

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

**CITY OF PORTLAND**

BUILDING INSPECTION

**PERMIT**

Permit Number: 090750

Please Read Application And Notes, If Any, Attached

This is to certify that ZIMMERMAN WILLIAM B. ATTORNEY AT LAW

has permission to Amendment to Permit. Extend existing piece 4'5"

AT 16 City View Rd 087-00007001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is lath or other work is set-in. 24 HOURS NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

PERMIT ISSUED

JUL 27 2009

CITY OF PORTLAND

OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

*Christy M. [Signature]* 7/27/09  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

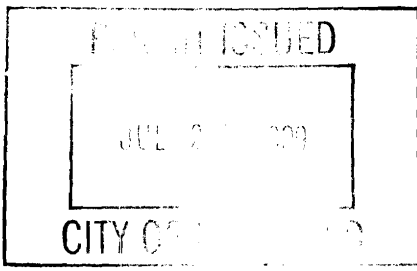
**City of Portland, Maine - Building or Use Permit Application**  
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 09-0750	Issue Date: 7/27/09	CBL: 087 00007001
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Location of Construction: 16 City View Rd <i>PI</i>	Owner Name: ZIMMERMAN WILLIAM B & PA	Owner Address: PO BOX 7637	Phone: 207-846-9724
Business Name:	Contractor Name: CUSTOM FLOAT SERVICES	Contractor Address: 36 UNION WHARF Portland	Phone: 2077723796
Lessee/Buyer's Name	Phone:	Permit Type: Amendment to Single Family	Zone: <i>IP2</i>

Past Use: Single Family Home	Proposed Use: Single Family Home - Amendment to Permit. Extend existing pier 34'5".	Permit Fee: \$370.00	Cost of Work: \$35,000.00	CEO District: 1
Proposed Project Description: Amendment to Permit. Extend existing pier 34'5". <i>\$07-0285</i>		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>Pier</i> Type: <i>F16</i> <i>IBC-2003</i> Signature: <i>el 7/27/09</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		

Permit Taken By: lmd	Date Applied For: 07/20/2009	<b>Zoning Approval</b>
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input checked="" type="checkbox"/> Shoreland <i>yes</i> <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Flood Zone <i>Panel 15</i> <input checked="" type="checkbox"/> Flood Zone <i>Zone A2</i> <input type="checkbox"/> Subdivision <i>(el 9)</i> <input checked="" type="checkbox"/> Site Plan <i>Amend old</i> <input type="checkbox"/> Maj <input type="checkbox"/> Minor <input checked="" type="checkbox"/> MM <i>09-09960002</i> Date: <i>7/27/09</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: _____	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: _____
		Date: <i>7/27/09</i>	

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 09-0750	<b>Date Applied For:</b> 07/20/2009	<b>CBL:</b> 087 00007001
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<b>Location of Construction:</b> 16 City View Rd	<b>Owner Name:</b> ZIMMERMAN WILLIAM B & PA	<b>Owner Address:</b> PO BOX 7637	<b>Phone:</b> 207-846-9724
<b>Business Name:</b>	<b>Contractor Name:</b> CUSTOM FLOAT SERVICES	<b>Contractor Address:</b> 36 UNION WHARF Portland	<b>Phone:</b> (207) 772-3796
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Amendment to Single Family	

<b>Proposed Use:</b> Single Family Home - Amendment to Permit. Extend existing pier 34'5".	<b>Proposed Project Description:</b> Amendment to Permit. Extend existing pier 34'5".
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 07/27/2009  
**Note:** Marge had requested The eng to sign and stamp the flloodplain appl. And permit s They have been provided. **Ok to Issue:**   
Ann M. Has reviewed

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Chris Hanson      **Approval Date:** 07/27/2009  
**Note:** **Ok to Issue:**   
1) At the completion of the work, a licensed engineer is required to sign off on the installation and that the structure is fit for occupation by the public.  
2) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.



AMENDMENT



# General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>14 CENTRAL STREET; PEAKS ISLAND</u>		
Total Square Footage of Proposed Structure/Area		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>087</u> Block# Lot# <u>004</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>WILLIAM B ZIMMERMAN</u> Address <u>14 CENTRAL ST.</u> City, State & Zip <u>PEAKS ISLAND MAINE 04108</u>	Telephone: <u>846-9724</u> <u>(PAKED DESIGN CONSULTANTS)</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>same</u> Address City, State & Zip	Cost Of Work: \$ <u>35,000</u> C of O Fee: \$ Total Fee: \$
Current legal use (i.e. single family) <u>SINGLE FAMILY</u> If vacant, what was the previous use? <u>NA</u> Proposed Specific use: Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>• EXTEND EXISTING DECK 341.5"</u> <u>• SUBSTITUTE 50-FT GANY WAY FOR 42-FT 2009</u> <u>• INCREASE FRONT SIDE TO 12-FT x 32-FT.</u>		
Contractor's name: <u>CUSTOM FLOOR SERVICES</u> Address: <u>PO BOX 7302; 36 UNION WHARF</u> City, State & Zip <u>BETHUNE, MAINE 04101</u> Telephone: <u>772-3990</u> Who should we contact when the permit is ready: <u>AGENT PAKED DESIGN CONSULTANTS</u> Telephone: <u>846-9724</u> Mailing address: <u>11 STONY BROOK LN. YARMOUTH, ME 04096</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

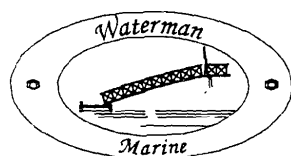
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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 Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

AGENT

Signature: Raney Palmer PE Date: 7.20.09

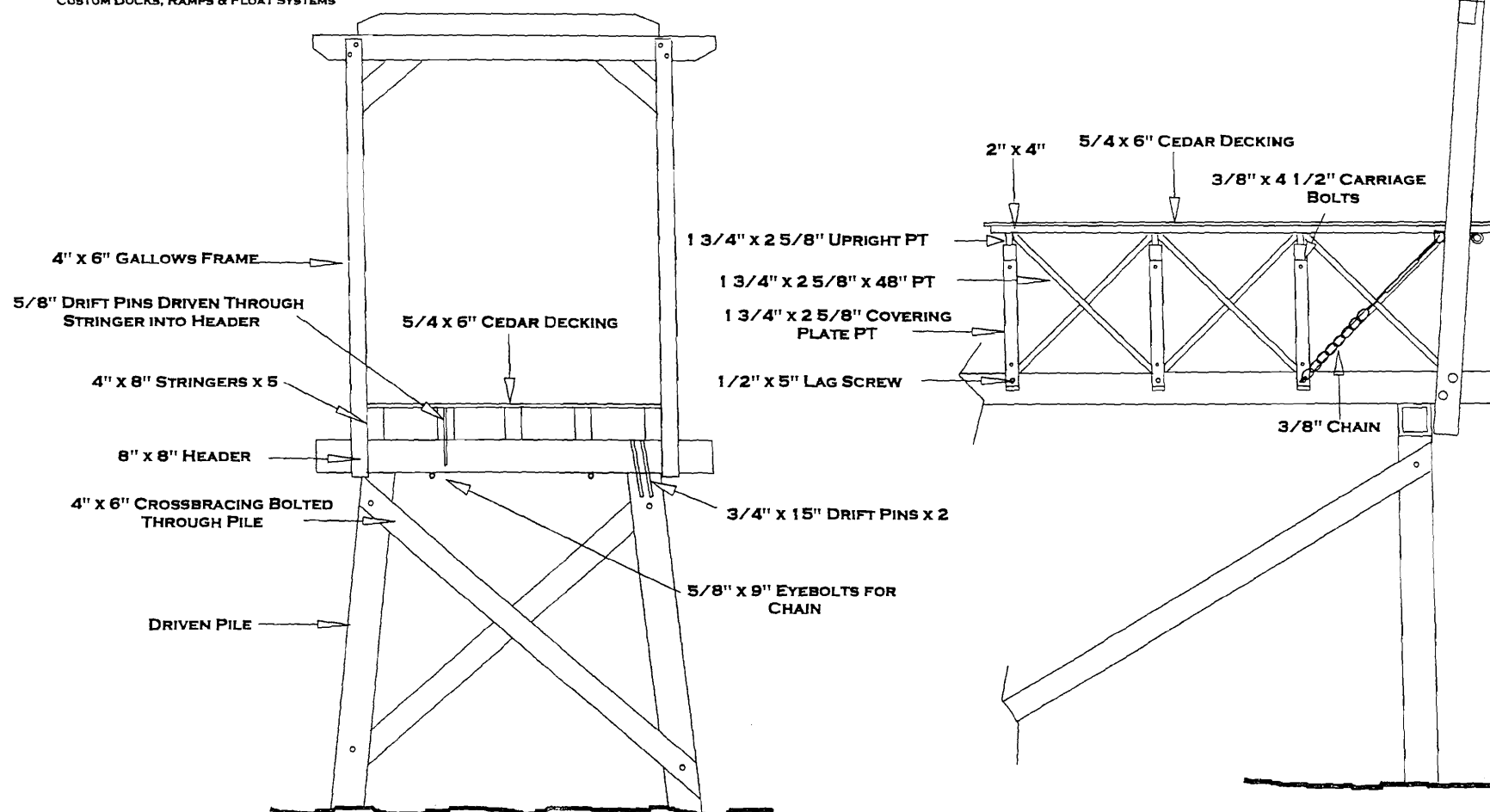
This is not a permit; you may not commence ANY work until the permit is issue



CUSTOM DOCKS, RAMPS & FLOAT SYSTEMS

# CONSTRUCTION PLAN

THIS DRAWING REMAINS THE PROPERTY OF WATERMAN MARINE (THE COMPANY) AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE COMPANY.



10/19/06





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

JUNE 17, 2009

**Planning Division**  
Alexander Jaegerman, Director

Barney Baker PE  
Baker Design Consultants  
11 Stony Brook Lane  
Yarmouth, Maine 04096

**Project Name:** Pier Extension; Amended Minor Site Plan; 14 Centennial St;  
William Zimmerman, Applicant  
**Project ID:** 09-99600002  
**Project Address:** 14 Centennial Street  
**Planner:** Shukria Wiar

Dear Applicant:

On June 17, 2009, the Portland Planning Authority approved an amended minor site plan for the Zimmerman Pier at 14 Centennial Street submitted by Barney Baker and shown on the approved plan prepared by Baker Design Consultants.

The approval is based on the submitted site plan dated 9.26.2008. 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 Board or the planning authority pursuant to the terms of this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by

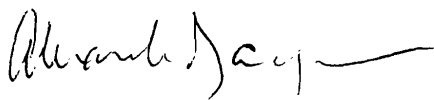
the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

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. An inspection fee payment \$300 and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan 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.

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 **Shukria Wiar** at **756-8083** or [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Sincerely,



Alexander Jaegerman, AICP  
Division Director  
Portland Planning Authority



**Attachments:**

**1. Performance Guarantee Packet**

**Electronic Distribution:**

Penny St. Louis Littell, Director of Planning and Urban Development

Alexander Jaegerman, Planning Division Director

Barbara Barhydt, Development Review Services Manager

Shukria Wiar, Planner

Philip DiPierro, Development Review Coordinator

Marge Schmuckal, Zoning Administrator

Tammy Munson, Inspections Division Director

Gayle Guertin, Inspections Division

Lisa Danforth, Inspections Division

Lannie Dobson, Inspections Division

Michael Bobinsky, Public Services Director

Kathi Earley, Public Services

Bill Clark, Public Services

David Margolis-Pineo, Deputy City Engineer

Todd Merkle, Public Services

Greg Vining, Public Services

John Low, Public Services

Jane Ward, Public Services

Keith Gautreau, Fire

Jeff Tarling, City Arborist

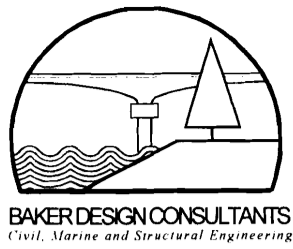
Tom Errico, Wilbur Smith Consulting Engineers

Dan Goyette, Woodard & Curran

Assessor's Office

Approval Letter File

**Hard Copy:** Project File



July 6, 2009

City of Portland  
Attn: Barbara Barhydt-Development Review Services Manager  
Planning and Development Department  
389 Congress Street  
Portland, ME 04101

Subject: Portland Site Plan Application  
**Zimmerman Pier**  
14 Centennial Street, Peakes Island

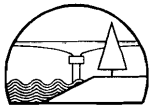
Dear Barbara,

I have enclosed seven (7) copies of an application and attachments for a Site Plan Amendment and a \$450 fee to support modifications to the Zimmerman Pier located at 14 Centennial Street on Chebeague Island. A brief narrative of the proposed amendment is provided below.

**Narrative of the Work Activity:** Waterman Marine obtained all necessary regulatory permits for a fixed pier and float that provided a boat landing on the Zimmerman property with a 4-ft water depth at mean low water. These permits included a minor site plan approval issued by the Portland Planning Authority dated April 10, 2007.

Following construction of the pier in 2008, it was determined that the pier was not long enough to achieve the permitted depth at the float. Baker Design Consultants was retained to obtain the necessary regulatory approvals for modifications to the existing (tabulated below) needed to reach the originally intended depth of water at the float.

Description of Modification	Reasons for Request	Support Information
1. Extend fixed pier 34'-5" to Low water= 0.0 (chart datum). New pier length =139'-1".	<ul style="list-style-type: none"> <li>Consistency with original plans/permits: (Compare appended Waterman Marine plan and Sheet C-2 by Baker Design Consultants).</li> </ul>	Proposed facility is well inside projection with adjacent piers. (Refer to appended Sheet C-3 by Baker Design Consultants). <ul style="list-style-type: none"> <li>Proposed fixed pier is 25-ft inside line with adjacent piers</li> <li>Proposed float location is 50-ft inside line with adjacent floats.</li> </ul>
2. Substitute new 50-ft gangway for existing 42-ft gangway.	<ul style="list-style-type: none"> <li>Eliminate direct float impact on seabed.</li> </ul>	
3. Increase size of float to 12-ft x 32-ft float and relocate to deeper water.	<ul style="list-style-type: none"> <li>Increase tidal window usability of the float. Cannot currently be used either side of low water.</li> </ul>	
4. Substitute 2 transverse float piles with 4 (2 pair) end piles.	<ul style="list-style-type: none"> <li>Docking improved with revised pile layout.</li> </ul>	



**Zimmerman Pier**  
Peakes Island, Maine

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 is approval of a Site Plan Amendment form the Portland Planning Authority.

Please contact me with any questions or comments concerning this application for Site Plan Amendment and the appended support documents as noted below.

**Support Documents** (with page reference):

Development Review Application.....	3
Site Plan Checklist.....	8
AGENT AUTHORIZATION.....	10
PROJECT PERMITS .....	11
PROJECT PLANS.....	12

Please contact me with any questions regarding this application.

Sincerely,

BAKER DESIGN CONSULTANTS, Inc.

A handwritten signature in cursive script that reads "Barney Baker".

Barney Baker PE  
Principal

BJB  
JN: 08029



**Development Review Application  
Portland, Maine**

Department of Planning and Development, Planning Division and Planning Board

**Address of Proposed Development:** 14 Centennial Street  
**Zone:** Island residential 2 with Shoreland Overlay  
**Project Name:** Zimmerman Pier

<b>Existing Building Size:</b> NA sq. ft.	<b>Proposed Building Size:</b> NA sq. ft.
<b>Existing Acreage of Site:</b> NA sq. ft.	<b>Proposed Acreage of Site:</b> 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).

<b>Tax Assessor's Chart, Block &amp; Lot:</b> Chart # 087 Block # Lot # 007	<b>Property Owners Name/ Mailing address:</b> Zimmerman, William B 14 Centennial Street Peaks Island, Maine 04108	<b>contact agent</b> 207.846.9724 (office) 207.838.3636 (cell)
--	--	--

<b>Consultant/Agent Name, Mailing Address, Telephone #, Fax # and Cell Phone # :</b> Barney Baker PE Baker Design Consultants 11 Stony Brook Lane Yarmouth, Maine 04096 207.846.9724 (office) 207.838.3636 (cell)	<b>Applicant's Name/ Mailing Address:</b> Same as Property Owner.	<b>contact agent</b> 207.846.9724 (office) 207.838.3636 (cell)
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**Fee for Service Deposit (all applications) \$200 (\$200.00)**

**Proposed Development (check all that apply)**  
 New Building    Building Addition    Change of Use    Residential    Office    Retail  
 Manufacturing    Warehouse/Distribution    Parking lot  
 Subdivision (\$500.00) + amount of lots \_\_\_\_\_ (\$25.00 per lot) \$ \_\_\_\_\_ + major site plan fee if applicable  
 Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot \_\_\_\_\_ )  
 Traffic Movement (\$1,000.00)    Storm water Quality (\$250.00)  
 Section 14-403 Review (\$400.00 + \$25.00 per lot)  
 Other Pier Extension

~ Please see next page ~

**Major Development (more than 10,000 sq. ft.)**  
 Portland Site Plan Amendment

**Site Plan Checklist**

**Portland, Maine**

Department of Planning and Development, Planning Division and Planning Board

**Project Name, Address of Project      Application Number**

**The form is to be completed by the Applicant or Designated Representative:**

<b>Check Submitted</b>	<b>Site Plan Item</b>	<b>Required Information Section 14-525 (b,c)</b>
<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



*Strengthening a Remarkable City, Building a Community for Life*

[www.portlandmaine.gov](http://www.portlandmaine.gov)

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

**Planning Division**  
Alexander Jaegerman, Director

October 8, 2008

Barney Baker, P.E.  
Baker Design Consultants  
11 Stony Brook Lane  
Yarmouth, ME 04096

Re: William Zimmerman Pier, 14 Centennial Street, Peaks Island, Maine  
Application Number: 2007-0050, Pier and Erosion Control

Dear Mr. Baker:

I received your correspondence and a copy of the DEP application for a project modification. Enclosed is a copy of the Portland's Development Review Application. Please apply for an amended site plan clearly delineating the proposed modification from the approved plan. You will need to submit seven sets of the materials and pay the fee for service fee of \$200.00 and the amended minor site plan fee of \$250.00.

Thank you for forwarding this material to me and your attention to the matter.

Sincerely,

Barbara Barhydt  
Development Review Services Manager

Attachments:  
Development Review Application

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.

5. 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 there are any questions, please contact Bill Needelman, Senior Planner at 874-8722.

Sincerely,

Alexander Jaegerman  
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Senior Planner  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Jeanie Bourke, Inspections Division  
Michael Bobinsky, Public Works Director  
Kathi Earley, Public Works  
Bill Clark, Public works  
Jim Carmody, Transportation Manager  
Michael Farmer, Public Works  
Jessica Hanscom, Public Works  
Jeff Tarling, City Arborist  
Captain Greg Cass, Fire Prevention  
Assessor's Office  
Approval Letter File



STATE OF MAINE  
Department of Environmental Protection

JOHN ELIAS BALDACCI  
GOVERNOR

David P. Littell  
COMMISSIONER

June, 2009

William Zimmerman  
14 Centennial St  
Peaks Island ME 04108

RE: Natural Resource Protection Act Application, Portland, #L-23320-4P-D-N & #L-23320-TW-E-N

Dear Mr. Zimmerman:

Your application for the above referenced permit has been reviewed by the Department of Environmental Protection pursuant to current statutes and associated rules. Based on this review, the Department has determined that your proposed project is acceptable based on current permitting criteria. Your permit is enclosed. The permit is presented in a format that includes findings of fact relevant to the permitting criteria of the law under which the permit is issued, conclusions based on those facts and conditions of approval. Please carefully read your permit, especially the conditions of approval. If an error has occurred, please let us know and a corrected order will be issued.

Also find attached a copy of the Department's appeal procedure for your information. Project modification, condition compliance, and transfer applications are available upon request at the regional Department offices listed below. If you have any questions about your permit please call me at (207) 822-6324 or email me at [Dawn.Hallowell@maine.gov](mailto:Dawn.Hallowell@maine.gov).

Yours sincerely,

Dawn Hallowell, Project Manager  
Division of Land Resource Regulation  
Bureau of Land & Water Quality

pc: File

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 624-6550 FAX: (207) 624-6024  
RAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
512 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) 764-6477 FAX: (207) 764-1507

[www.maine.gov/des](http://www.maine.gov/des)





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

DEPARTMENT ORDER

IN THE MATTER OF

WILLIAM ZIMMERMAN  
Portland, Cumberland County  
PIER EXPANSION  
L-23320-4P-D-N  
L-23320-TW-E-N (approval)

) NATURAL RESOURCES PROTECTION  
) COASTAL WETLAND ALTERATION  
) TIDAL WATERFOWL & WADING BIRD  
) WATER QUALITY CERTIFICATION  
) 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 WILLIAM ZIMMERMAN with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: Department Order L-23320-4E-A-N dated March 6, 2007, approved the construction of a 5 foot wide by 115 foot long pile-supported pier with a 3 foot wide by 36 foot long seasonal ramp and a 12 foot wide by 24 foot long seasonal float. Also included in the approval are a set of access stairs with two landings and the replacement of a seawall with rock rip rap. The approved pier was designed to provide all-tide access to the water. The project was constructed in 2008. After it was finished it became clear to the applicant that there was an error in the datum used to determine the location of mean low water. The existing pier does not provide all-tide access, as there is no water under the float during periods of low water.

B. Summary: The applicant now proposes to construct a 34 foot, 5 inch addition to the pile-supported pier, lengthen the seasonal ramp to 50 feet and increase the dimensions of the float to 12 feet by 32 feet. The proposed pier expansion will be supported by six additional piles. The float will be anchored with four piles. The applicant is a businessman and commutes to the mainland on his 24 foot long boat, which has a 2 foot draft, during times when the regular ferry service is not available. The project site is located on Centennial Street, Peaks Island in the City of Portland.

The Department of Conservation, Bureau of Parks and Lands has issued Submerged Land lease #1239-L-38 for the proposed project.

C. Current Use of the Site: The property contains a single family residence, a set of stairs leading to the existing pier, ramp and float. The project site is an unconsolidated shoreline. The intertidal zone is approximately 100 feet wide with a slope of 5 degrees. The intertidal area is composed of sand, gravel, cobble and stone. The subtidal area is sand and drops off to deeper water.

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.

The proposed project is located in Casco Bay, 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 and the surrounding area is already developed with pile-supported piers of similar lengths. To reduce the visibility of the proposed addition the applicant proposes to construct the addition similar to the existing pier and other surrounding piers. Overall, the enlarged pier will not extend as far from shore as adjacent piers.

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 and the visual impact rating, 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 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:

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 coastal wetland is mapped as a Tidal Waterfowl and Wading Bird Habitat. The Maine Department of Inland Fisheries and Wildlife reviewed the proposed project and stated that the proposed project will not negatively impact the habitat.

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 applicant proposes to use lumber treated with chromated copper arsenate (CCA) to construct the pier. To protect water quality, all CCA treated lumber must be cured on dry land in a manner

that exposes all surfaces to the air for 21 days prior to the start of construction. Provided the CCA treated lumber is cured as described above, the Department finds that the proposed project will not violate any state water quality law.

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 proposed project will directly impact 10 square feet of coastal wetland with the installation of proposed piles. It will indirectly impact 310 square feet of coastal wetland due to shading by the expansion of the pier, ramp and float. The cumulative direct impacts now total 24 square feet. Cumulative indirect impacts total 1,229 square feet.

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 an individual 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. The applicant intended to build a pier that provided all tide access allowing him to commute to the mainland during hours when the regular ferry service is not available. Unfortunately the pier that was constructed under L-23320-4E-A-N does not provide all tide access. It is the applicant's belief that there was an error in the datum used to determine mean low water during the initial design. Before the pier was constructed, the applicant would keep his boat on a mooring and drag a skiff across the intertidal area. He can no longer access his boat in this manner due to a chronic arthritic condition in his knees and hips. For the applicant, there is no other alternative to the proposed project.

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. In order to minimize permanent impacts on the coastal wetland, the applicant proposes to gap some of the distance to low water by lengthening the temporary ramp and float. The applicant proposes to store the ramp on the pier during the winter months. The float will be taken away by a marine contractor and stored off site.

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.

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.

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 provided that all CCA treated lumber is cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.
- 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 WILLIAM ZIMMERMAN to construct an addition on an existing pier and expand an existing ramp and float, 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 his activities or those of his 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.
4. All CCA treated lumber shall be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.

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

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