

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION PERMIT

Permit Number: 080728

This is to certify that JOHNSON T COVINGTON
has permission to Replace 20'x8'18' Sea Wall
AT 16 CITY POINT RD 087 S009001

provided that the person or persons term or condition 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 when permission procedure before this building or part thereof is altered or service closed-in. **YOUR NOTICE REQUIRED.**

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

OTHER REQUIRED APPROVALS

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

EXPIRED
Theresa M. Kelly 7/29/88
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: 08-0728	Issue Date:	CBL: 087 S009001
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Location of Construction: 16 CITY POINT RD, <i>Peaks Island</i>	Owner Name: JOHNSON T COVINGTON	Owner Address: PO BOX 48	Phone: 207-838-2445
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	Zone: IR-2

Past Use: Single Family Home	Proposed Use: Single Family Home - Replace 20'x8'18' Sea Wall	Permit Fee: \$40.00	Cost of Work: \$2,000.00	CEO District: 1
Proposed Project Description: Replace 20'x8'18' Sea Wall		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>R3</i> Type: <i>SB</i>	

EXPIRED

DEC 2 2003

Signature:	Signature: <i>JW</i> 7/23/08
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: 06/20/2008	Zoning Approval
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Reviews</p> <p><input checked="" type="checkbox"/> Shoreland <i>See note spoke to DEP (Dawn)</i></p> <p><input type="checkbox"/> Wetland <i>Hallowell - not require permit by rule less than 50'w</i></p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input checked="" type="checkbox"/> Site Plan <i>Exemption Approved 12/17/09</i></p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>OK w/condition</i></p> <p>Date: <i>6/26/08 ABM</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date:</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p><i>ABM</i></p> <p>Date:</p>
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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.

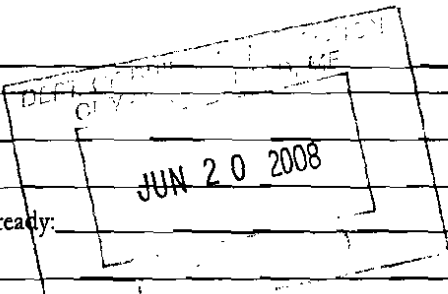
SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



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>16 City PT Rd</u>			
Total Square Footage of Proposed Structure/Area <u>20 feet x 18 inches x 18'</u>		Square Footage of Lot <u>3000</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>87</u> Block# <u>S</u> Lot# <u>9</u>		Applicant * <u>must</u> be owner, Lessee or Buyer* Name _____ Address _____ City, State & Zip _____	Telephone: <u>7603375 Home</u> <u>8382445 cell</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>Thomas C Johnson</u> Address <u>PO BOX 48</u> City, State & Zip <u>Peaks Me 04108</u>		Cost Of Work: \$ <u>2000</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>single</u>			
If vacant, what was the previous use? _____			
Proposed Specific use: <u>same</u>			
Is property part of a subdivision? <u>NO</u> If yes, please name _____			
Project description: <u>replace 20' x 18 x 18" sea wall</u>			
Contractor's name: <u>same</u>			
Address: _____			
City, State & Zip _____ Telephone: _____			
Who should we contact when the permit is ready: _____ Telephone: _____			
Mailing address: _____			



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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, 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.

Signature: [Signature] Date: 6/19/08

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



Strengthening a Remarkable City, Building a Community for Life

www.portlandmaine.gov

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

December 17, 2009

Mr. Alex Fisher
16 City Point Road
Peaks Island, Maine 04108

Mr. Terry Edwards
36 Whispering Pines Drive
South Portland, Maine 04106

RE: 16 City Point Road, Retaining Wall Replacement, (Project # 09-69900040), (CBL 087 S 009001)

Dear Mr. Fisher & Mr. Edwards:

On December 17, 2009, the Portland Planning Authority approved an Application for Exemption from Site Plan Review for the Repair/Replacement of the Existing Concrete Retaining Wall Project located in the Shoreland Zone, at 16 City Point Road, Peaks Island, identified on the site plan submitted by Alex Fisher, and dated November 9, 2009, with the following conditions:

1. Installation of the replacement concrete retaining wall shall be constructed as shown on the submitted site/construction plan.
2. Erosion and Sedimentation control shall be established prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.
3. Photos showing the finished activity must be submitted to Philip DiPierro, Development Review Coordinator, within 20 days of completion.
4. To the greatest extent practicable, materials used in the construction of this project shall be of native sources so that the completed project blends as best as possible with the areas natural surroundings, and to avoid the growth of non-native invasive plant species.
5. All site work will conform to the City of Portland Ordinance of Shoreland Zoning Regulations (Division 26).
6. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division. You must confirm

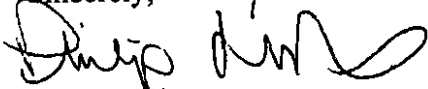
EXPIRED

with the Inspections Division the need for a Building Permit for this project.

This approval is based on the submitted Site Plan with construction detail. Any deviation shall require a separate approval before starting that work. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

If there are any questions, please contact the Planning Staff.

Sincerely,



Philip DiPierro
Development Review Coordinator

Electronic cc: Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Director of Inspection Services
Marge Schmuckal, Zoning Administrator

EXPIRED



Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

PROJECT NAME: Alex Fisher

PROJECT ADDRESS: 16 City ~~New~~ Point Rd Peaks Is.

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)
Reduce sea wall

RECEIVED

CHART/BLOCK/LOT: 87/5/9

NOV - 9 2009

CONTACT INFORMATION:

City of Portland
Planning Division

OWNER/APPLICANT

CONSULTANT/AGENT

Name: Alex Fisher
Address: 16 City ~~New~~ Point Rd
Peaks Is. Me
Zip Code: 04106
Work #: _____
Cell #: _____
Fax #: _____
Home #: _____
E-mail: Dylan@PlanetOsg.com

Name: T Edwards
Address: 36 Whispering Pines Dr.
50 Portland Me.
Zip Code: 04106
Work #: 899-5737 899-5737
Cell #: _____
Fax #: 899-1706
Home #: _____
E-mail: _____

Criteria for Exemptions:

(See Section 14-523 (4) on page 2 of this application)

- a) Is the proposal within existing structures?
- b) Are there any new buildings, additions, or demolitions?
- c) Is the footprint increase less than 500 sq. ft.?
- d) Are there any new curb cuts, driveways or parking areas?
- e) Are the curbs and sidewalks in sound condition?
- f) Do the curbs and sidewalks comply with ADA?
- g) Is there any additional parking?
- h) Is there an increase in traffic?
- i) Are there any known stormwater problems?
- j) Does sufficient property screening exist?
- k) Are there adequate utilities?

Applicant's Assessment
Y(yes), N(no), N/A

Planning Division
Use Only

Applicant's Assessment	Planning Division Use Only
Y	
N	
N	
N	
N	
N	
N	
N	
N	
N	
Y	

EXPIRED

Planning Division Use Only

Exemption Granted Partial Exemption Exemption Denied

Need DEP PER
check on existing height

See Attached Conditions

Planner's Signature

[Signature]

Date

12/17/09

PROVISION OF PORTLAND CITY CODE
14-523 (SITE PLAN ORDINANCE)
RE: EXEMPTIONS FROM SITE PLAN REVIEW

Sec. 14-523. Approval required.

No person shall undertake any development without obtaining approval therefore under this article.

- 4) The Planning authority shall exempt from review under all standards in this article developments that meet all of the following requirements:
- a. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
 - b. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
 - c. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive-through services provided;
 - d. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
 - e. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
 - f. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
 - g. There are no evident deficiencies in existing screening from adjoining properties; and
 - h. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right-of-way.

developer claiming exemption under this subsection shall submit a written request for exemption stating that the proposed meets all the provisions in standards a-h of this subsection, including an itemized statement by a qualified professional. Upon receipt of such request, the planning authority will visit the site to verify that the exemption is applicable due to compliance with the standards. The planning authority, after consultation with the public works authority, shall render a written decision within twenty (20) working days after receipt of a written request for exemption that contains all the information required by this subsection. If full exemption is wanted, the application shall be approved without further review under this article, and no performance guarantee shall be required. The planning authority may require full site plan review of a project that meets the criteria of this subsection if it determined that there is a substantial public interest in the project.

In the event that the planning authority determines that standards a and b of this subsection and at least four (4) of the remaining standards have been met, the planning authority shall review the site plan under the review standards in section 14-526 that are affected by the standards in this subsection that have not been met. An application that receives review by the planning board shall receive a complete review under the standards of section 14-526. The planning authority shall notify an applicant in writing that full or partial site plan review is required, the reasons for the decision, and the information that will be required for site plan review.

IMPORTANT NOTICE TO APPLICANT

1 Exemption from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (74-8703), to determine what other City permits, such as a building permit, will be required.

Planning Phil DiPierro, Development Review Coordinator

12/17/09 Exemption was granted with the following conditions:

1. Installation of the replacement concrete retaining wall shall be constructed as shown on the submitted site/construction plan.
2. Erosion and Sedimentation control shall be established prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.
3. Photos showing the finished activity must be submitted to Philip DiPierro, Development Review Coordinator, within 20 days of completion.
4. To the greatest extent practicable, materials used in the construction of this project shall be of native sources so that the completed project blends as best as possible with the areas natural surroundings, and to avoid the growth of non-native invasive plant species.
5. All site work will conform to the City of Portland Ordinance of Shoreland Zoning Regulations (Division 26).
6. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division. You must confirm with the Inspections Division the need for a Building Permit for this project.

EXPIRED



City of Portland
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

Copyright 2007
City of Portland
389 Congress St.
Portland, Maine
04101

EXPIRED



EXPIRED

STATE OF MAINE

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Natural Resources Protection Act

and 35-A M.R.S.A. § 3452

38 M.R.S.A. §§ 480-A to 480-FF

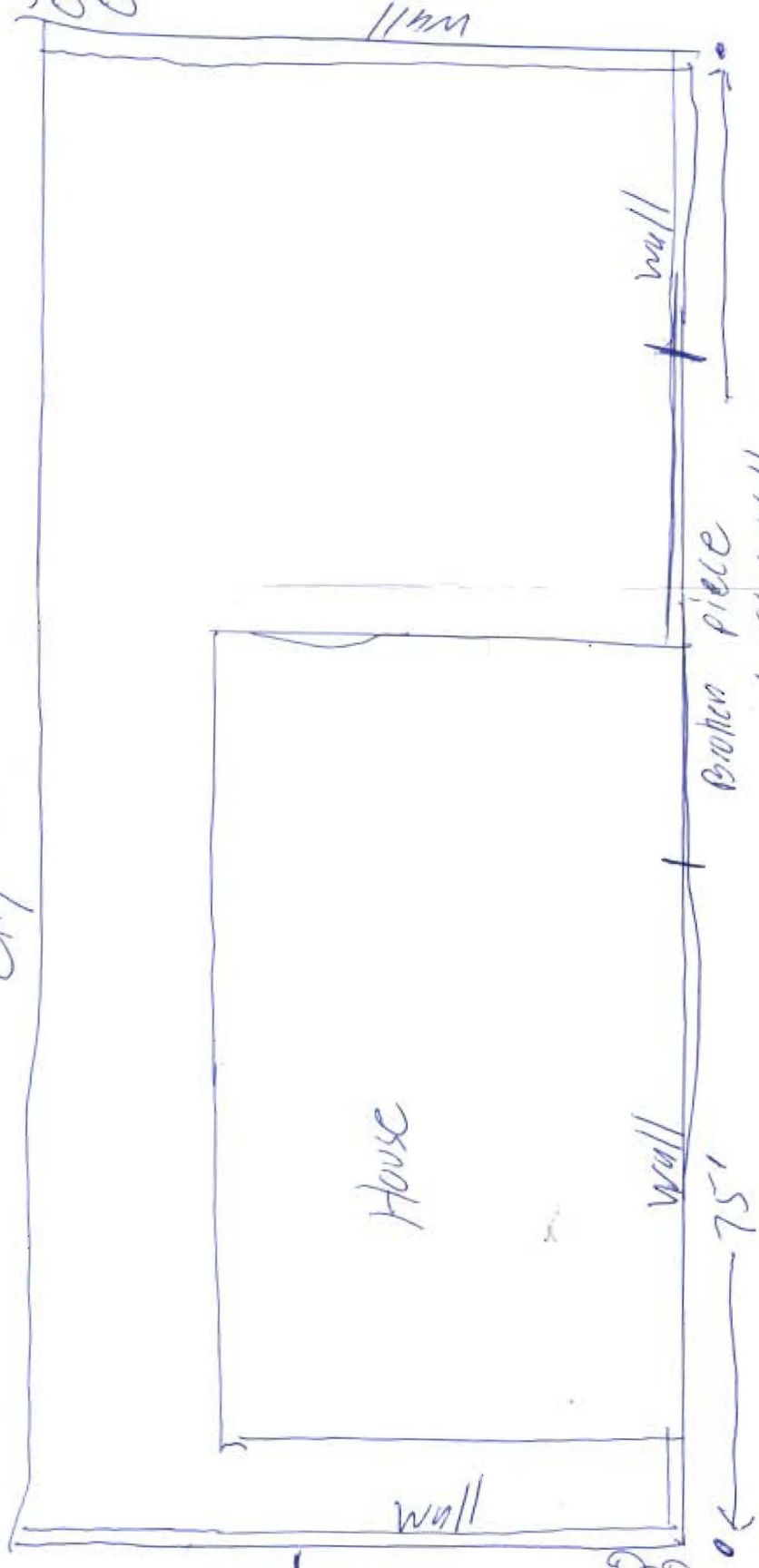
STATUTE



EXPIRED

City Point Rd

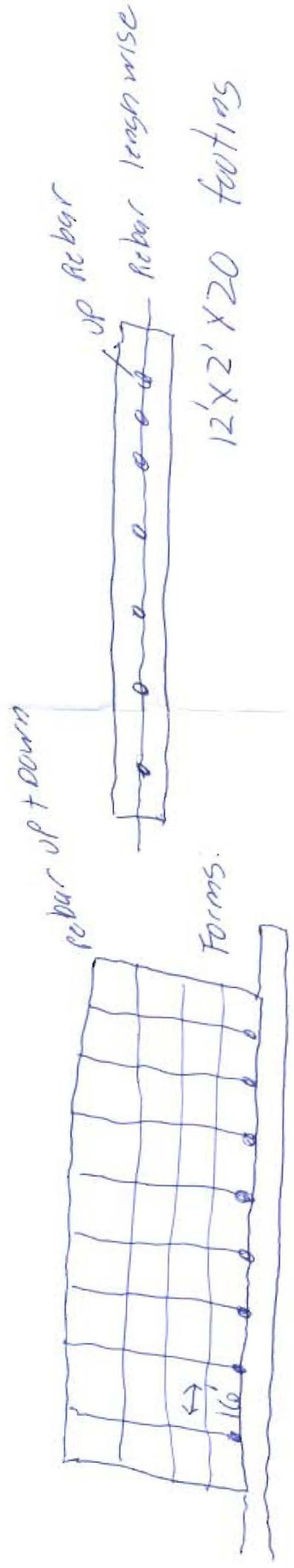
Road



EXPLODED



Olean Beach



18. **St. George River.** The St. George River from the Route 90 bridge in Warren to the outlet of Lake St. George in Liberty, excluding White Oak Pond, Seven Tree Pond, Round Pond, Sennebec Pond, Trues Pond, Stevens Pond and Little Pond;

19. **St. John River.** The St. John River from the Hamlin Plantation and Van Buren town line to the Fort Kent and St. John Plantation town line and from the St. John Plantation and St. Francis town line to the Allagash and St. Francis town line;

20. **Sandy River.** The Sandy River from the Kennebec River to the Madrid and Township E town line;

21. **Sheepscot River.** The Sheepscot River from the Head Tide Dam in Alna to the Halldale Road in Montville, excluding Long Pond and Sheepscot Pond, including its tributary the West Branch of the Sheepscot River from its confluence with the Sheepscot River in Whitefield to the outlet of Branch Pond in China;

22. **West Branch Pleasant River.** The West Branch Pleasant River from the East Branch to the Brownville and Williamsburg Township town line; and

23. **West Branch Union River.** The West Branch Union River from the Route 181 bridge in Mariaville to the outlet of Great Pond in the Town of Great Pond.

For the purpose of receiving a permit for a transmission line or a pipeline under this article, outstanding river segments also include any other outstanding river and stream segments described in Title 12, section 403.

§ 480-Q. Activities for which a permit is not required

A permit is not required for the following activities if the activity takes place solely in the area specified below:

1. **Water lines and utility cables.** In an area which affects a great pond, the placement of water lines to serve a single-family house or the installation of cables for utilities, such as telephone and power cables, provided that the:

A. Excavated trench for access to the water is backfilled and riprapped to prevent erosion;

B. Excavated trench on the landward side of the riprapped area is seeded and mulched to prevent erosion; and

C. Bureau of Parks and Lands has approved the placement of the cable across the bottom of the great pond to the extent that it has jurisdiction;



2. **Maintenance and repair.** Maintenance and repair of a structure in, on, over or adjacent to a protected natural resource and maintenance and repair of a private crossing of a river, stream or brook if:

A. Erosion control measures are taken to prevent sedimentation of the water;

B. Crossings do not block fish passages in water courses;

C. There is no additional intrusion into the protected natural resource; and

D. The dimensions of the repaired structure do not exceed the dimensions of the structure as it existed 24 months prior to the repair, or if the structure has been officially included in or is considered by the Maine Historical Preservation Commission eligible for listing in the National Register of Historic Places, the dimensions of the repaired structure do not exceed the dimensions of the historic structure.

See notes
2nd page
JMB

6/20/08 Per Dawn Hallowell - DEP This project would not require a permit by rule less than 50% JMB confirmed



This subsection does not apply to: the repair of more than 50% of a structure located in a coastal sand dune system; the repair of more than 50% of a dam, unless that repair has been approved by a representative of the United States Natural Resources Conservation Service; or the repair of more than 50% of any other structure, unless the municipality in which the proposed activity is located requires a permit for the activity through an ordinance adopted pursuant to the mandatory shoreland zoning laws and the application for a permit is approved by the municipality;

2-A. Existing road culverts. In any protected natural resource area, a permit is not required for the repair and maintenance of an existing road culvert or for the replacement of an existing culvert, as long as the replacement culvert is:

- A. Repealed. Laws 1993, ch. 315, § 2.⁸
- B. Not more than 25% longer than the culvert being replaced; and
- C. Not longer than 75 feet.

Ancillary culverting activities, including excavation and filling, are included in this exemption. A person repairing, replacing or maintaining an existing culvert under this subsection shall ensure that erosion control measures are taken to prevent sedimentation of the water and that the crossing does not block fish passage in the water course.

2-B. Floating docks. Replacement of a floating dock with another floating dock if the dimensions of the replacement dock do not exceed those of the dock being replaced and the configuration of the replacement dock is the same as the dock being replaced. In any action brought by the department against a person claiming an exemption under this subsection, the burden is on that person to demonstrate that the replacement dock satisfies the requirements of this subsection;

2-C. Transportation reconstruction or replacement project within a community public water system primary protection area. A transportation reconstruction or replacement project located within a community public water system primary protection area as long as a permit is not required due to the presence of any other type of protected natural resource;

3. Peat mining. Repealed. Laws 1995, ch. 700, § 1.⁹

4. Interstate pipelines. Alteration of freshwater wetlands associated with the construction, operation, maintenance or repair of an interstate pipeline, subject to article 6, where applicable;

5. Gold panning. Notwithstanding section 480-C, a permit shall not be required for panning gold, provided that stream banks are not disturbed and no unlicensed discharge is created;

6. Agricultural activities. Subject to other provisions of this article that govern other protected natural resources, altering a freshwater wetland for the purpose of normal farming activities such as clearing of vegetation for agricultural purposes if the land topography is not altered, plowing, seeding, cultivating, minor drainage and harvesting, construction or maintenance of farm or livestock ponds or irrigation ditches, maintenance of drainage ditches and construction or maintenance of farm roads;¹⁰

⁸Repeal effective October 13, 1993. The repealed text read: "Not more than one standard culvert size wider in diameter than the culvert being replaced;..."

⁹Repeal effective effective July 4, 1996. A transition provision was also enacted. It read: "**Transition provisions.** A peat mine licensed pursuant to the Maine Revised Statutes, Title 38, chapter 13, subchapter I, article 6 prior to the effective date of this Act is also considered licensed pursuant to Title 38, chapter 3, subchapter I, article 5-A, as of the effective date of this Act." Laws 1995, ch. 700, § 1 (effective July 4, 1996).

¹⁰This provision was rewritten by Laws 1995, ch. 460, § 5 and affected by an application provision reprinted in footnote 9.

