

83E-A-12

2011-204

190 W. Shore Rd.: GDI

Slope Stabilization

Richard McGabrick



PORTLAND MAINE

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

Planning and Urban Development Department
Penny St. Louis, Director

Planning Division
Alexander Jaegerman, Director

April 26, 2011

Richard J. McGoldrick
100 Sliver Street
Portland, ME 04101

Kenneth Wood, PE
Attar Engineering, Inc.
1284 State Road
Eliot, ME 03903

Project Name: Slope Stabilization
Project ID: 2011-206
Address: 190 W. Shore Road, Great Diamond Island
CBL: 083E-A-012
Applicant: Richard McGoldrick
Planner: Shukria Wiar

Dear Mr. McGoldrick:

On April 25, 2011, the Planning Authority approved a minor site plan for slope stabilization at 190 W. Shore Road on Great Diamond Island as submitted by and shown on the approved plan prepared by Kenneth Wood of Attar Engineering and dated February 18, 2011 with the following conditions:

1. The applicant shall submit approval letters from the Department of Environmental Protection prior to the pre-construction meeting.
2. There shall be no clear cutting or elimination of undergrasses.
3. There shall be no stairs or other pathways to the shore as part of this approval.
4. The applicant shall submit a landscaping plan, prior to the pre-construction meeting that shows the location, size and species of plants along the proposed slope to help mitigate future erosion and naturalize the site. The plants shall be native species.

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. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in 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 Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division; separate building permits are required because the improvements are entirely within the restrictive Shoreland Zoning area.

3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements (particularly the erosion control and site stabilization measures for this project) and inspection fee payment of 2.0% of the guarantee amount must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. Four (4) final sets of plans and one digital set must be uploaded prior to the scheduling of the pre-construction meeting. 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. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held 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 Development Review Coordinator will confirm that the contractor is working from the approved site plan. 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. **Department of Public Services Permits** 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 the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. 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 there are any questions, please contact Shukria Wiar at (207) 756-8083 or shukriaw@portlandmaine.gov

Sincerely,



Alexander Jaegerman
Planning Division Director

Attachments:

1. Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development Department
Alexander Jaegerman, Division Director, Planning
Barbara Barhydt, Development Review Services Manager, Planning
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Plan Reviewer, Inspections Division
Lannie Dobson, Administration, Inspections Division
Michael Bobinsky, Director, Public Services
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Jane Ward, Administration, Public Services
Capt. Keith Gautreau, Fire Department
Jeff Tarling, City Arborist, Public Services
Tom Errico, P.E., T.Y. Lin Associates
Dan Goyette, P.E., Woodard & Curran
Assessor's Office
Approval Letter File

City of Portland
Development Review Application
Planning Division Transmittal form

Application Number: 2011-207 **Application Date:** 3/23/2011 12:00:00 AM
Project Name: Shoreline Stabilization (rip-rap placement)
Address: 190 W. Shore Drive (lot 16) – Diamond Cove, Great Diamond Island
Project Description:
Zoning:
Other Reviews Required: Shoreland
Review Type: Level II

Distribution List:

<input type="checkbox"/> Planner		<input type="checkbox"/> Parking	John Peverada
<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"/> Stormwater	Dan Goyette	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input type="checkbox"/> Fire Department	Keith Gautreau	<input type="checkbox"/> Inspections	Tammy Munson
<input type="checkbox"/> City Arborist	Jeff Tarling	<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:

Final Comments needed by:

*Detail - clarify depth of stone - but top -
 - DRC approval?
 note # - separated from natural ground?
 Specify each layer of riprap*

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

1. Name of Applicant:		Richard McGoldrick		5 Name of Agent: (if applicable)		Attar Engineering, Inc. Kenneth A. Wood, P.E.	
2. Applicant's Mailing Address:		100 Silver Street Portland ME 04101		6 Agent's Mailing Address:		1284 State Road Eliot, ME 03903	
3. Applicant's Daytime Phone #:		(207) 774-1885		7 Agent's Daytime Phone #:		(207) 439-6023	
4 Applicant's Email Address Required from <i>either</i> applicant or agent:				8. Agent's Email Address: ken@attarengineering.com			
9. Location of Activity: (Nearest Road, Street, Rt.#)		West Shore Drive #190		10. Town:		Great Diamond Island	
				11. County:		Cumberland	
12A. Significant Groundwater well?				<input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No			
12. Type of Resource: (Check all that apply)		<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource:		Seal Cove - Casco Bay Atlantic Ocean	
				14. Amount of Impact: (Sq.Ft.)		Fill: 625 S.F. Dredging/Veg Removal/Other: None	
15. Type of Wetland: (Check all that apply)		<input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input checked="" type="checkbox"/> Open Water <input type="checkbox"/> Other _____		FOR FRESHWATER WETLANDS			
				<i>Tier 1</i>		<i>Tier 2</i>	
				<i>Tier 3</i>			
				<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft. <input type="checkbox"/> 10,000-14,999 sq ft.		<input type="checkbox"/> 15,000 - 43,560 sq. ft. <input type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq ft., not eligible for Tier 1	
16. Brief Activity Description		Stabilization of eroded shoreline with rip-rap.					
17. Size of Lot or Parcel:		<input type="checkbox"/> square feet, or <input checked="" type="checkbox"/> 1.4 acres		UTM Northing: 43.6869		UTM Easting: -70.1983	
18. Title, Right or Interest:		<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement					
19. Deed Reference Numbers:		Book#: 11651 Page: 248		20. Map and Lot Numbers:		Map #:083E Lot #:A016	
21. DEP Staff Previously Contacted:		Lisa Vickers		22. Part of a larger project:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Resubmission of Application?		<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No → If yes, previous application #		Previous project manager:			
24. Written Notice of Violation?		<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No → If yes, name of DEP enforcement staff involved:		25. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
26. Detailed Directions to the Project Site:		CBL Ferry from Portland to Great Diamond Cove. Up Diamond Avenue to top of hill. Right to McKinley Court. Right around McKinley Court, left onto West Shore Drive, 1200 feet to #190 on right.					
TIER 1				TIER 2/3 AND INDIVIDUAL PERMITS			
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC				<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input checked="" type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the information listed under Site Conditions <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized			
				<input checked="" type="checkbox"/> Erosion Control/Construction Plan <input type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input type="checkbox"/> Appendix A and others, if required <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required			
28. FEES, Amount Enclosed:		\$430.00					

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2



PORTLAND FIRE DEPARTMENT
SITE REVIEW
FIRE DEPARTMENT CHECKLIST



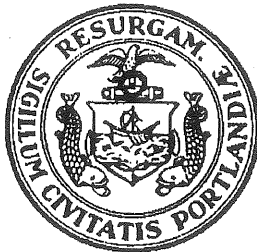
A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

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
 - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
7. Hydrant locations
8. Water main[s] size and location
9. Access to all structures [min. 2 sides]
10. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.

Some structures may require Fire flows using annex H of NFPA 1

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)

Chart Block Lot Number: _____

Proposed Use: _____

Previous Use: _____

Existing Sanitary Flows: _____ GPD

Existing Process Flows: _____ GPD

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

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 _____

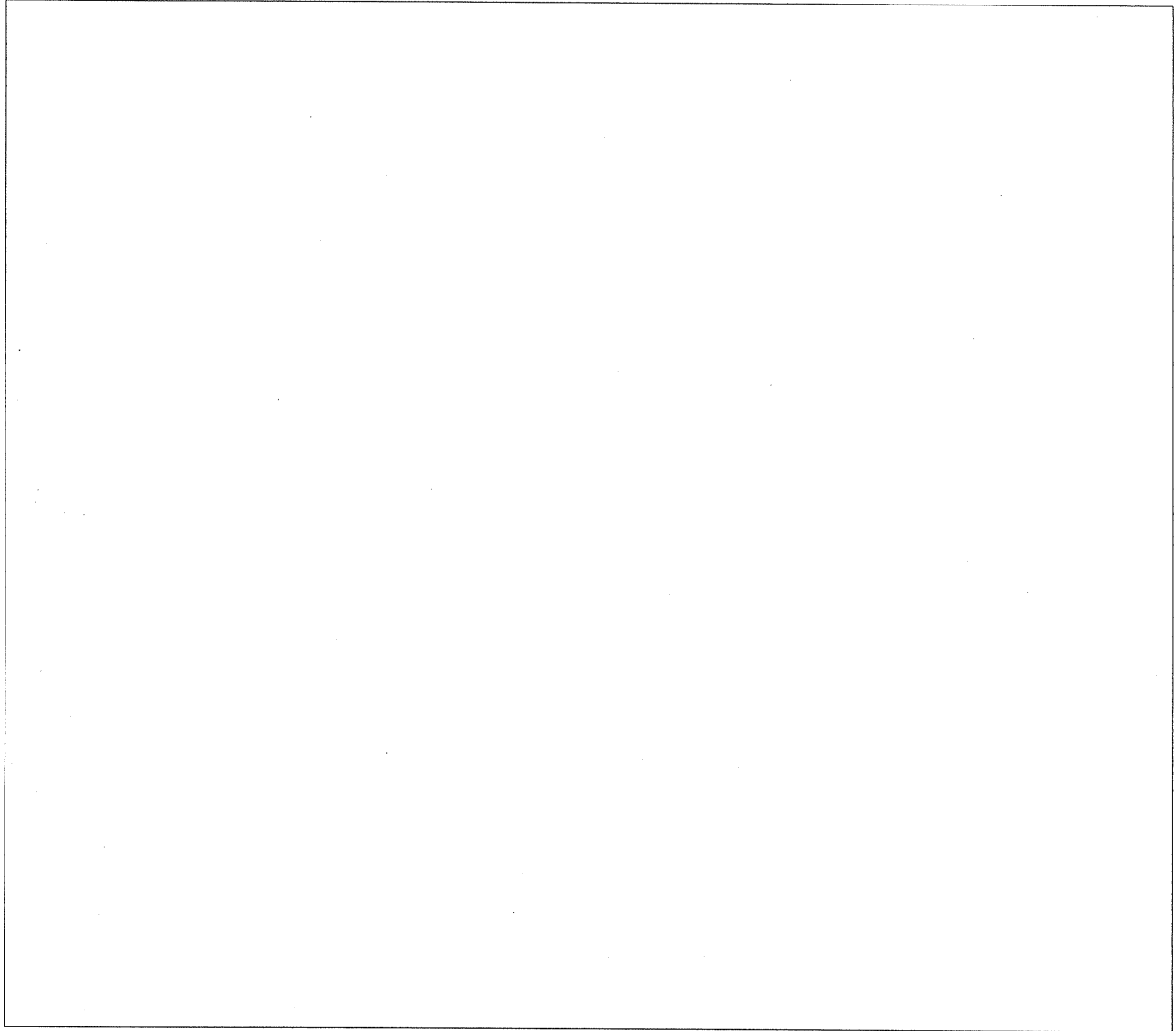
Is the process wastewater termed categorical under CFR 40? Yes _____ No _____

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

Peaking Factor/Peak Process Times: _____

Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

Notes, Comments, or Calculations:



Richard McGoldrick
100 Silver Street
Portland, ME 04101

Ms. Marybeth Richardson
Department of Environmental Protection
312 Canco Road
Portland, Maine 04103

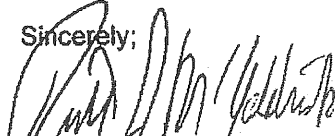
March 7, 2011

Dear Ms. Richardson:

Please be informed that Kenneth A. Wood, P.E. of Attar Engineering, Inc. will be acting as my agent for the NRPA application for rip-rap placement on Lot 16, Diamond Cove, Great Diamond Island, Maine.

Please contact me if I can provide any additional information.

Sincerely;



Richard McGoldrick

cc: Kenneth A. Wood, P.E. Attar Engineering, Inc.

60499

WARRANTY DEED

MAINE REAL ESTATE TAX PAID

MCKINLEY PARTNERS LIMITED PARTNERSHIP, a Maine limited partnership with a place of business in Portland, Maine and a mailing address of 261 Commercial Street, Suite 101, Portland, Maine 04101 (the "Grantor"), for consideration paid, grants to RICHARD J. MCGOLDRICK and CAROLYN C. MCGOLDRICK of Cape Elizabeth, Maine (the "Grantees"); whose mailing address is 100 Silver Street, Portland, Maine 04101, with Warranty Covenants, as joint tenants, certain real estate situated on Great Diamond Island in Portland, Cumberland County, Maine, more particularly described as follows:

A certain lot or parcel of land, together with any buildings and improvements thereon, situated on Great Diamond Island in the City of Portland, County of Cumberland and State of Maine and being Lot No. 16 as shown on Sheet 4A of a plan entitled "Amended Recording Plat, Diamond Cove Phase II, Great Diamond Island, Portland, Maine", dated July 9, 1991, and recorded in the Cumberland County Registry of Deeds in Plan Book 191, Pages 143 through 145 (the "Plan"), to which Plan and the record thereof reference can be made for a more particular description of the within conveyed premises.

The above described premises are conveyed together with and subject to the covenants, conditions, restrictions, rights, easements, charges, liens and other matters set forth or referred to in an Amended and Restated General Declaration of Covenants and Restrictions dated December 23, 1993 and recorded in said Registry of Deeds in Book 11277, Page 322, including Exhibit A thereto (the "Declaration"). The above described premises are further conveyed subject to all other matters of record.

Also hereby conveying to the within Grantees, all of the Grantor's right, title and interest in and to the adjacent inter-tidal zone, defined as that area lying between the sidelines of the above-described premises extended seaward to mean low water mark; said inter-tidal area being subject, however, to the use Restrictions appearing in Articles 4 and 5 of the Declaration.

Particular reference is also made to the terms and conditions of State of Maine Department of Environmental Protection Orders dated December 10, 1986 and recorded in said Registry of Deeds in Book 7585, Page 112, dated December 9, 1987 and recorded in said Registry of Deeds in Book 8848, Page 314, dated May 10, 1989 and recorded in said Registry of Deeds in Book 8772, Page 161, dated July 5, 1989 and recorded in said Registry of Deeds in Book 8833, Page 12, re-recorded in said Registry of Deeds in Book 8902, Page 118, dated October 12, 1989 and recorded in said Registry of Deeds in Book 8964, Page 155, dated February 8, 1990 and recorded in said Registry of Deeds in Book 9109, Page

292, and dated June 25, 1991 and recorded in said Registry of Deeds in Book 9641, Page 287.

Being a portion of the premises conveyed to the Grantor by deed of Diamond Cove Associates dated December 17, 1993 and recorded in said Registry of Deeds in Book 11199, Page 237.

Further reference is made to an Assignment of Declarant Rights from Diamond Cove Associates to the Grantor dated December 17, 1993 and recorded in said Registry of Deeds in Book 11199, Page 247.

IN WITNESS WHEREOF, McKinley Partners Limited Partnership has caused this instrument to be executed by its General Partners, Useppa North Corp., by Stuart J. McCampbell, its President, and David H. Bateman, thereunto duly authorized, this 27 day of September, 1994.

MCKINLEY PARTNERS LIMITED PARTNERSHIP a Maine limited partnership

By: [Signature]
David H. Bateman
Its General Partner

By: USEPPA NORTH CORP., a Maine corporation, Its duly authorized General Partner

By: [Signature]
Stuart J. McCampbell
Its President

[Signature]
Witness

[Signature]
Witness

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

September 27, 1994

Then personally appeared before me the above-named David H. Bateman, General Partner of McKinley Partners Limited Partnership, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said McKinley Partners Limited Partnership.

Before me,
[Signature]
Notary Public
Attorney at Law

Lillian P. Letendre-Normand
Type or Print Name

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

September 16, 1994

Then personally appeared before me the above-named Stuart J. McCampbell, President of Useppa North Corp., General Partner of McKinley Partners Limited Partnership, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Useppa North Corp. and said McKinley Partners Limited Partnership.

Before me,

John H. Smith
Notary Public
Attorney at Law

Ronald N. Wick
Type or Print Name

DAR06772

RECEIVED

CLERK OF COURTS

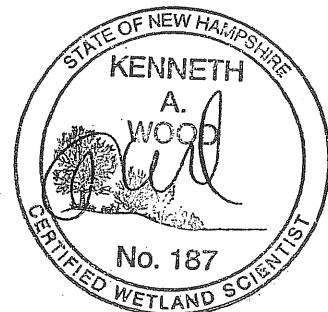
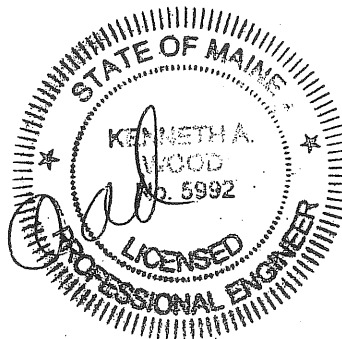
94 SEP 30 PM 4: 08

CUMBERLAND COUNTY

-3- *John B. Blawie*

ATTACHMENT 1 – ACTIVITY DESCRIPTION

This application proposed to stabilize an existing eroding slope; Lot 16, Diamond Cove, Great Diamond Island, Maine. The existing slope requires stabilization due to erosion caused by coastal storms during recent years. Rip-rap is proposed due to 1) the shallow to bedrock conditions which prohibit an adequate soil mantle, 2) ledge in adjacent areas, and 3) the presence of existing vegetation (shrubs and trees) at the top of the slope which prohibit regarding to a more gentler slope.; total rip-rap proposed is 625 S.F.



ATTACHMENT 7 – CONSTRUCTION PLAN

The anticipated construction plan follows, equipment required will be a back-hoe or excavator, trucks for rip-rap, small skid-steer for clean-up.

The area will be rough graded; cushion stone will be placed to allow for placement of the geotextile.

The large rip-rap materials will be placed.

All disturbed areas will be regarded; upland areas will be fertilized, seeded and mulched.

ATTACHMENT 8 – EROSION AND SEDIMENT CONTROL PLAN

Erosion control for the placement of rip-rap will require minimum Best Management Practices (BMP's) due to the nature of the materials and the location of the rip-rap. A siltation fence will be installed at the top of the slope to prevent the erosion and sedimentation of any disturbed soil materials. After the rip-rap installation is complete, all disturbed areas will be regarded, fertilized, seeded and mulched with a conservation seed mix. After establishment of the grasses (95% catch) the silt fence will be removed from the site.

ATTACHMENT 9 – SITE CONDITIONS REPORT

The site is located on the north-westerly side of Diamond Cove, Great Diamond Island, Maine adjacent to Casco Bay (Atlantic Ocean). The coastal wetland area is typical of the State of Maine and coastal islands – the shoreline is characterized by large edge outcrops, small boulders and cobbles and smaller areas of gravel beach. The wetland/upland boundary is located along the Highest Annual Tide (HAT). Upland soils are classified as fine sandy loams (Hollis (HrB) – Source: *Soil Survey of Cumberland County, Maine*). Vegetation is characterized by overstory species of red birch (*Betula nigra*) and silver maple (*Acer saccharinum*); the understory is a mix of grasses in upland areas.

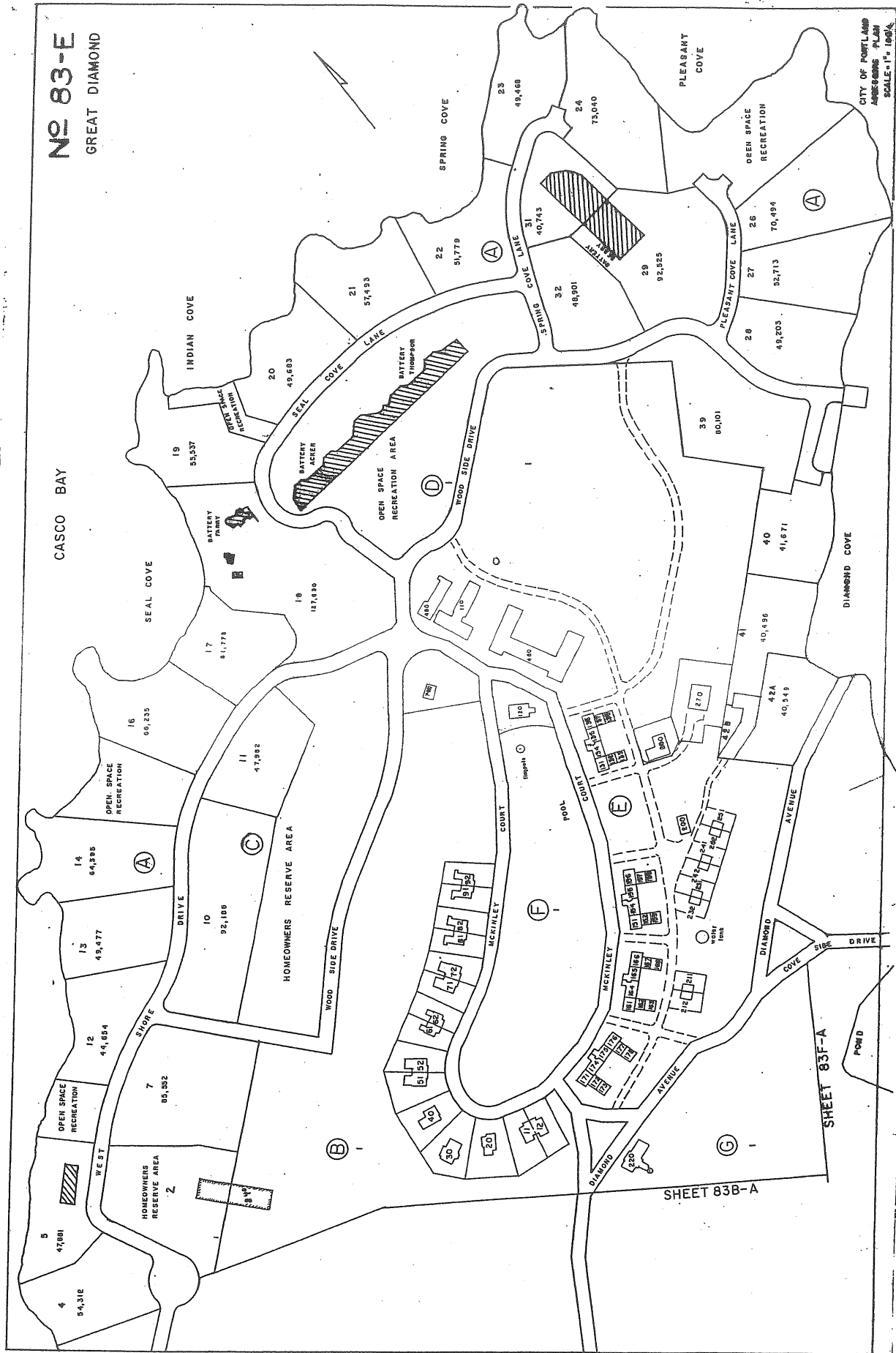
ABUTTERS TO LOT 16

Open Space: Diamond Cove Homeowners Ass'n.
P.O. Box 3572, Portland ME 04101

Map 083/Lot 11: 242 Newry Limited Partnership
100 Silver St.
Portland, ME 04101

Map 083/Lot 17: Jonathan Vaccaro and Edward Gatta, Jr.
128 High St.
Exeter, NH 03833

No 83-E
GREAT DIAMOND



CITY OF PORTLAND
 ASSESSORS PLAN
 SCALE = 1" = 100'
 RECORDED 4/24/87

SHEET 83F-A

SHEET 83B-A



Level II – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level II: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits. General information pertaining to the thresholds of review, public noticing procedures and the fee structure is contained in the Notice to Developer's Packet.

Level II: Site Plan Development includes:

- New structures with a total floor area of less than 10,000 sf except in Industrial Zones.
- New structures with a total floor area of less than 20,000 sf in Industrial Zones.
- Any new temporary or permanent parking area, paving of an unpaved surface parking area, or creation of other impervious surface area greater than 7,500 sf.
- Building addition(s) with a total floor area of less than 10,000 sf (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of less than 20,000 sf in Industrial Zones.
- Park improvements: New structures or buildings with a total floor area of less than 10,000 sf, facilities encompassing an area of greater than 7,500 sf and less than 20,000 sf (excludes rehabilitation or replacement of existing facilities).
- New piers, docks, wharves, bridges, retaining walls, and other structures within the Shoreland Zone.
- Land disturbance between 1 and 3 acres (includes stripping, grading, grubbing, filling or excavation).
- A change in the use of a total floor area between 10,000 and 20,000 sf in any existing building (cumulatively within a 3 year period).
- Construction of a lodging house, bed and breakfast facility, emergency shelter or special needs independent living unit.
- Signage subject to approval pursuant to Section 14-526 (d) 8.a. (IV) of the Land Use Code.
- Any new major or minor auto service station with less than 10,000 sf of building area that is outside the B-2 or B-5 zones.
- The creation of day care or home babysitting facilities to serve more than 12 children in a residential zone (not permitted as a home occupation under section 14-410) in any principal structure that has not been used as a residence within the 5 years preceding the application.

The Land Use Code (including Article V), the Technical Manual, and the Design Manual are available on the City's web site at <http://www.portlandmaine.gov/planning/default.asp> or copies may be purchased at the Planning Division Office.

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8721

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT NAME: Diamond Cove

PROPOSED DEVELOPMENT ADDRESS:

West Shore Drive #190

PROJECT DESCRIPTION:

To stabilize 625' of eroded shoreline with rip-rap.

CHART/BLOCK/LOT: 83E-A-16 **PRELIMINARY PLAN** _____ (date)
FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Richard J. McGoldrick Business Name, if applicable: Address: 100 Silver Street City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # (207) 774-1885 Home# Cell # Fax# e-mail:
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Attar Engineering, Inc. Kenneth A. Wood, P.E. Address: 1284 State Road City/State : Eliot, ME Zip Code: 03903	Agent/Representative Contact information Work # (207) 439-6023 Cell # e-mail: ken@attarengineering.com
Billing Information Name: Same as Agent/Representative Address: City/State : Zip Code:	Billing Information Work # Cell # Fax# e-mail:

Engineer Name: Attar Engineering, Inc. Address: Kenneth A. Wood, P.E. 1284 State Road City/State: Eliot Zip Code: 03903	Engineer Contact Information Work # (207) 439-6023 Cell # Fax# (207) 439-2128 e-mail: ken@attarengineering.com
Surveyor Name: Address: City/State: Zip Code:	Surveyor Contact Information Work # Cell # Fax# e-mail:
Architect Name: Address: City/State: Zip Code:	Architect Contact Information Work # Cell # Fax# e-mail:
Attorney Name: Address: City/State: Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

Level II Development (check applicable reviews) <input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)	Fees Paid (office use) 	Other Reviews (check applicable reviews) <input type="checkbox"/> Traffic Movement (\$1,000) <input type="checkbox"/> Stormwater Quality (\$250) <input type="checkbox"/> Section 14-403 Review (\$400 + \$25/lot) # of Lots ___ x \$25/lot = _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Change of Use <input type="checkbox"/> Flood Plain <input checked="" type="checkbox"/> Shoreland <input type="checkbox"/> Design Review <input type="checkbox"/> Housing Replacement <input type="checkbox"/> Historic Preservation	Fees Paid (office use)
The City invoices separately for the following: <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.			
Plan Amendments (check applicable reviews) <input type="checkbox"/> Planning Staff Review (\$250) <input type="checkbox"/> Planning Board Review (\$500)	Fees Paid (office use) 		

APPLICATION SUBMISSION

As of December 1, 2010, all site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Until December 1, 2010, **submissions shall include seven (7) packets with folded plans containing the following materials:**

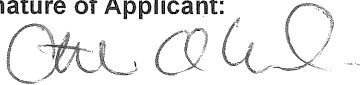
1. **Seven (7) full size site plans** that must be **folded**.
2. Seven (7) copies of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), 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 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 a Level II Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 3/17/2011
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PROJECT DATA

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

Total Site Area	66,255 sq. ft.
Proposed Total Disturbed Area of the Site	2,000 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	n/a sq. ft.
• Existing Total Impervious Area	n/a sq. ft.
• Proposed Total Impervious Area	n/a sq. ft.
• Proposed Total Impervious Area	n/a sq. ft.
• Proposed Impervious Net Change	0 sq. ft.
BUILDING AREA	
• Proposed Building Footprint	n/a sq. ft.
• Proposed Building Footprint Net change	n/a sq. ft.
• Existing Total Building Floor Area	n/a sq. ft.
• Proposed Total Building Floor Area	n/a sq. ft.
• Proposed Building Floor Area Net Change	0 sq. ft.
• New Building	NO (yes or no)
ZONING	
• Existing	IR-1/S
• Proposed, if applicable	IR-1/S
LAND USE	
• Existing	Residential
• Proposed	Residential
RESIDENTIAL, IF APPLICABLE	
• Proposed Number of Affordable Housing Units	n/a
• Proposed Number of Residential Units to be Demolished	n/a
• Existing Number of Residential Units	n/a
• Proposed Number of Residential Units	n/a
• Subdivision, Proposed Number of Lots	n/a
PARKING SPACES	
• Existing Number of Parking Spaces	n/a
• Proposed Number of Parking Spaces	n/a
• Number of Handicapped Parking Spaces	n/a
• Proposed Total Parking Spaces	n/a
BICYCLE PARKING SPACES	
• Existing Number of Bicycle Parking Spaces	n/a
• Existing Number of Bicycle Parking Spaces	n/a
• Proposed Number of Bicycle Parking Spaces	n/a
• Total Bicycle Parking Spaces	n/a
ESTIMATED COST OF PROJECT	

General Submittal Requirements – Preliminary Plan (Optional)

Level II Site Plan

Preliminary Plan Phase Check list (if elected by applicant)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Completed application form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Application fees
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Evidence of right, title and interest.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Copies of required State and/or Federal permits.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written assessment of zoning.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of existing and proposed easements or other burdens.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written requests for waivers from individual site plan and/or technical standards, where applicable.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase).
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of significant natural features located on the site.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of project's consistency with related city master plans.
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Preliminary Site Plan Including the following: (*information provided may be preliminary in nature during preliminary plan phase):
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b) 1. of the Land Use Code).

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- *Proposed alterations to and protection measures for significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).*
- *Existing and proposed easements or public or private rights of way.*

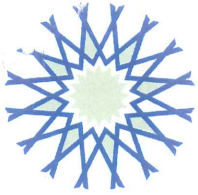
**General Submittal Requirements – Final Plan (Required)
Level II Site Plan**

Final Plan Phase Check list (including items listed above in General Requirements for Preliminary Plan, if applicant did not elect to submit for a preliminary plan review)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity.
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of utilities' capacity to serve the development.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual).
<input type="checkbox"/>	<input type="checkbox"/>	1	Construction management plan.
<input type="checkbox"/>	<input type="checkbox"/>	1	Traffic Plan (if development will (1) generate 100 or more PCE or (2) generate 25 or more PCE and is located on an arterial, within 1/2 mile of a high crash location, and/or within ¼ mile of an intersection identified in a previous traffic study as a failing intersection).
<input type="checkbox"/>	<input type="checkbox"/>	1	Stormwater management plan.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of solid waste generation and proposed management of solid waste.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of conformity with applicable design standards.
<input type="checkbox"/>	<input type="checkbox"/>	1	Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Final Plan Phase			
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Final Site Plan Including the following
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Existing and proposed structures on the site with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Location of adjacent streets and intersections and approximate location of structures on abutting properties.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed site access and circulation.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed grading and contours.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways. Proposed curb lines must be shown.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed loading and servicing areas, including applicable turning templates for delivery vehicles</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed snow storage areas or snow removal plan.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed trash and recycling facilities.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.</i>
<input type="checkbox"/>	<input type="checkbox"/>		▪ <i>Existing and proposed utilities.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, public transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Proposed septic system, if not connecting to municipal sewer. (Portland Waste Water Application included in this application)
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Proposed finish floor elevation (FFE).
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Exterior building elevation(s) (showing all 4 sides).
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Proposed stormwater management and erosion controls.
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Exterior lighting plan, including street lighting improvements..
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Proposed signage.
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Identification of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code). Wetlands must be delineated.
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Proposed alterations to and protection measures for of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Total area and limits of proposed land disturbance.
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Soil type and location of test pits and borings.
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Details of proposed pier rehabilitation (Shoreland areas only).
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Existing and proposed easements or public or private rights of way.



ATTAR

ENGINEERING, INC

CIVIL STRUCTURAL MARINE

Ms. Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

March 17, 2011
Project No.: C123-11

**RE: Diamond Cove – McGoldrick Lot 16
Level II Application**

Dear Ms. Barhydt:

I have enclosed a Level II application for shoreline stabilization (rip-rap placement) for Lot 16 at Diamond Cove, Great Diamond Island, Maine. It will require 625 S.F. of rip-rap.

Portions of the parcel must be stabilized to alleviate shoreline erosion.

Thank you for your consideration. Please contact me for any additional information.

Sincerely,

Kenneth A. Wood, P.E.
President

2011-205 – 124 W. Shore Drive (lot #12), Great Diamond Is

083E-A-012

IR-1

1. All work shall be approved by DEP prior to work commencement
2. Separate building permits are required through Inspection Services because this work is entirely within the restrictive Shoreland Zoning area.
3. There shall be no clear cutting or elimination of undergrasses with this permit.
4. No Stairs of other pathways to the shore are being approved with this permit.

Marge Schmuckal

Zoning Administrator

2011-207 – 190 W. Shore Drive (lot 16) Great Di Is

83-E-A-16

IR-1

1. All work shall be approved by DEP prior to work commencement.
2. Separate building permits are required through Inspection Services because this work is entirely within the restrictive Shoreland Zoning area.
3. There shall be no clear cutting or elimination of undergrasses with this permit.
4. No stairs or other pathways or structures to the shore are being approved with this permit.


Marge Schmuckal

Zoning Administrator

Shukria Wiar - Re: Condition of Approval for slope stab. projects

From: Jeff Tarling
To: Shukria Wiar
Date: 4/26/2011 9:08 AM
Subject: Re: Condition of Approval for slope stab. projects
CC: Barbara Barhydt; Marge Schmuckal

Hi Shukria -

That should work, we could say that the  proposed slope stabilization project should include a landscape element to help mitigate future erosion and naturalize the site. Including landscape planting into all slope / shoreland projects should be a standard, we are likely to face more of these projects as sea level changes.

Thanks,

Jeff

>>> Shukria Wiar 4/25/2011 4:20 PM >>>
Hello Jeff:

Will the following condition of approval work for you:



The applicant shall submit a landscaping plan that shows the location, size and species of plants along the proposed slope. The plants shall be native species.

Let me know what you think or if I should add anything else.

Thanks.

Shukria