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**Permission from DEP for temporary Peaks Island Retaining Wall**

1 message

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**Ben Trout** <ben.trademark@gmail.com>  
To: Ann Machado <amachado@portlandmaine.gov>

Thu, Mar 15, 2018 at

Hi Anne,  
This from Alison Sirois...

Begin forwarded message:

**From:** "Sirois, Alison" <Alison.Sirois@maine.gov>  
**Subject:** RE: Peaks Island Retaining Wall  
**Date:** March 15, 2018 at 10:12:58 AM EDT  
**To:** 'Ben Trout' <ben.trademark@gmail.com>  
**Cc:** Brianne O'Donnell Fisher <brifisher08@gmail.com>, Alex Fisher <alex@planetdog.com>

Good morning Ben,

The Department believes that the placement of riprap to protect this seawall and the property does fall under the Natural Resources Protection Act §480-W Emergency actions to protect threatened property and therefore can be completed without a permit. Requirements under this exemption are found here <http://www.mainelegislature.org/legis/statutes/38/title38sec480-W.html>. This email notification is sufficient notice to the Department and confirms that within 6 months repairs to the seawall and removal of the riprap will be completed as outlined in 480-W.

And, if you have not already done so, please share this email and notify the town along with the town codes enforcement officer as soon as possible.

Let me know if you have any further questions,

Alison Sirois  
Licensing & Compliance Manager, Southern Maine Region  
Bureau of Land Resources, Maine Department of Environmental Protection  
Tel 207.699.7028 Fax 207.822.6303  
[www.maine.gov/dep](http://www.maine.gov/dep)

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**From:** Ben Trout [<mailto:ben.trademark@gmail.com>]  
**Sent:** Monday, March 12, 2018 1:07 PM  
**To:** Sirois, Alison <Alison.Sirois@maine.gov>  
**Cc:** Brianne O'Donnell Fisher <brifisher08@gmail.com>; Alex Fisher <alex@planetdog.com>  
**Subject:** Fwd: Peaks Island Retaining Wall

Dear Alison,

Thanks for taking the time to speak with me. I am contacting you on behalf of Alex and Brianne Fisher who own the property located at [16 City Point Road, Peaks Island](#). [Please see attached photos]. The house is built literally against/on top of a seawall that is failing. We intend to hire an engineer to design and get permits for replacement of the seawall. [Because of the proximity to the wall, the house may need to be temporarily lifted to accommodate additional foundation work that most likely will be required.] Per our conversation we request permission to retain the existing wall temporarily while the new wall is designed, permitted and built. We will mound rip rap at a 2:1 ratio or as required to adequately support the existing wall. We will do the work with the least impact we can on the beach. We will remove the rip rap and repair the beach when we reconstruct the wall. Please let us know this is okay.

Sincerely,

Ben Trout  
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380 Cottage Road  
So. Portland, ME 04106

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