Memo from Chris Stacey, Zoning Specialist

Re: Site Plan 2016-159, 136 Island Ave, CBL 087O O023, James Soley

Project: Construct a 6’ by 30’ pier with attached 3’ by 40’ ramp and 12’ by 32’ float, for residential use.

Shoreland Zoning criteria, §14-449(b) Piers, docks, and wharves:

1. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion. – *The waterfront is already developed with stairs, retaining wall, and a deck providing a hardened surface to work from. No soil disturbance is anticipated.*
2. The location shall not interfere with existing developed or natural beach areas. – *There are no beaches in the vicinity.*
3. The facility shall be located so as to minimize adverse effects on fisheries. – *The project was reviewed by MDIFW as part of the DEP permitting process and is not anticipated to have an unreasonable impact on fisheries.*
4. The facility shall be no larger in dimension than necessary to carry on the activity, and shall be consistent with surrounding character and uses. – *The pier was sized to accommodate year-round, all-tide access and to be able to structurally withstand the expected wind and wave action. It was extended from an original shorter length in order to reduce the indirect shading impacts to the eel grass bed. There are several similar pier/float systems in the vicinity.*
5. New/expanded permanent structure projecting into or over water bodies shall require a permit from DEP. Permits may also be required from ACOE if in navigable waters. – *A DEP permit has been secured (L-27157), as has permits from ACOE (NAE-2016-01608) and the Harbor Commissioner.*
6. Except in the W-C, EWP, W-PD, and I-B zones, no new structure shall be built on, over or abutting a pier, wharf, dock or similar structure extending beyond the normal high water line of a water body or within a wetland unless the structure requires direct access to the water as an operational necessity. – *No structures are proposed to be built on the pier, ramp, or floats.*
7. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high water line of a water body or within a wetland shall be converted to residential dwelling units in any zone. – *There are no existing structures over the water body.*

Shoreland Zoning criteria, §14-449(d) Erosion and sedimentation control:

 No filling, grading, excavation, or other soil disturbance is proposed to install the pier, ramps, and floats.

The applicant is also proposing to repair and reface the existing concrete retaining wall, but only minimal soil disturbance is expected. The applicant was informed that a building permit may be required for the repairs and advised to consult with the Inspections division.