



Ann Machado <amachado@portlandmaine.gov>

Notes from meeting

2 messages

Ben Trout <ben.trademark@gmail.com>

Thu, Mar 15, 2018 at 10:12 PM

To: Ann Machado <amachado@portlandmaine.gov>

Cc: Brianne O'Donnell Fisher <brifisher08@gmail.com>, Alex Fisher <alex@planetdog.com>, Bill Walsh <bill@walsh-eng.com>

Hi Anne,
Notes from our meeting:

We have permission from DEP for the temporary stabilization- we would like the City of Portland to acknowledge this permission. I would like to start work Monday ahead of the next storm. I will inform/write/show DEP letter to neighbors as a courtesy.

Questions:

Can we raise the sea wall?

Can we raise the grade?

Can we raise the house onto piers?

Raising sea wall is determined by DEP's interpretation of the National Recourses Protection Act and Army Corps

Permission to go up on piers is DEP [Mike Morse] and City of Portland.

Max height is 35' from pre-construction grade.

Barbara Barhydt will determine what level site plan review- I or II.

Piers don't increase volume in terms of Shoreland Zone regulations according to letter from Mike Morse. [will send]

Thanks for your help. I will keep you in the loop as we move forward.

Sincerely,

Ben Trout
Trademark, Inc.
380 Cottage Road
So. Portland, ME 04106

o- (207) 767-3552

c- (207) 838-7982

f- (207) 767-1244

Ann Machado <amachado@portlandmaine.gov>

Wed, Mar 21, 2018 at 3:51 PM

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

Cc: Brianne O'Donnell Fisher <brifisher08@gmail.com>, Alex Fisher <alex@planetdog.com>, Bill Walsh <bill@walsh-eng.com>, Philip DiPierro <pd@portlandmaine.gov>

Ben -

I have answered some of your questions below in blue.

Let me know if you have any questions.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709

On Thu, Mar 15, 2018 at 10:12 PM, Ben Trout <ben.trademark@gmail.com> wrote:

Hi Anne,
Notes from our meeting:

We have permission from DEP for the temporary stabilization- we would like the City of Portland to acknowledge this permission. I would like to start work Monday ahead of the next storm. I will inform/write/show DEP letter to neighbors as a courtesy.

Questions:

Can we raise the sea wall?

Can we raise the grade?

Can we raise the house onto piers?

Raising sea wall is determined by DEP's interpretation of the National Recourses Protection Act and Army Corps [Yes](#)

Permission to go up on piers is DEP [Mike Morse] and City of Portland. [After we met I looked at what is allowed within the Shoreland Zone. Section 14-382\(f\)\(2\) in Chapter 14 of the City of Portland Code of Ordinances allows an existing foundation within the to be elevated up to three feet. Under the *Guidelines For Municipal Shoreland Zone Ordinances* \(Chapter 1000\) under the mandatory Shoreland Zoning Act, 38 M.R.S.A., a foundation is defined as "the supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frostwalls, or other base consisting of concrete, block, brick or similar material". Under this definition, putting the house on piers would not violate the Shoreland zone regulations since you are not elevating an existing foundation and you are not adding floor area or volume with the use of piers. You would need to make sure that the elevated building does not raise the height of the building above thirty five feet measured from the pre-construction grade.](#)

)
Max height is 35' from pre-construction grade. [See above.](#)

Barbara Barhydt will determine what level site plan review- I or II. [Barbara Barhydt will determine whether it will be a levell or Level II Site Plan review once she knows the specific details of the project.](#)

Piers don't increase volume in terms of Shoreland Zone regulations according to letter from Mike Morse. [\[will send\]](#)

Thanks for your help. I will keep you in the loop as we move forward.

Sincerely,

Ben Trout
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