



Ann Machado <amachado@portlandmaine.gov>

Temporary wall at 16 City Point

2 messages

Ben Trout <ben.trademark@gmail.com>
To: Ann Machado <amachado@portlandmaine.gov>
Cc: Coley Mulkern <cmulkern@lpamarine.com>

Mon, Mar 19, 2018 at 11:26 AM

Hi Ann,
May we please proceed?

Again, here is the permission from DEP. from Alison Sirois...

Let me know, ASAP
Thanks!

Ben Trout
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380 Cottage Road
So. Portland, ME 04106

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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

Ann Machado <amachado@portlandmaine.gov>

Wed, Mar 21, 2018 at 3:28 PM

To: Ben Trout <ben.trademark@gmail.com>

Cc: Coley Mulkern <cmulkern@lpamarine.com>, Philip DiPierro <pd@portlandmaine.gov>, "Barhydt, Barbara" <bab@portlandmaine.gov>

Ben -

I'm sorry that I did not get back to you sooner.

Since Alison Sirois, Licensing & Compliance Manager, Southern Maine Region for DEP has emailed you that placing the rip rap to protect the existing seawall is considered an emergency action since property is threatened and therefore under the National Resources Protection Act a permit is not required, zoning does not require a special approval to place the rip rap. You may go ahead and place the rip rap.

Alison's email does include a condition that "within six months repairs to the seawall and removal of the rip rap will be completed". Zoning is approving the installation of the rip rap as a temporary measure. Within this six month period you will need to obtain the proper site plan approval from the Planning Department and the proper permits from the Permitting and Inspections Department.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
[\(207\) 874-8709](tel:(207)874-8709)

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