

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that THOMAS E & HILL

Located At 110 ISLAND

Job ID: 2011-05-1199-ALTR

CBL: 087 - - OO - 028 - 001 - - - -

has permission to REPLACE EXTERIOR STAIRS AND ADD NEW BEACH STAIR ACCESS provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer


Code Enforcement Officer / Plan Reviewer


**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD**

[Handwritten signature and date 6/10/11]

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2011-05-1199-ALTR	Date Applied: 5/24/2011	CBL: 087 - - 00 - 028 - 001 - - - - -	
Location of Construction: 110 ISLAND AVE- P.I	Owner Name: THOMAS E HILL	Owner Address: 1377 PATHFINDER AVE WESTLAKE VILLAGE, CA - CALIFORNIA 91362	Phone:
Business Name:	Contractor Name: Horizon Builders, Inc. – Tom Childs	Contractor Address: PO Box 802, Portland, ME 04101	Phone: 252-3552
Lessee/Buyer's Name:	Phone:	Permit Type:	Zone: I-B
Past Use: Single Family Dwelling	Proposed Use: Same: Single Family Dwelling – to replace Exterior Stairs and add new beach stair access	Cost of Work: \$20,000.00	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: R-3 Type: 5B
Proposed Project Description: replace exterior stairs and add new beach stairs		Signature:	Signature: 
		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Lannie		Zoning Approval	

<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 informatin may invalidate a building permit and stop all work.</p>	<p>Special Zone or Reviews</p> <p><input checked="" type="checkbox"/> Shoreland <i>within</i></p> <p><input type="checkbox"/> Wetlands</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input checked="" type="checkbox"/> Site Plan <i>level I # 2011-266</i></p> <p><input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM</p> <p>Date: <i>ok with conditions 6/9/11</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 Dist 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>Date: </p>
	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 appication 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 PHON

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**
 1. Setback/footing location inspection required prior to pouring concrete.
 2. Framing/final inspection required.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-05-1199-ALTR

Located At: 110 ISLAND

CBL: 087 - - OO - 028 - 001 - - - -

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
3. The "seasonal" stairs in the intertidal area are assumed to be removed seasonally. Please note that the owner of the abutting property does not have the right to block the public's use.
4. All Best Management Practices shall be used as shown on the plans to prevent erosion around the area of stairs that are to be rebuilt.

Email

CD

Flash Drive

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.

5/24/11 X+5

Location/Address of Construction: <u>110 ISLAND AVE. PEAKS ISLAND</u>		
Total Square Footage of Proposed Structure/Area: <u>240</u>	Square Footage of Lot: <u>6000</u>	Number of Stories: <u>N/A</u>
Tax Assessor's Chart, Block & Lot Chart# <u>87</u> Block# <u>00</u> Lot# <u>28</u>	Applicant: <u>INFO @ HORIZON BUILDERS INC.COM</u> Name: <u>HORIZON BUILDERS, INC.</u> Address: <u>PO BOX 802</u> City, State & Zip: <u>PORTLAND 04101</u>	Telephone: <u>252-3552</u>
Lessee/DBA: _____ Email: _____	Owner: <u>TOM HILL</u> Name: <u>THILL CI XXXX.COM</u> Address: <u>1377 PATHFINDER AVE.</u> City, State & Zip: <u>WESTLAKE VILLAGE, CA. 91362</u>	Cost of Work: <u>\$20,000</u> C of O Fee: \$ _____ Historic Review: \$ _____ Planning Amin.: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>SINGLE FAMILY</u> Number of Residential Units <u>1</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>SINGLE FAMILY</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>REPLACE EXTERIOR STAIRS</u> I-B		
Contractor's name: <u>HORIZON BUILDERS, INC.</u> Address: <u>PO BOX 802</u> City, State & Zip: <u>PORTLAND, ME 04101</u> Who should we contact when the permit is ready: <u>TOM CHILDS</u> Mailing address: <u>SEE ABOVE</u>		Email: <u>INFO @ HORIZON BUILDERS INC.COM</u> Telephone: <u>252-3552</u>

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

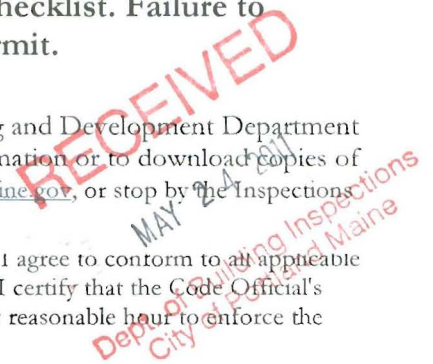
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I 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: Tom Childs

Date: 5-24-11

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



12/01/2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM
(For use with DEP Regulation, Chapter 305)

Copy to
Marge

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: Anne and Thomas Hill
Name of Agent: Carroll Associates Landscape Architects
Applicant Mailing Address: 1377 Pathfinder Ave
Town/City: Westlake Village
State and Zip code: California, 91362
Daytime Phone #: (818) 706-7621
Detailed Directions to Site: Take Casco Bay Ferry from Portland to Peaks Island.
Left on Island Ave. to # 110 on left.
Description of Project: Replace Existing Timber Steps to Beach
Part of a larger project? [] Yes [x] No
After the Fact? [] Yes [x] No
Check one -> This project [] does (or) [x] does not involve work below mean low water (average low water).

PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.

- [x] Sec. (2) Act. Adj. to Protected Natural Res.
[] Sec. (3) Intake Pipes
[x] Sec. (4) Replacement of Structures
[] Sec. (5) REPEALED
[] Sec. (6) Movement of Rocks or Vegetation
[] Sec. (7) Outfall Pipes
[] Sec. (8) Shoreline stabilization
[] Sec. (9) Utility Crossing
[] Sec. (10) Stream Crossing
[] Sec. (11) State Transportation Facil.
[x] Sec. (12) Restoration of Natural Areas
[] Sec. (13) F&W Creation/Enhance/Water Quality Improvement
[] Sec. (14) REPEALED
[] Sec. (15) Public Boat Ramps
[] Sec. (16) Coastal Sand Dune Projects
[] Sec. (17) Transfers/Permit Extension
[] Sec. (18) Maintenance Dredging
[] Sec. (19) Activities in/on/over significant vernal pool habitat
[] Sec. (20) Activities in existing dev. areas located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding & staging areas

I have attached the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- [x] Attach a check for \$65 made payable to: "Treasurer, State of Maine".
[x] Attach a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
[x] Attach Proof of Legal Name. If applicant is not an individual or municipality, provide a copy of Secretary of State's registration information (available at http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x)
[x] Attach photos of the proposed site where activity will take place as outlined in PBR Sections checked above.
[x] Attach all other required submissions as outlined in the PBR Sections checked above.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant: [Signature] Date: 05-23-2011

Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. Work carried out in violation of any standard is subject to enforcement action.

- AUGUSTA DEP: 17 STATE HOUSE STATION, AUGUSTA, ME 04333-0017, (207)287-3901
PORTLAND DEP: 312 CANCO ROAD, PORTLAND, ME 04103, (207)822-6300
BANGOR DEP: 106 HOGAN ROAD, BANGOR, ME 04401, (207)941-4570
PRESQUE ISLE DEP: 1235 CENTRAL DRIVE, PRESQUE ISLE, ME 04769, (207)764-0477

OFFICE USE ONLY
Ck.# 5452
Date 5/24/11
Staff JM
PBR # 52200
FP \$65.00
Acc. Date 6/1/11
Def. Date
After Photos

Marge Schmuckal - Re: 110 island ave/ 130 eastern prom

From: Danielle West-Chuhta (Danielle West-Chuhta)
To: Barbara Barhydt
Date: 6/8/2011 2:47 PM
Subject: Re: 110 island ave/ 130 eastern prom
CC: Marge Schmuckal; Philip DiPierro

I have researched the so-called Moody Beach case. Based on a colonial ordinance (that dates to 1647), the Law Court in that case determined that the upland private property owner owns in fee from the high water mark to the low water mark subject only to the public's right to use the same for "fishing, fowling and navigation." So, they can put the stairs in (because they own the fee), but they just cannot block the public's ability to use the flats/intertidal zone for the above purposes (which they do not propose to do with the location of the stairs and the fact that they are seasonal).

Thanks,

Danielle

>>> Barbara Barhydt 6/8/2011 12:37 PM >>>
Hi Pat:

Danielle is looking at the question of the seasonal steps. We did agree that a conditional approval could be granted to allow the steps inside of the retaining wall to be built. Phil is going to work on the approval documentation today.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256

bab@portlandmaine.gov>>> Patrick Carroll <pcarroll@carroll-assoc.com> Wednesday, June 08, 2011 10:38 AM
>>>

Can you give me an update on the status of each of these projects? I understand they were to be reviewed at today's staff meeting.

Pat

Sent from my iPhone

CARROLL ASSOCIATES

217 COMMERCIAL STREET SUITE 200
PORTLAND, ME 04101
PHONE 207.772.1562 FAX 207.772.0712

LANDSCAPE ARCHITECTS

110 Island Avenue, Peaks Island
Proposed Stair Replacement



View of Existing Stair from Beach. New stair follows existing alignment



View of existing stair from lawn. Vegetation clearing required 2 ft either side of stair for new construction.



Oblique View of Stair from Beach



Summertime View showing vegetated slope

EXHIBIT A

(110 Island Avenue, Peaks Island, Portland, Maine)

A certain lot or parcel of land, with the buildings thereon, situated on the westerly side of Peaks Island in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point in the westerly sideline of Island Avenue at the intersection of the southerly line of a lot of land owned by George W. Randall; thence southerly by the line of said Island Avenue fifty (50) feet to a point; thence westerly and parallel with the southerly line of the said Randall one hundred twenty (120) feet, more or less, to the seashore; thence northerly by the line of said seashore fifty (50) feet to land of the said Randall; thence easterly by the line of the said Randall one hundred twenty (120) feet, more or less, to the point of beginning. Also conveying by this instrument all my right, title and interest in the shore and flats adjoining and fronting the same.

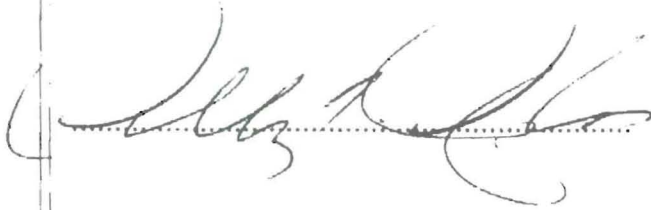
Being the same premises conveyed to the Grantors herein by deed from James K. Gilson and Gwentyth B. Gilson dated August 8, 1995 and recorded in the Cumberland County Registry of Deeds in Book 13189, Page 79.

Received
Recorded Register of Deeds
Sep 16, 2009 08:54:32A
Cumberland County
Pamela E. Lovley

RECEIVED
MAY 24 2011
Dept. of Building Inspections
City of Portland Maine

Signed, Sealed and Delivered
in the presence of

Gilson Realty Trust
dated August 8, 1995



James K. Gilson

By: **James K. Gilson**
Its: **Trustee**

To both

Gwenyth B. Gilson

By: **Gwenyth B. Gilson**
Its: **Trustee**

State of Maine,
County of Cumberland

ss.

September 15, 2009

Then personally appeared before me the above named James K. Gilson and Gwenyth B. Gilson Trustees of the Gilson Realty Trust dated August 8, 1995, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said Trust.



Attorney at Law/Notary Public

Printed Name: *Donnelly S. Douglas*

DEED OF TRUSTEE
Statutory Short Form

Know All by these Presents,

That we, **James K. Gilson and Gwenyth B. Gilson, Trustees under Declaration of Trust entitled Gilson Realty Trust dated August 8, 1995**, of Peaks Island, Portland, State of Maine, by the power conferred by law, and every other power, for consideration paid, grant to:

Thomas E. Hill and Anne Hill, Co-Trustees
of the Hill Living Trust dated June 22, 2001

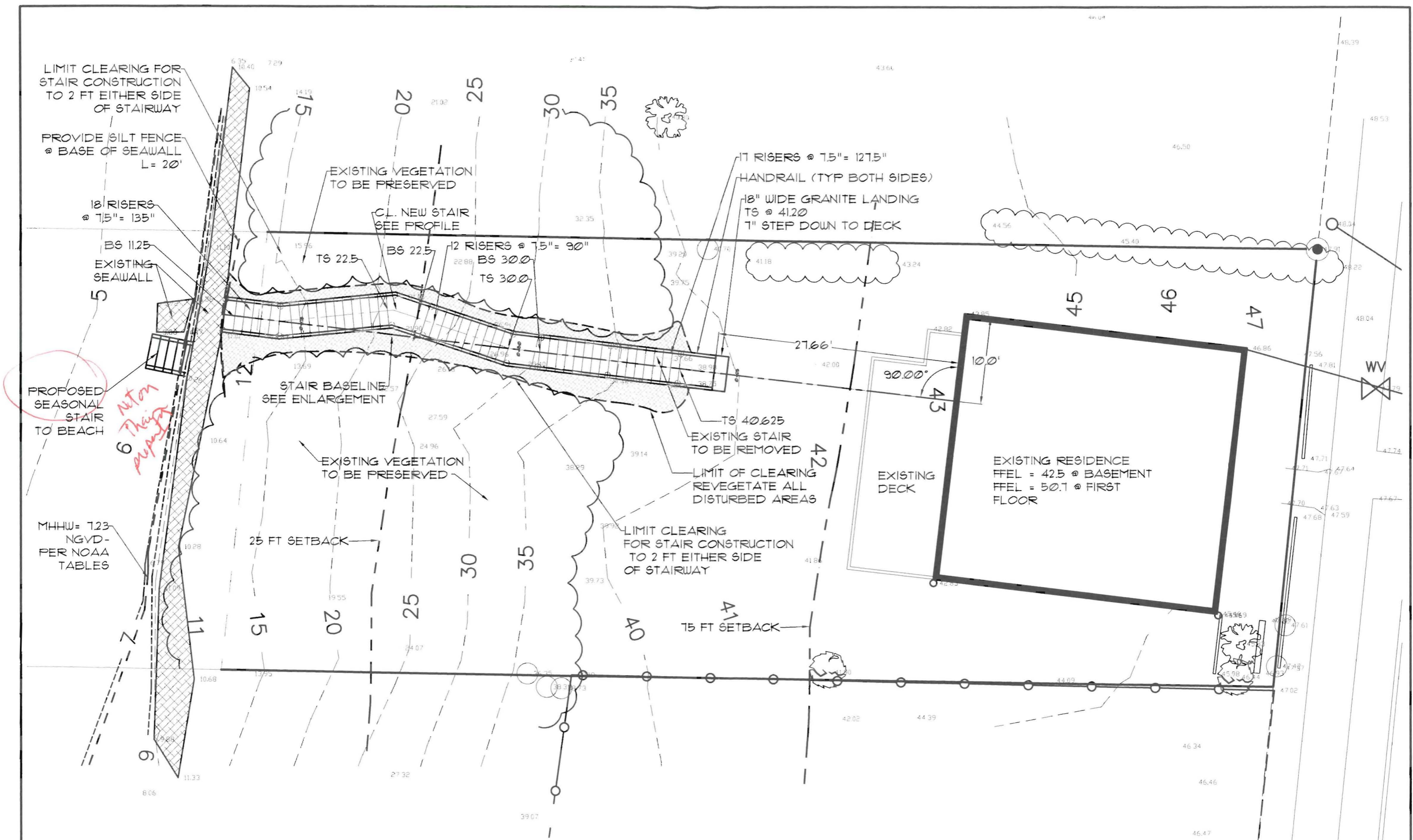
of Westlake Village, State of California, whose mailing address is:

1377 Pathfinder Avenue, Westlake Village, California 91362 with **warranty covenants**, the land and buildings in Peaks Island, Portland, County of Cumberland, and State of Maine, described as follows:

A certain lot or parcel of land, together with any buildings and improvements thereon, situated in the City of Portland, County of Cumberland, and State of Maine being more particularly described in Exhibit A attached hereto and made a part hereof.

Witness our hands and seals this 15th day of September, 2009.

MAINE REAL ESTATE TAX PAD



LIMIT CLEARING FOR STAIR CONSTRUCTION TO 2 FT EITHER SIDE OF STAIRWAY

PROVIDE SILT FENCE @ BASE OF SEAWALL L=20'

18 RISERS @ 7.5" = 135"

BS 11.25 EXISTING SEAWALL

PROPOSED SEASONAL STAIR TO BEACH

6' Net on Pulp

MHHW = 723 NGVD - PER NOAA TABLES

EXISTING VEGETATION TO BE PRESERVED

C.L. NEW STAIR SEE PROFILE

17 RISERS @ 7.5" = 127.5" HANDRAIL (TYP BOTH SIDES)

18" WIDE GRANITE LANDING TS @ 41.20 7" STEP DOWN TO DECK

12 RISERS @ 7.5" = 90" BS 22.5 BS 30.0 TS 22.5 TS 30.0

STAIR BASELINE SEE ENLARGEMENT

EXISTING VEGETATION TO BE PRESERVED

TS 40.625 EXISTING STAIR TO BE REMOVED

LIMIT OF CLEARING REVEGETATE ALL DISTURBED AREAS

LIMIT CLEARING FOR STAIR CONSTRUCTION TO 2 FT EITHER SIDE OF STAIRWAY

25 FT SETBACK

75 FT SETBACK

EXISTING DECK

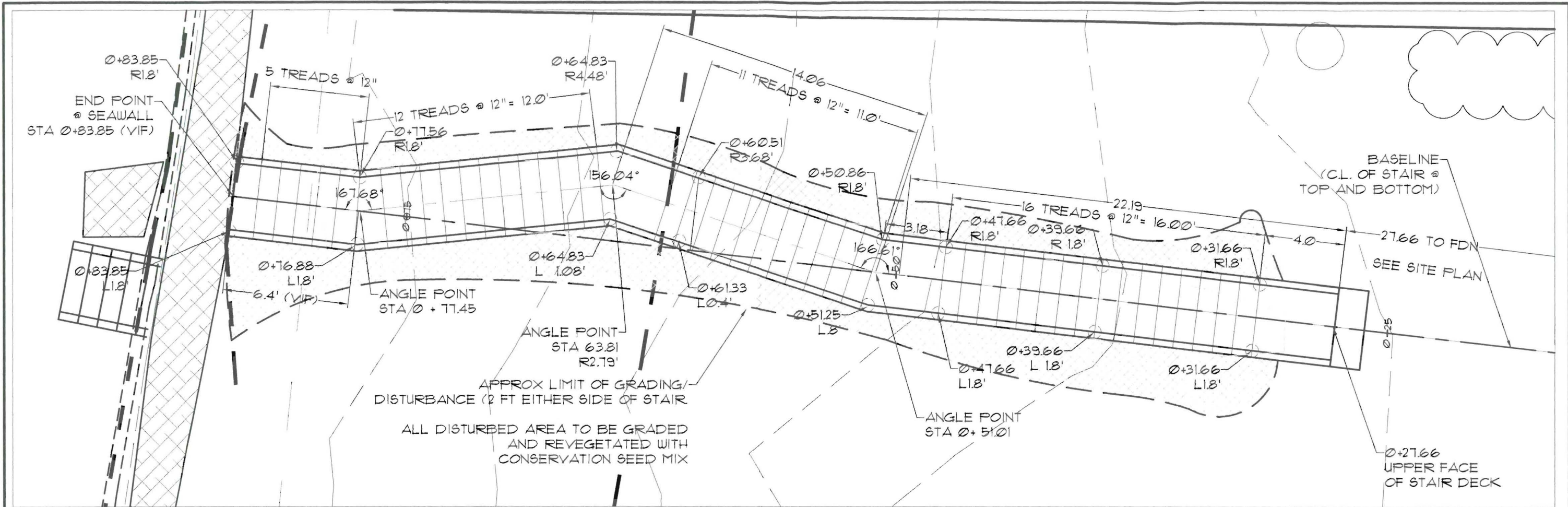
EXISTING RESIDENCE
FFEL = 42.5 @ BASEMENT
FFEL = 50.1 @ FIRST FLOOR

PROJECT: 110 ISLAND AVE STAIR REPLACEMENT
DRAWING TITLE: PROPOSED SITE PLAN

DATE: MAY 22, 2011
SCALE: 1" = 10'-0"

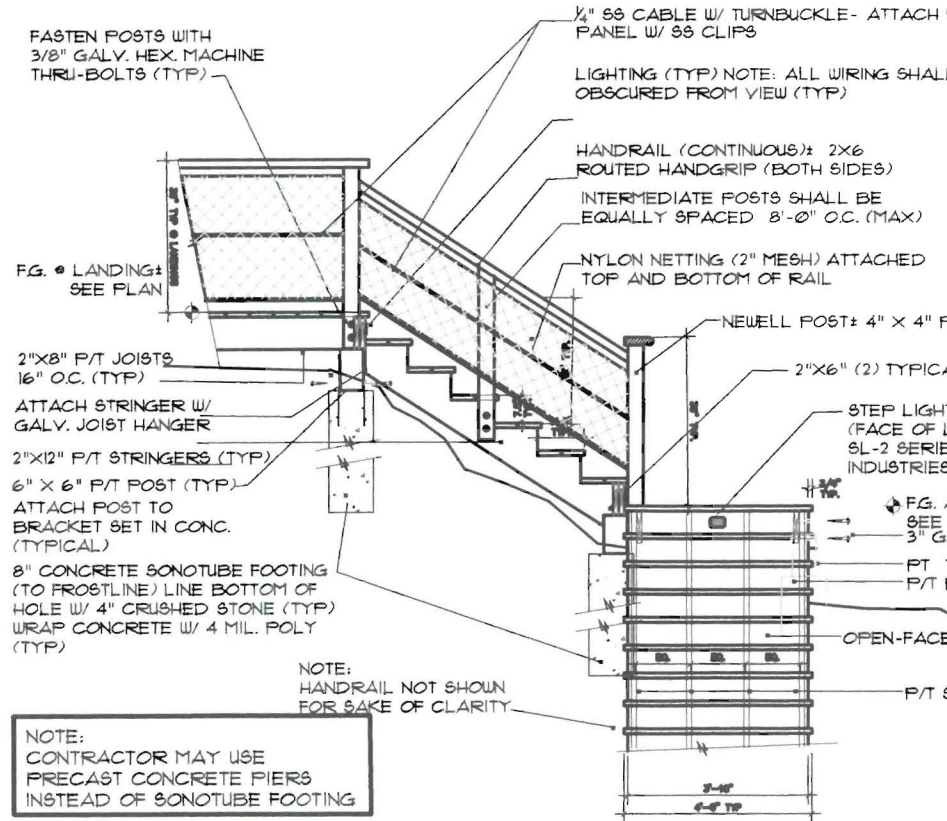
CARROLL ASSOCIATES
Landscape Architects
217 Commercial St. Portland, ME
207.772.1552 207.772.0712 (F)

SHEET NO. L-1

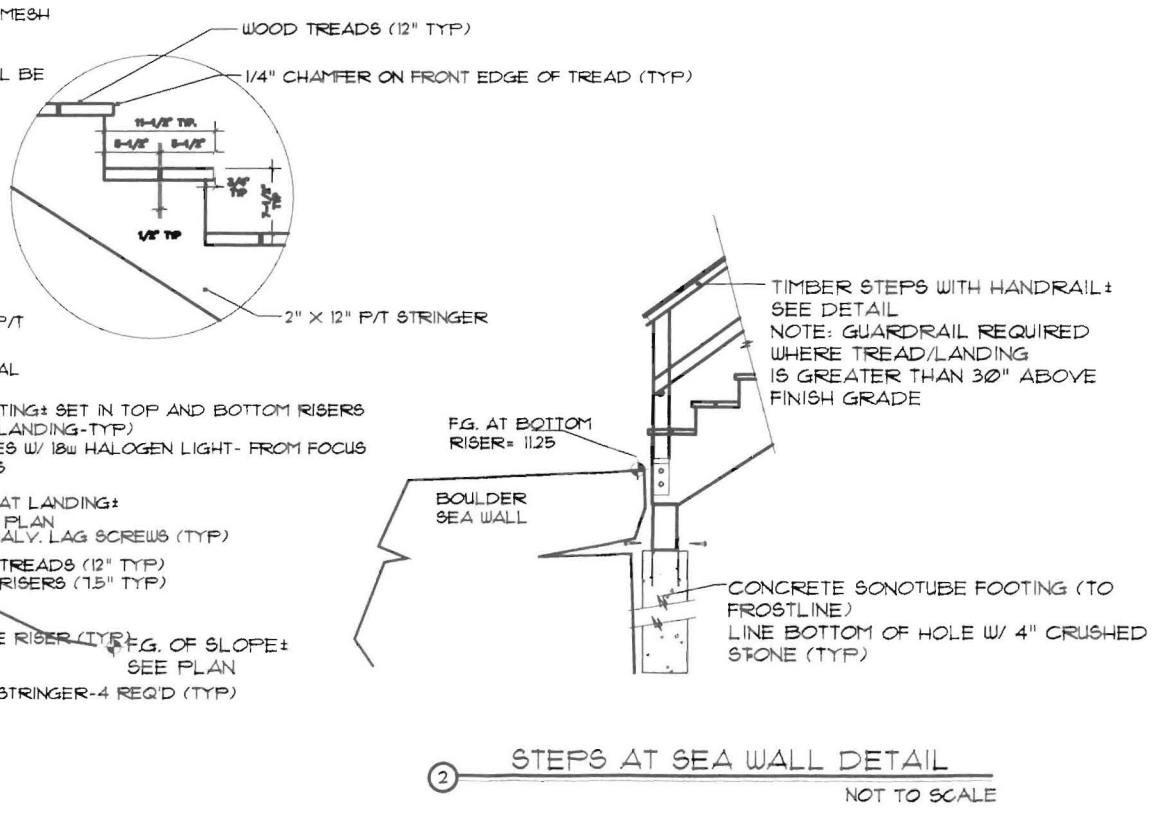


STAIR LAYOUT PLAN

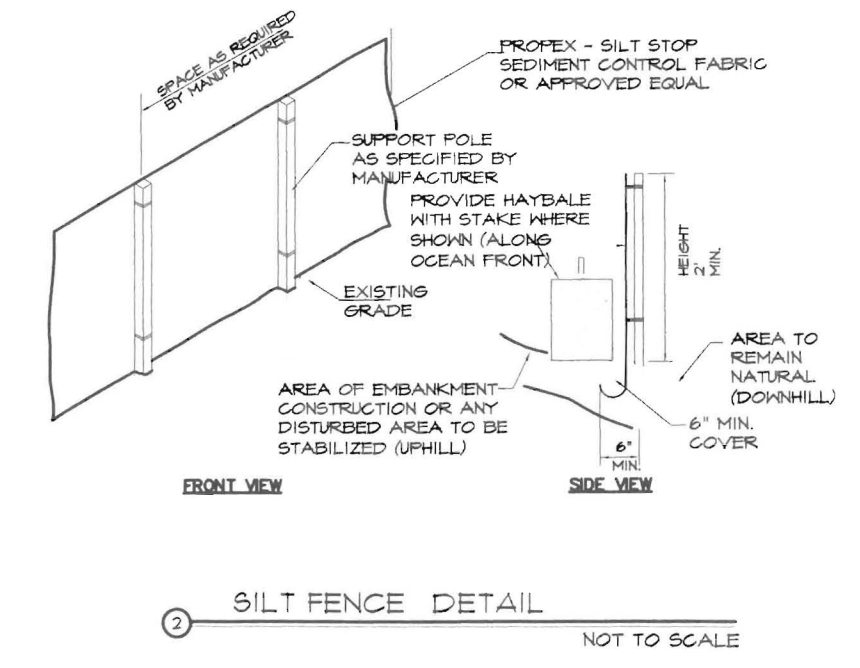
1" = 5'-0"



1 TIMBER STAIRS DETAIL
NOT TO SCALE

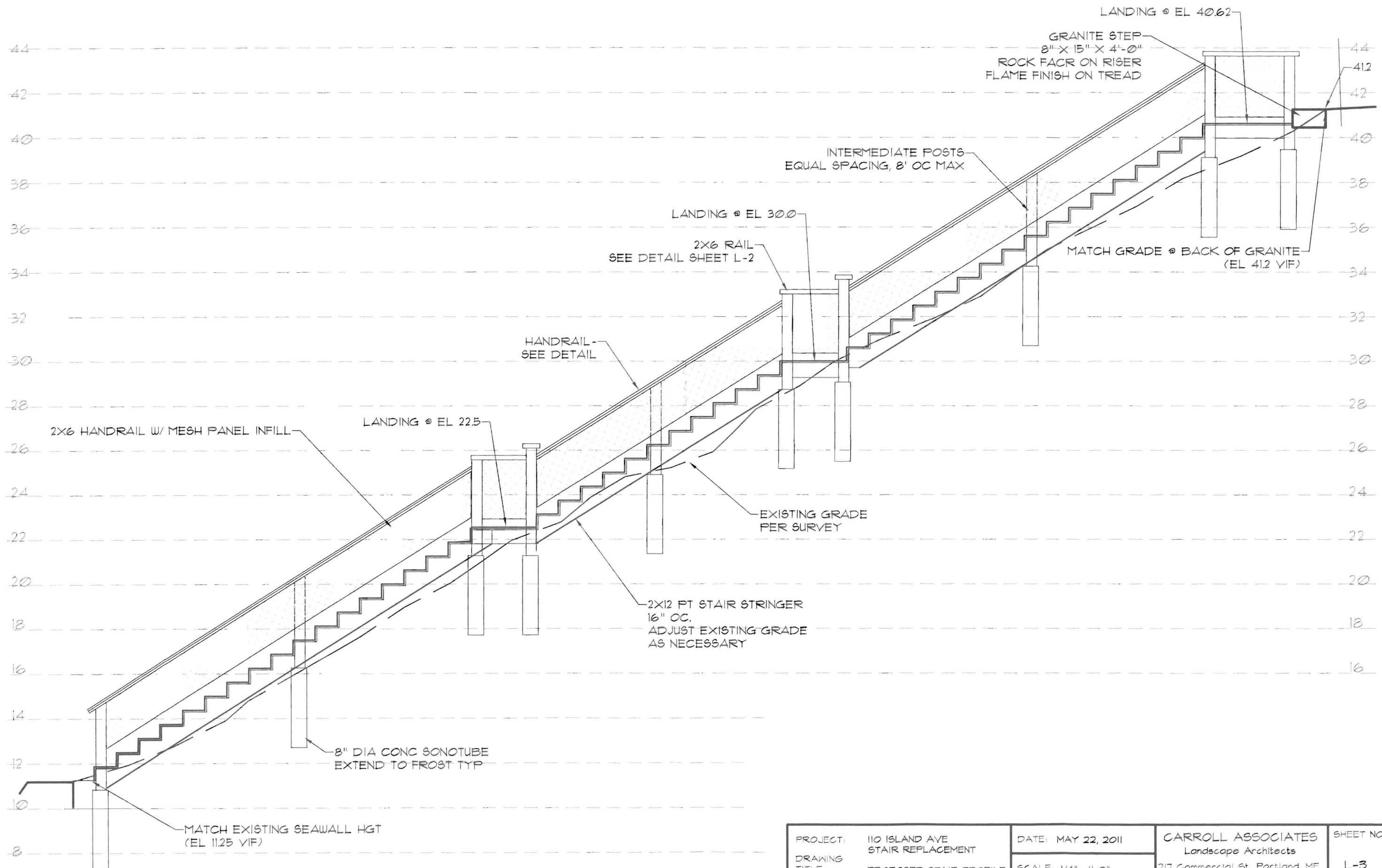


2 STEPS AT SEA WALL DETAIL
NOT TO SCALE



3 SILT FENCE DETAIL
NOT TO SCALE

PROJECT:	110 ISLAND AVE STAIR REPLACEMENT	DATE:	MAY 22, 2011	CARROLL ASSOCIATES Landscape Architects	SHEET NO.
DRAWING TITLE:	STAIR LAYOUT PLAN	SCALE:	1" = 5'-0"	217 Commercial St Portland, ME 207.772.1552 207.772.0712 (F)	L-2



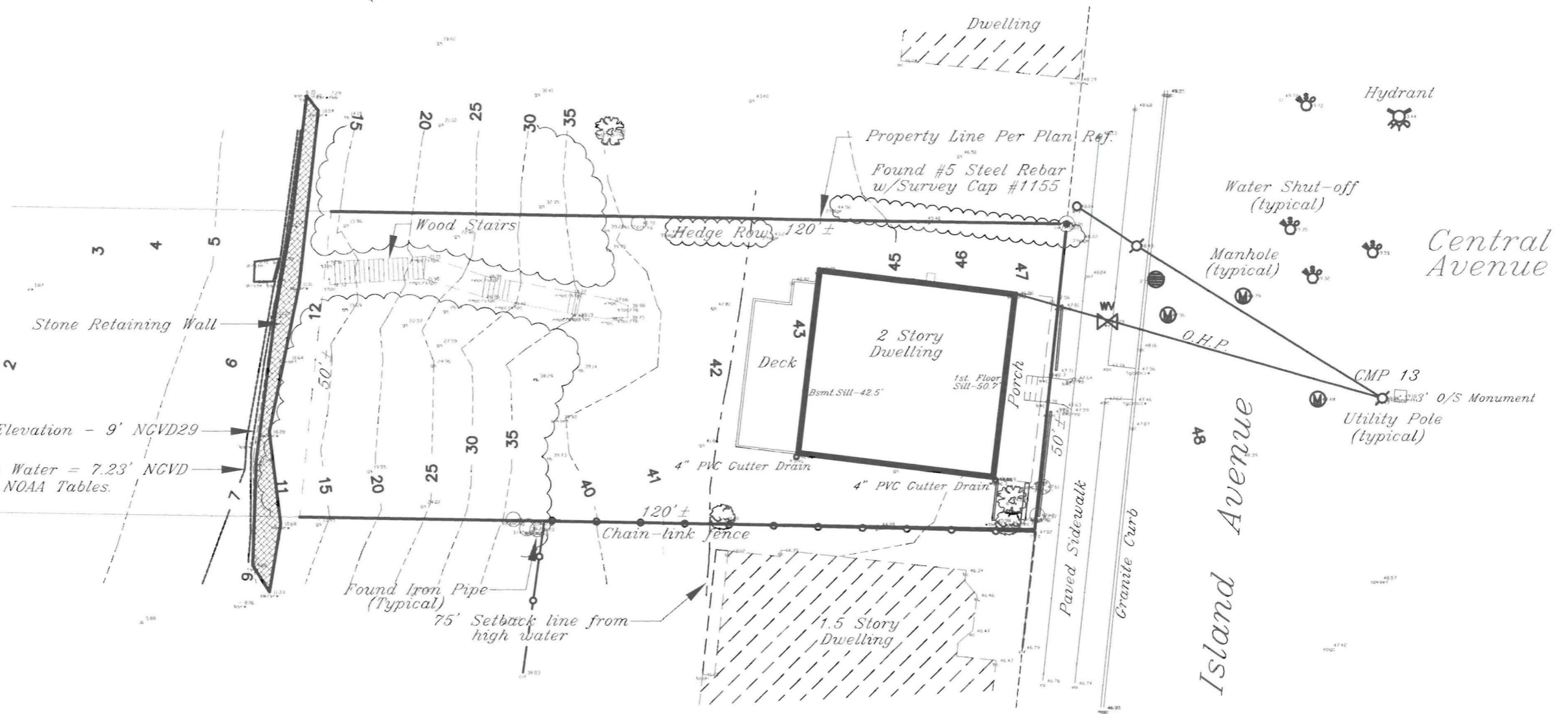
PROJECT:	110 ISLAND AVE STAIR REPLACEMENT	DATE:	MAY 22, 2011	CARROLL ASSOCIATES Landscape Architects	SHEET NO.
DRAWING TITLE:	PROPOSED STAIR PROFILE	SCALE:	1/4" = 1'-0"	217 Commercial St Portland, ME 207.772.1552 207.772.0712 (F)	L-3

Magnetic North
2011



Casco Bay

Base Flood Elevation - 9' NGVD29
2011 High Water = 7.23' NGVD
Per NOAA Tables.



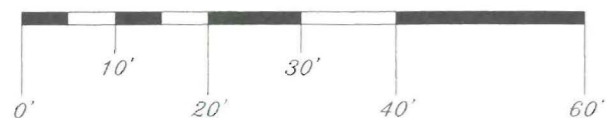
Plan Reference:

"Standard Boundary Plan, Plan Showing Area Of Overlap Prepared For James K. Gilson, Island Avenue, Peaks Island, Portland, Maine", dated September 2, 1992, by Land Use Consultants, Portland, Maine, Job No 2580.

General Notes:

1. This is not a Boundary Survey. Property lines are based solely on said Plan Reference and monumentation found in the field.
2. The surveyed parcel is subject to, and conveyed with, easements and rights of way of record (See Deed).

Graphic Scale:



Plan Showing Existing Conditions Made For
Thomas Hill
110 Island Avenue, Peaks Island
PORTLAND, MAINE

MUNICIPAL REFERENCE:

MAP: 87 BLOCK: 00 LOT: 28

TITLE REFERENCE: COUNTY: Cumberland

DEED BOOK: 27254 PAGE: 298

BENCHMARK REFERENCE: Vertical Datum (NGVD29)
established with GPS static observations taken on April 28,
2011 on site. NGS OPUS Solution (+/-0.034M)

DATE: April 28, 2011 FILE#: 2111212

SCALE: 1" = 20'

MLC

James D. Nadeau, LLC

Professional Land Surveyors
Certified Floodplain Managers

918 BRIGHTON AVE. PH.(207)878-7870
PORTLAND, ME. 04102 F.(207)878-7871