ON COMMERCIAL STREET
 PHASE 1 PRIMARY TRUCK ENTRANCE FOR BOAT HAULING AND LAUNCHING VIA BOAT RAMPS AND TRAVEL LIFT
 CANAL BOAT YARD/MDOT SIGN
 40'-0" WIDE DOUBLE SWING GATE FOR BOAT YARD WITH KNOX BOX FOR FIRE DEPT. ACCESS
 STORMWATER MANAGEMENT AREA
 BEGIN CHAIN LINK FENCE



PRELIMINARY - NOT FOR CONSTRUCTION

NORTHERN UTILITIES, INC. d/b/a UNTIL WILL CONTINUE TO MAINTAIN, STORE, OPERATE, REPLACE, AND MODIFY ITS ABOVEGROUND AND BELOW-GROUND NATURAL GAS FACILITIES ON THE SITE, AND MAY CONSOLIDATE, RELOCATE, OR OTHERWISE MODIFY ITS FACILITIES ACCORDING TO ITS NEEDS, IN COLLABORATION WITH NEW YARD INCLUDING PIPE STORAGE.

REV	DATE	DESCRIPTION
5	12.27.12	REVISED SERVICE FLOAT LAYOUT
4	12.05.12	REVISED AND RESUBMITTED TO CITY
3	11.30.12	PROGRESS PLAN TO CLIENT FOR REVIEW
2	10.31.12	FINAL SITE PLAN APPLICATION SUBMISSION
1	08.10.12	SUBMITTED TO CLIENT FOR REVIEW

P.E. STEPHEN R. BUSHEY
 LIC. #7429

PROJECT: CANAL LANDING
 SHEET TITLE: SITE DEVELOPMENT PLAN PHASE 1
 CLIENT: NEW YARD LLC
 58 FORD STREET
 PORTLAND, ME 04101

DeLUCA-HOFFMAN ASSOCIATES, INC.
 775 MAIN STREET, SUITE 8
 SOUTH PORTLAND, ME 04106
 207.775.1121
 WWW.DELUCAHOFFMAN.COM

DRAWN: CMW DATE: APR 2012
 DESIGNED: RJV SCALE: 1" = 50'
 CHECKED: SRE JOB NO. 3091
 FILE NAME: 3091-SITE LAYOUT-ALT
 SHEET: C-2.1

FL3091-Cadd\Plan\Site\3091-SITE LAYOUT-ALT.dwg c:\deluca\1192013 10:29 AM