

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

Location of Construction: 162 Island Ave. Peaks Island, ME 04108		Owner: John & Maria Anne Whitman		Phone: 774-7474		Permit No: 000157			
Owner Address: SAA		Lessee/Buyer's Name: N/A		Phone: N/A		Business Name: N/A			
Contractor Name: **John & Anne Whitman		Address: Waterman Marine Corp 195 Dingley Island Rd, Harpswell ME 04079		Phone: 207-775-8123		Permit Issued: MAR 6 2000			
Past Use: Single Family		Proposed Use: Same		COST OF WORK: \$ 14,000		PERMIT FEE: \$ 108.00			
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:			
				Signature:		Signature:			
Proposed Project Description: Extend existing pier 30 feet, drive 6 new pile to support pier, remove 8 existing pile supporting ramp and floors; install 2 moorings to secure float.				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied				Zoning Approval: <i>ob - see with permit</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: UB		Date Applied For: 2-22-00							

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

***John & Anne Whitman
Waterman Marine Corp
195 Dingley Island Road
Harpswell, ME 04079

PERMIT ISSUED WITH REQUIREMENTS

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: _____

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 provisions of the code(s) applicable to such permit

2-22-00

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

PERMIT ISSUED WITH REQUIREMENTS

BUILDING PERMIT REPORT

DATE: 23 February 2000 ADDRESS: 162 Island Ave. P.I. CBL: 087-00-017

REASON FOR PERMIT: Extend existing pier 30 Feet - Drive 6 new piles remove 8.

BUILDING OWNER: John & Anne Whitman.

PERMIT APPLICANT: _____ (CONTRACTOR owner.)

USE GROUP: U CONSTRUCTION TYPE: _____ CONSTRUCTION COST: 14,000 PERMIT FEES: \$108.00

The City's Adopted Building Code (The BOCA National Building code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *11, *87, *31, *36

- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) "**ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING.**"
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage means of 1.2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
- *11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A,B,H-4, I-1, I-2, M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38"). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
16. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
- In all bedrooms
- In each story within a dwelling unit, including basements

20. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)

21. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.

22. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.

23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)

24. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".

25. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.

26. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).

* 27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.

28. All requirements must be met before a final Certificate of Occupancy is issued.

29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).

30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)

31. Please read and implement the attached Land Use Zoning report requirements. *see attached*

32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.

33. Bridging shall comply with Section 2305.16.

34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)

35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

4 36. Your application did not have and approval from The Corp of Army Engineers. Please submit this approval before work is started or a reason why it was not required.


M. Schmuckal, Building Inspector

cc: M. McDougal, PFD

Marge Schmuckal, Zoning Administrator

PSH 12900

**On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.

...THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.

***CERTIFICATE OF OCCUPANCY FEE \$50.00

FLOOD HAZARD DEVELOPMENT PERMIT APPLICATION

PORTLAND, Maine

(All applicants must complete entire application)
[60.3(e)]

Application is hereby made for a Flood Hazard Development Permit as required under Article II of the Floodplain Management Ordinance of ~~Portland~~ Maine, for development as defined in said ordinance. This permit application does not preclude the need for other municipal permit applications. [Article II, also NFIP Reg. Part 60.3(a)(1)]

Owner: Article III.A. John & Anne Whitman Address: 162 Island Ave, P.I.
Article III.A.

Ph. No: Article III.A. 774-7474

Applicant: Article III.A. Address: Article III.A.

Ph. No: Article III.A.

Contractor: Article III.A. Waterman Marine Corp Address: 195 Dingley ^{Island Road} ~~Harpswell Corp~~
Article III.A.

Ph. No: Article III.A. 775-8123 HARPSWELL, ME 04079

LEGAL DESCRIPTION

Is this lot a part of a subdivision? Yes No If yes, give the name of the subdivision and lot number:

Subdivision: Recommended but not required by FPMO Lot #: Same

Tax Map: Map required in Article III.B. is not necessarily a Tax Map Lot #: 87-00-17

Address: Article III.B. 162 Island Ave., P.I.
Street/Road Name

Article III.B. Peaks Island, ME 04108
Town/Zip Code

General explanation of proposed development: Article III.D. Extend existing ^{private} Pier 30-feet

Estimated value of proposed development: \$14,000 § Article III.E. [Necessary to administer Substantial Improvement requirements]

Proposed lowest floor elevation [for new or substantially improved structure]: § Article III.H.3.

OTHER PERMITS [Article V.D. Also NFIP Regs Part 60.3(a)(2)]

Are other permits required from State or Federal Jurisdictions? Yes No
If yes, are copies of these permits attached? Yes No Not Applicable

~~State~~? DEP? DEP, Army Corps, Harbor Master

PLEASE attach Federal and State Permits may include but not limited to: ME/DEP/Natural Resource Protection Act, Site Location of Development Act, Metallic Mineral Exploration, Advanced Exploration and Mining; USACE/Section 9 & 10 of the Rivers and Harbors Act/ Section 404 of the Clean Water Act; Federal Energy Regulation Commission.

SEWER AND WATER

Sewage Disposal: Public Private [Article III.F., Article VI.C.&D., and NFIP Reg. Part 60.3(a)(6)]
 existing proposed Not applicable Type _____

Water Supply: Public Private [Article III.F., Article VI.B., and NFIP Reg. Part 60.3(a)(5)]
WA

(This section to be completed by Municipal Official)

LOCATION

Flooding source (name of river, pond, ocean, etc.): Ocean Recommended but not required by FPMO

V1-30 Zone VE Zone AE Zone A1-30 Zone AO Zone A Zone [Needed to administer Article VI]

FRINGE FLOODWAY (1/2 width of floodplain in A Zone) [Needed to administer Article VI]

Base Flood Elevation (bfe) at the site 9 Article III H. 1. and Article V.B., also see NFIP Reg. Part 60.3(b)(4) NGVD. [Required for New Construction or Substantial Improvements]

Lowest floor elevation of existing structure Article III H. 3. _____ NGVD. [Required for New Construction or Substantial Improvements]

If proposed development is in an "AE" or "A1-A30" Zone and cross section data is available in the Flood Insurance Study please note the Nearest Cross Section References and Elevation of Base Flood at Nearest Cross Section. [Recommended but not required by FPMO]

Cross Section Letter _____ Base Flood Elevation _____

Above Site _____ Below Site _____
Above Site _____ Below Site _____

Basis of unnumbered A Zone bfe determination: [Article V.B., also see NFIP Reg Part 60.3(b)(4)]

- From a Federal Agency: USGS USDA/NRCS USACE Other _____
- From a State Agency: MDOT Other _____
- Established by Professional Land Surveyor _____
- Established by Professional Engineer HEC II HY 7 Quick-2 Other _____
- Highest Known Water level _____
- Other (Explain) _____

VALUE

If the development involves work on an existing structure, enter the Market Value of existing structure: Access, play value \$89,370 Substantial Improvement requirements of Article VI.

New Construction or Substantial Improvement: Minor improvement or minor addition to existing development:

TYPE OF DEVELOPMENT [Article III.D. Also see Article XIII Definition of Development]

Check the appropriate box to the left for the type(s) of development requested, and complete information for each applicable line:

- | | | | |
|--|------------------|---|-----------------------|
| <input type="checkbox"/> 1. Residential Structure | Dimensions _____ | <input type="checkbox"/> 5. Filling ¹ | Cubic Yards _____ |
| <input type="checkbox"/> 1a. New Structure | _____ | <input type="checkbox"/> 6. Dredging | _____ |
| <input type="checkbox"/> 1b. Add to Structure | _____ | <input type="checkbox"/> 7. Excavation | _____ |
| <input type="checkbox"/> 1c. Renovations/repairs/maintenance | _____ | <input type="checkbox"/> 8. Levee | _____ |
| <input type="checkbox"/> 2. Non-Residential Structure | | <input type="checkbox"/> 9. Drilling | Number of Acres _____ |
| <input type="checkbox"/> 2a. New structure | _____ | <input type="checkbox"/> 10. Mining: | _____ |
| <input type="checkbox"/> 2b. Add to Structure | _____ | <input type="checkbox"/> 11. Dam: Water surface to be created | _____ |
| <input type="checkbox"/> 2c. Renovations/repairs/maintenance | _____ | <input type="checkbox"/> 12. Water Course Alteration [Article III.L. also, NFIP | _____ |
| <input type="checkbox"/> 2d. Floodproofing | _____ | _____ | Reg. 60.3(b)(6)] |
| <input type="checkbox"/> 3. Water Dependent use: | | Detailed description must be attached with copies of | |
| <input checked="" type="checkbox"/> 3a. Dock | _____ | all applicable state and federal permits. | |
| <input checked="" type="checkbox"/> 3b. Pier | _____ | <input type="checkbox"/> 13. Storage of equipment or materials | |
| <input type="checkbox"/> 3c. Boat Ramp | _____ | <input type="checkbox"/> 14. Sewage Disposal System | |
| <input type="checkbox"/> 3d. Other | _____ | <input type="checkbox"/> 15. Water Supply System | |
| <input type="checkbox"/> 4. Paving | _____ | <input type="checkbox"/> 16. Other: Explain _____ | |

Fall in Demand

¹Certain prohibitions apply in Velocity Zones

FLOOD HAZARD DEVELOPMENT PERMIT

For Minor Development

PORTLAND, Maine

(Development not considered a Substantial Improvement)

This Flood Hazard Development Permit allows minor development as provided in Article V.F.3. of the Floodplain Management Ordinance of PORTLAND, Maine, for development in a Special Flood Hazard Area as defined in said ordinance. Development authorized by this permit must be adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, be constructed with materials resistant to flood damage and be constructed by methods and practices that minimize flood damage. This permit is issued based on documentation that the information provided in the Flood Hazard Development Permit Application is in compliance with the Floodplain Management Ordinance. *

Tax Map: # 87-00 - Lot #: 17 - 162 Island Ave., P.I.
[Recommended but not required by FPMO]

Project Description: to extend existing private Pier 30 feet
[Recommended but not required by FPMO]

owner: John & Anne Whitman

The permittee understands and agrees that:

- The permit is issued on the representations made herein and on the application for permit;
- The permit may be revoked because of any breach of representation;
- Once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- The permit will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the municipality;
- The permittee hereby gives consent to the Code Enforcement Officer to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance;
- The permit form will be posted in a conspicuous place on the premises in plain view and;
- The permit will expire if no work is commenced within 180 days of issuance.

owner or rep. must

I hereby certify that all the statements in, and the attachments to this permit are a true description of the existing property and the proposed development project.

Owner: Recommended but not required by FPMO
signature

Date: Recommended but not required by FPMO

or

Authorized Agent: Recommended but not required by FPMO
signature

Date: Recommended but not required by FPMO

Issued by: Recommended but not required by FPMO

Date: Recommended but not required by FPMO

Permit #: Recommended but not required by FPMO

LAND USE - ZONING REPORT

ADDRESS: 162 Island Ave PJ DATE: 3/3/00

REASON FOR PERMIT: extend existing private pier 30 ft.

BUILDING OWNER: John & Anne Whitman C.B.L. 87-00-017

PERMIT APPLICANT: _____

APPROVED: with conditions DENIED: _____
#1, #6, #11, #12 CONDITION(S) OF APPROVAL

- 1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
- 3. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
- 4. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
- 5. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will **not** be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the _____ in place and in phases.
- 6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval. *This includes the private pier. If the structure of the pier changes, this office requires a separate permit application.*
- 7. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
- 8. Separate permits shall be required for any signage.
- 9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
- 10. This is **not** an approval for an additional dwelling unit. You **shall not** add any additional kitchen equipment, such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.

11. Other requirements of condition The Planning's site plan exemption form states as a condition: "Exemption granted on condition that the applicant receive all state and federal permits prior to construction."

Marge Schmuckal Marge Schmuckal, Zoning Administrator

#12 The Attached flood plain permit & minor permit shall be filled in where needed, signed, and then returned to the inspector's office.

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the information below for a Building or Use Permit.

NOTEIf 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 (include Portion of Building):			162 ISLAND AVE, PEARS ISL ME 04108		
Total Square Footage of Proposed Structure		150	Square Footage of Lot		7540
Tax Assessor's Chart, Block & Lot Number		Owner		Telephone#:	
Chart#	Block#	Lot#	JOHN/ANNE WHITMAN		774-7474
87	00	17			
Owner's Address:		Lessee/Buyer's Name (If Applicable)		Cost Of Work: Fee	
162 ISLAND AVE PEARS ISL ME 04108		/		\$ 14,000. \$108.00	
Proposed Project Description:(Please be as specific as possible)					
EXTEND EXISTING PIER 30'; DRIVE 6 NEW PILE TO SUPPORT PIER; REMOVE EXISTING PILE SUPPORTING RAMP & FLOORS; INSTALL 2 MOORINGS TO SECURE PIER					
Contractor's Name, Address & Telephone			207-775-8123		Rec'd By
John & Anne Whitman WATERMAN MARINE CORP 195 DINGBAY ISLAND RD, WARREN ME 04099					UB
Current Use:			Proposed Use:		
RESID. SINGLE FAMILY			RESID SINGLE FAMILY		

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC(Heating, Ventilation and Air Conditioning) Installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

4) Building Plans

Unless exempted by State Law, construction documents must be designed by a registered design professional.

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

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/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.

Signature of applicant:	Date:
<i>[Signature]</i>	02/22/00

Building Permit Fee: \$30.00 for the 1st \$1000.cost plus \$6.00 per \$1,000.00 construction cost thereafter.
Additional Site review and related fees are attached on a separate addendum





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

ANGUS S. KING, JR.
 GOVERNOR

DEPARTMENT ORDER
 IN THE MATTER OF

JOHN S. & ANNE WHITMAN) NATURAL RESOURCES PROTECTION ACT
Portland, York County) COASTAL WETLAND ALTERATION AND
PIER EXPANSION) WATER QUALITY CERTIFICATION
L-20101-4E-A-N (approval)) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of JOHN & ANNE WHITMAN 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: The existing 160 foot by 5 foot pile, supported pier was constructed in 1988. Pile dolphins secure a 32 foot seasonal ramp along with two seasonal 8 foot by 16 foot floats. The depth of water at the end of the seasonal floats is 2 feet during mean low tide.

B. Summary of Proposal: The applicants propose to expand the existing pier by constructing a 30 foot by 5 foot pile supported addition to the permanent portion of the pier. The addition would be supported by 6 pilings. The applicants propose to remove the existing pile dolphins that secure the seasonal floats. The applicants also propose to construct the addition using pressure treated lumber. The proposed addition will allow an additional 3 feet of water at the end of the pier. This depth of water is necessary to bring the applicants' boat to the floats, which draws 4.5 feet of water.

C. Site Description: The applicants own 4,540 square feet off Island Avenue on Peaks Island. The property is developed with an existing residence and a pile supported pier. The property is further identified as Lot #17 on the City of Portland's Tax Map #87.

2. WATER QUALITY CONSIDERATIONS:

Wood treated with creosote or pentachlorophenol below the water has been found by the Department to lower water quality. The Department finds that lumber treated with copper chromated arsenate (CCA) has minimal impacts to water quality provided it is dried on land, in a manner which will expose all sides to the air, for a period of not less than 21 days prior to contact with or placement in or adjacent to the water, and that the applicants must utilize lumber treated in this manner.

3. HABITAT CONSIDERATIONS:

The Department of Inland Fisheries & Wildlife (IF&W) has reviewed this project as proposed. IF&W states that the project is located within a moderate value coastal Waterfowl and Wading Bird Habitat. IF&W goes on to state that they do not expect impacts to this habitat to be increased beyond the disturbance that already exists.

The Department of Marine Resources (DMR) has also reviewed this project as proposed. DMR states that the site of the proposed project is a moderate energy unconsolidated shore. The upland is developed with houses. The intertidal zone is 40 feet wide with a 15 degree slope. The supratidal is boulder riprap at the base of a 30 foot high vegetated bank. The upper intertidal is sand and gravel with some cobble and stone. The mid intertidal is cobble and gravel with some sand. The lower intertidal is cobble, gravel and sand with some stone and boulders. The subtidal is similar and drops off gradually to deeper water. Barnacles and periwinkles are abundant as are mussels in the lower intertidal. DMR further states that navigation and recreation should not be adversely affected by the proposed project.

Aerial photographs indicate that there is a bed of eelgrass along this side of Peaks Island and that potential impacts to the eelgrass bed be assessed. The applicants have examined the site of the proposed project for eelgrass during the growing season, and did not find any eelgrass beds in the vicinity of the project area. The substrate is coarse sand and small rock. Regardless, the applicants propose to minimize potential impacts to the substrate by anchoring the float with helix anchors, which screw completely into the substrate except for the fastening ring, as opposed to utilizing large concrete blocks. Therefore, the Department finds that the proposed project will not adversely impact marine habitats or fisheries.

4. WETLAND PROTECTION RULES:

A. The wetland to be impacted by this project is defined as a coastal wetland, according to the Wetland Protection Rules.

B. The Wetland Protection Rules require:

1) Avoidance: No activity which would cause a loss in wetland area, functions and values will be permitted if there is a practicable alternative to the project that will be less damaging to the environment. The proposed project is an extension of a residential pier. The project will provide the depth of water necessary for the pier to be used by the applicants' boat. No other alternatives have been identified.

2) Minimal Alteration: Applicants are required to keep the amount of wetland alteration to the minimal amount necessary. The applicants propose to alter 150 square feet of coastal wetland with the pier expansion. The Department finds that this is the minimal alteration necessary to allow the project to be constructed.

3) Compensation: Since this is a single, complete project that does not cover, remove or destroy marsh vegetation, does not alter more than 500 square feet of intertidal area and has no effects on marine resources or wildlife habitat, neither a functional assessment nor compensation is required.

5. OTHER CONSIDERATIONS:

The Department has not identified 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:

- 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 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 wood treated with creosote or pentachlorophenol is not used, pressure treated lumber is cured on land prior to use, and the sawing of pressure treated lumber is limited to the upland.
- 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 JOHN S. & ANNE WHITMAN to construct an addition on their existing pier, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

- 1. Standard Conditions of Approval, a copy attached.

- 2. Wood treated with creosote or pentachlorophenol shall not be used.
- 3. The applicant shall utilize pressure treated lumber cured on land as outlined in Finding 2 and shall limit the sawing of pressure treated lumber to the upland.
- 4. The applicant shall take all necessary measures to ensure that their activities or those of their agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.

DONE AND DATED AT AUGUSTA, MAINE, THIS 13th DAY OF January, 2000.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

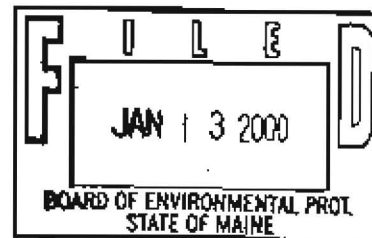
By: *Martha G. Kirkpatrick*
 MARTHA G. KIRKPATRICK, COMMISSIONER

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

Date of initial receipt of application 10/6/99

Date of application acceptance 10/18/99

Date filed with Board of Environmental Protection
 DEH/L20101AN



**BOARD OF HARBOR COMMISSIONERS
HARBOR OF PORTLAND
PERMIT**

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To John & Anne Whitman
162 Island Avenue, Peaks Island, ME 04108

The undersigned, Board of Harbor Commissioners for the Harbor of Portland, has carefully considered your application, dated the 22nd day of July 1999, for a permit authorizing the extension of their existing pier by 30', driving six support pile for the new pier section, removing eight existing pile which support the ramp and float, and (over) —

Having given public notice of this pending application, as required by law, and therein designated Thursday, the 9th day of September 1999, 5 o'clock in the afternoon prevailing time; as the time when they would meet at Portland City Council Chambers to examine this issue and hear all interested parties, and having met at the time and place mentioned and examined the location of this proposed pier extension

and having heard all interested parties, the Board of Harbor Commissioners for the Harbor of Portland hereby issues this permit which authorizes you to proceed under all applicable local and federal regulations hereinafter stated, and to maintain within the limits mentioned, namely none

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

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

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

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

In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland hereunto set their hands and affix their corporate seal on this 9th day of September 1999.

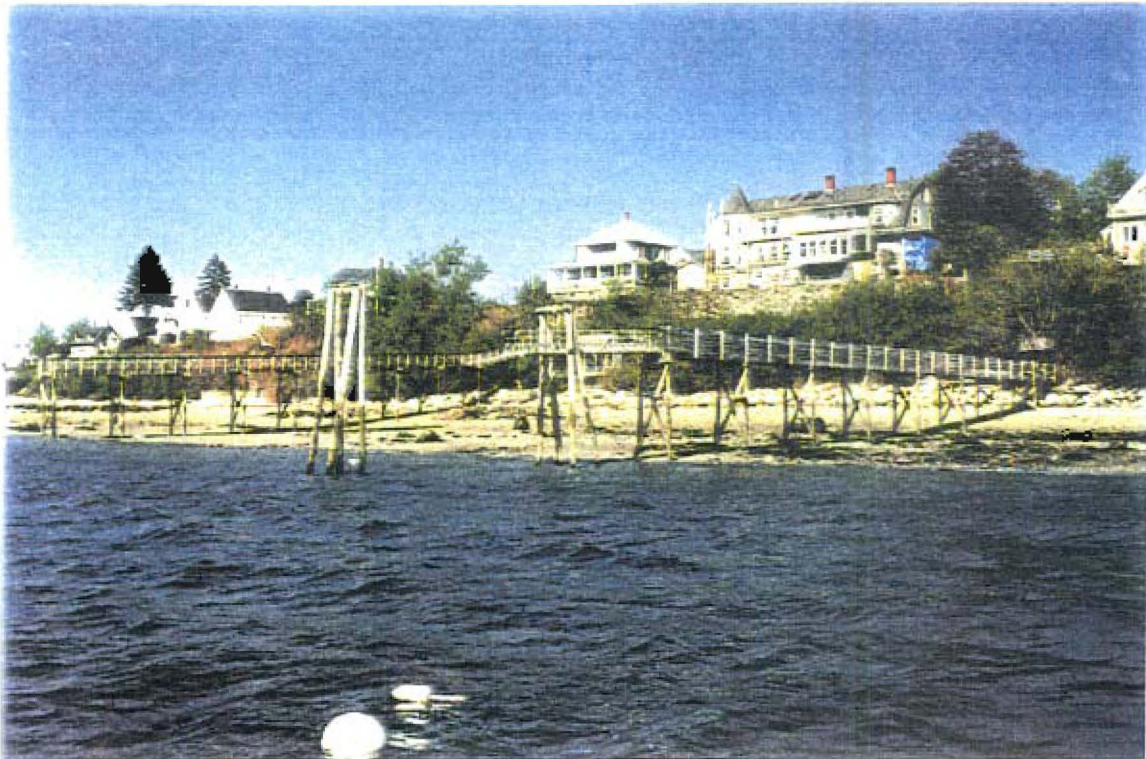
Richard L. [Signature]
R. Bombardieri [Signature]
Edmund [Signature]
Christopher [Signature]

The work authorized by this permit must be completed on or before the 9th day of September 2000.

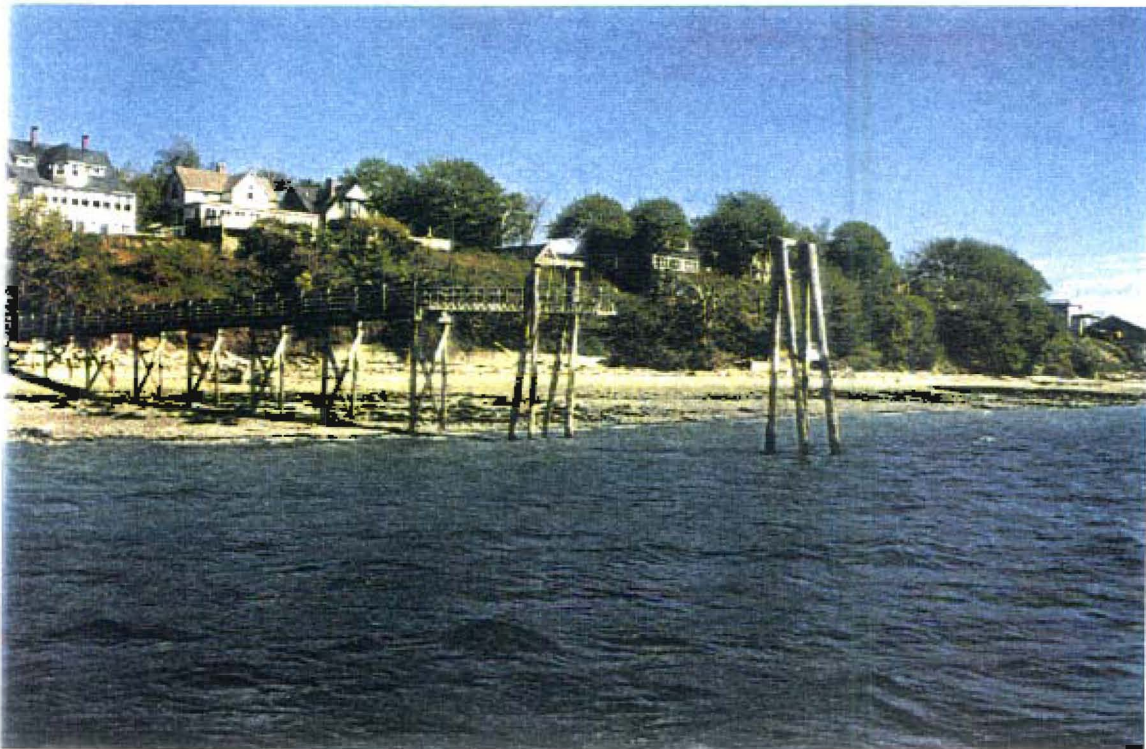
Board of Harbor Commissioners for the Harbor of Portland



installing two 3,000 lb. concrete moorings to secure the float at their Peaks Island property



VIEW NORTH



VIEW SOUTH-EAST

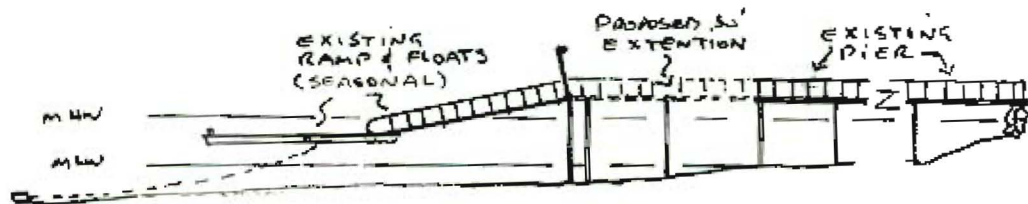
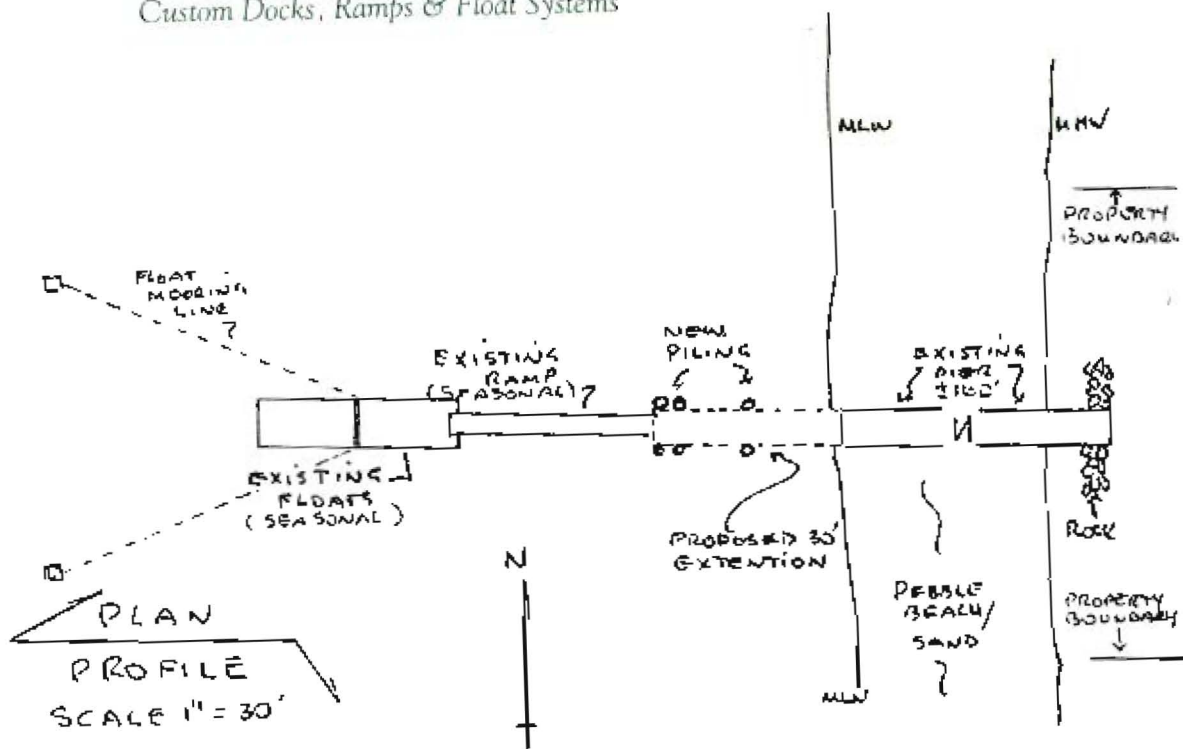
WHITMAN APPLICATION
PEARS ISLAND

162 Island Ave PE

PHOTOS TAKEN BY STEVEN HOURAN
05/12/99



Custom Docks, Ramps & Float Systems



SCHEDULE TO APPLICATION
 JOHN S. WHITMAN
 ANNE WHITMAN
 SHOWING
 LOCATION OF PROPOSED
 PIER EXTENSION
 LOCATION OF EXISTING
 PIER
 LOCATION OF PROPERTY
 BOUNDARIES

06/99

WATERMAN MARINE CORPORATION

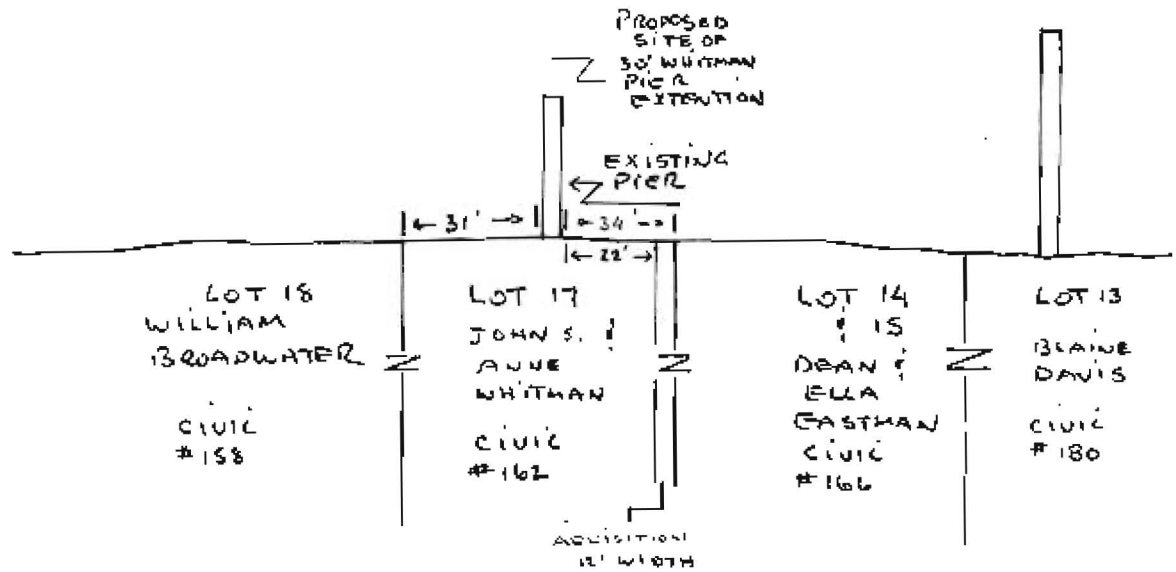
Mailing Address: RR #5, 2357-A • Brunswick, ME 04011 Street Address: Dingley Island Road, Harpswell, ME

(207) 725-8123 / Fax: (207) 725-8136



Custom Docks, Ramps & Float Systems

N



SCHEDULE TO APPLICATION
JOHN S. WHITMAN
ANNE WHITMAN
SHOWING
EXISTING PIERS, SITE
OF PROPOSED EXTENSION
AND
DISTANCE OF PROPOSED
EXTENSION FROM
PROPERTY BOUNDARIES

27 MAY, 1999

NOT TO SCALE

WATERMAN MARINE CORPORATION

Mailing Address: RR #5, 2357-A • Brunswick, ME 04011 Street Address: Dingley Island Road, Harpswell, ME

(207) 725-8123 / Fax (207) 725-8136

Richardson, Whitman, Large & Badger

A Professional Corporation

Attorneys at Law

465 Congress Street

P. O. Box 9545

Portland, ME 04112-9545

Telephone (207) 774-7474

Facsimile (207) 774-1343

E-Mail jwhitman@rwlb.com

Harrison L. Richardson
John S. Whitman
Wendell G. Large
Frederick J. Badger, Jr.*
Elizabeth G. Stouder
Barri L. Bloom
Ann M. Murray*
Frederick F. Costlow*
John B. Lucy*
Anne H. Cressey
Thomas R. McKeon
Carol I. Eisenberg
Paul R. Johnson

Bangor Office

One Merchants Plaza

P. O. Box 2429

Bangor, ME 04402-2429

*Resident in Bangor Office

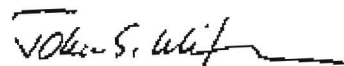
In Reply Refer To:

June 30, 1999

To Whom It May Concern:

I hereby authorize Peter F. Spencer of Waterman Marine Corp. to act in my behalf as my agent in the processing of any and all applications for governmental permits necessary to extend by 30 feet my existing pier on Peaks Island.

Sincerely,



John S. Whitman

3

APPLICATION FOR EXEMPTION FROM SITE PLAN REVIEW

087-00-017

JONNS. / ANNE WHITMAN
 Applicant
162 ISLAND AVE, PEARS ISL. HE 04108
 Applicant's Mailing Address
PETER T. SPENCER / 725-8123
 Consultant/Agent/Phone Number
 WATSEMAN MARINE CORP.

01/10/00
 Application Date
PIER EXPANSION
 Project Name/Description
162 ISLAND AVE, PEARS ISL
 Address of Proposed Site

Description of Proposed Development:
EXTEND EXISTING PIER 30' / SUPPORTED ON DRIVEN PILE

Please Attach Sketch/Plan of Proposal/Development

Criteria for Exemptions:
 See Section 14-523 (4)

- a) Within Existing Structures; No New Buildings, Demolitions or Additions
- b) Footprint Increase Less Than 500 Sq. Ft.
- c) No New Curb Cuts, Driveways, Parking Areas
- d) Curbs and Sidewalks in Sound Condition/ Comply with ADA
- e) No Additional Parking / No Traffic Increase
- f) No Stormwater Problems
- g) Sufficient Property Screening
- h) Adequate Utilities

Applicant's Assessment (Yes, No, N/A)	Planning Office Use Only
<u>30' PIER ADDITION</u>	<input checked="" type="checkbox"/>
<u>YES</u>	<input checked="" type="checkbox"/>
<u>N/A</u>	<input checked="" type="checkbox"/>
<u>N/A</u>	<input checked="" type="checkbox"/>
<u>N/A</u>	<input checked="" type="checkbox"/>
<u>N/A</u>	<input checked="" type="checkbox"/>
<u>N/A</u>	<input checked="" type="checkbox"/>
<u>N/A</u>	<input checked="" type="checkbox"/>

Planning Office Use Only:

Exemption Granted _____ Partial Exemption Exemption Denied _____

Exemption granted on condition that applicant receive all state and federal permits prior to construction

Planner's Signature William B. Needham Date 1-13-00

EXHIBIT #3



BOARD OF HARBOR COMMISSIONERS HARBOR OF PORTLAND PERMIT

COPY

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162 Island Avenue, Peaks Island, ME 04108

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(over) —

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In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland hereunto set their hands and affix their corporate seal on this 9th day of September 1999.

Richard L. [Signature]
[Signature]
Edwin [Signature]
Christopher [Signature]

The work authorized by this permit must be completed on or before the 9th day of September 2000.

Board of Harbor Commissioners for the Harbor of Portland





VIEW NORTH



VIEW SOUTH-EAST

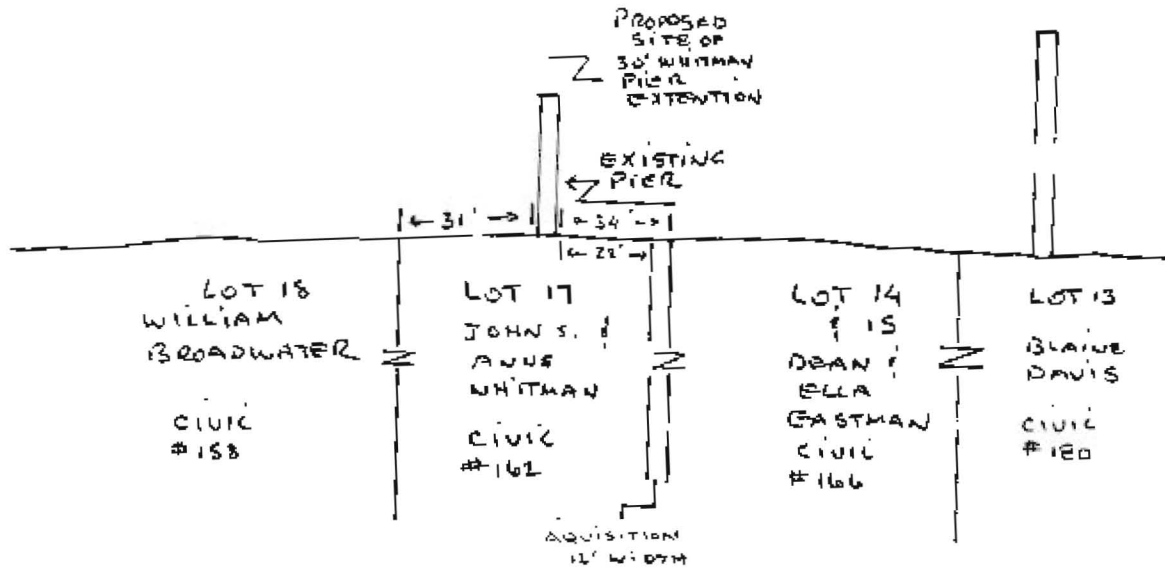
WHITMAN APPLICATION
PEARS ISLAND

PHOTOS TAKEN BY STEVEN HOOPER



Custom Docks, Ramps & Float Systems

N



SCHEDULE TO APPLICATION
 JOHN S. WHITMAN
 ANNE WHITMAN
 SHOWING
 EXISTING PIERS, SITE
 OF PROPOSED EXTENSION
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27 MAY, 1999
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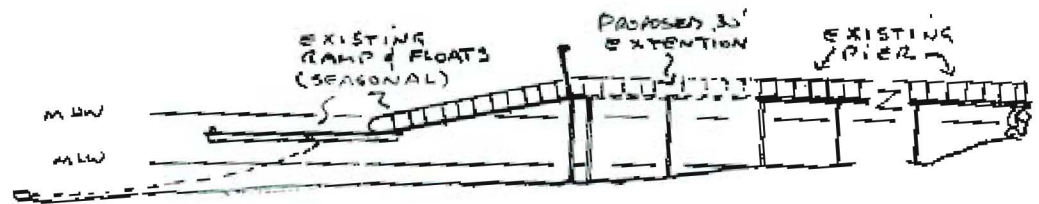
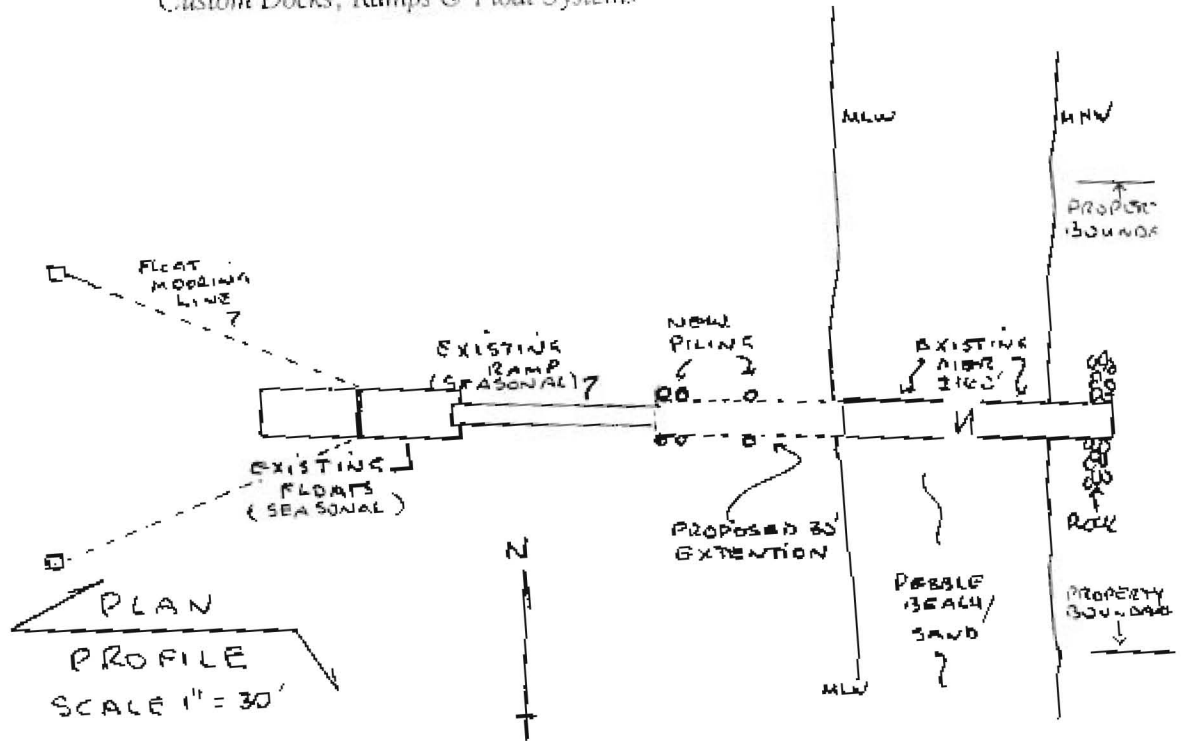
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Custom Docks, Ramps & Float Systems



SCHEDULE TO APPLICATION
 JOHN S. WHITMAN
 ANNE WHITMAN
 SHOWING
 LOCATION OF PROPOSED
 PIER EXTENSION
 LOCATION OF EXISTING
 PIER
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 06/99

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Copies for MSP

FLOOD HAZARD DEVELOPMENT PERMIT APPLICATION PORTLAND, Maine

(All applicants must complete entire application)
[60.3(e)]

Application is hereby made for a Flood Hazard Development Permit as required under Article II of the Floodplain Management Ordinance of Portland Maine, for development as defined in said ordinance. This permit application does not preclude the need for other municipal permit applications. [Article II, also, NFIP Reg. Part 60.3(a)(1)]

Owner: Article III.A. John & Anne Whitman Address: 162 Island Ave, P.I. Article III.A.

Ph. No: Article III.A. 774-7474

Applicant: Article III.A. Address: Article III.A.

Ph. No: Article III.A.

Contractor: Article III.A. WATERMAN Marine Corp Address: 195 Dingley ^{Island Road} ~~Harpswell~~ ^{ME} ~~ME~~ Article III.A.

Ph. No: Article III.A. 775-8123 HARPSWELL, ME 04079

LEGAL DESCRIPTION

Is this lot a part of a subdivision? Yes No If yes, give the name of the subdivision and lot number:

Subdivision: Recommended but not required by FPMO Lot #: Same

Tax Map: Map required in Article III.B, is not necessarily a Tax Map Lot #: 87-00-17

Address: Article III.B. 162 Island Ave., P.I.
Street/Road Name

Article III.B. Penikese Island, ME 04108
Town/Zip Code

General explanation of proposed development: Article III.D. extend existing ^{private} Pier 30 feet

Estimated value of proposed development: \$14,000 \$ Article III.E. [Necessary to administer Substantial Improvement requirements]

Proposed lowest floor elevation [for new or substantially improved structure]: \$ Article III. H.3.

OTHER PERMITS [Article V.D. Also NFIP Regs Part 60.3(a)(2).]

Are other permits required from State or Federal Jurisdictions? Yes No
If yes, are copies of these permits attached? Yes No Not Applicable

DEP? DEP? DEP, Army Corps,
Harbor Master

PLEASE attach Federal and State Permits may include but not limited to: ME/DEP/Natural Resource Protection Act, Site Location of Development Act, Metallic Mineral Exploration, Advanced Exploration and Mining, USACE/Section 9 & 10 of the Rivers and Harbors Act/ Section 404 of the Clean Water Act; Federal Energy Regulation Commission.

SEWER AND WATER

Sewage Disposal: Public Private [Article III.F., Article VI.C.&D., and NFIP Reg. Part 60.3(a)(6)]
 existing proposed not applicable Type _____

Water Supply: Public Private
W/A

FLOOD HAZARD DEVELOPMENT PERMIT

For Minor Development

PORTLAND, Maine

(Development not considered a Substantial Improvement)

This Flood Hazard Development Permit allows minor development as provided in Article V.F.3. of the Floodplain Management Ordinance of PORTLAND, Maine, for development in a Special Flood Hazard Area as defined in said ordinance. Development authorized by this permit must be adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, be constructed with materials resistant to flood damage and be constructed by methods and practices that minimize flood damage. This permit is issued based on documentation that the information provided in the Flood Hazard Development Permit Application is in compliance with the Floodplain Management Ordinance. *

Tax Map: # 87-00- Lot #: 17 - 162 Island Ave., P.I.
[Recommended but not required by FPMO]

Project Description: to extend existing private Ave 30 feet
[Recommended but not required by FPMO]

owner: John & Anne Whitman

The permittee understands and agrees that:

- The permit is issued on the representations made herein and on the application for permit;
- The permit may be revoked because of any breach of representation;
- Once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- The permit will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the municipality;
- The permittee hereby gives consent to the Code Enforcement Officer to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance;
- The permit form will be posted in a conspicuous place on the premises in plain view and;
- The permit will expire if no work is commenced within 180 days of issuance.

owner or rep. must

I hereby certify that all the statements in, and the attachments to this permit are a true description of the existing property and the proposed development project.

Owner: Recommended but not required by FPMO
signature

Date: Recommended but not required by FPMO

or

Authorized Agent: Recommended but not required by FPMO
signature

Date: Recommended but not required by FPMO

Issued by: Recommended but not required by FPMO

Date: Recommended but not required by FPMO

Permit #: Recommended but not required by FPMO