

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.

**APL** – all documents behind this target sheet pertain to the original application submitted by the Applicant.

**REVIEW** – all documents behind this target sheet pertain to those documents submitted to and from staff as part of the project review.

**PBM1** – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

**PBR1** - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

**CC1** - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

**DRC1** - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

**MISC1** - all documents behind this target sheet are those that may not be included in any of the categories above.

**DRC1**

DEVELOPMENT REVIEW COORDINATOR  
POST APPROVAL PROJECT CHECKLIST

Date: 10/29/10

Project Name: Stevenson/Makey/Murphy Slope Stabilization

Project Address: 548-562 Island Ave. - Peaks Island

Site Plan ID Number: 10-79900029

Planning Board/Authority Approval Date: 10/18/10

Site Plan Approval Date: 10/18/10

Performance Guarantee Accepted: 11/1/10 ck# 240 \$4262.50

Inspection Fee Paid: 11/1/10 ck# 1431 \$4862.50  
ck# 241 \$8825.00

Infrastructure Contributions Paid: N/A

Amount of Disturbed Area in SF or Acres: 4,315 SF

MCGP/Chapter 500 Stormwater PBR: N/A

Plans/CADD Drawings Submitted: ?

Pre-Construction Meeting: 11/9/10

Conditions of Approval Met: 6/3/11

As-Builts Submitted: N/A

Public Services Sign Off: 6/3/11

Certificate of Occupancy Memo Processed:  
(Temporary or Permanent) 6/14/11

Performance Guarantee to Defect Guarantee: 6/14/11

Defect Guarantee Released: 6/13/12

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy**

2008-0062

Application I. D. Number

5/20/2008

Application Date

**Makey Erosion Control**

Project Name/Description

**John Makey**

Applicant

**562 Island Avenue, Peaks Island, ME 04108**

Applicant's Mailing Address

**562 - 562 Island Ave, Portland, Maine**

Address of Proposed Site

**092 A019001**

Assessor's Reference: Chart-Block-Lot

Consultant/Agent

**Agent Ph:** \_\_\_\_\_ **Agent Fax:** \_\_\_\_\_

Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail

Manufacturing  Warehouse/Distribution  Parking Lot  Apt 0  Condo 0  Other (specify) \_\_\_\_\_

**9139**

**0**

Proposed Building square Feet or # of Units \_\_\_\_\_ Acreage of Site \_\_\_\_\_ Proposed Total Disturbed Area of the Site \_\_\_\_\_ Zoning \_\_\_\_\_

**Check Review Required:**

- Site Plan (major/minor)  Zoning Conditional - PB  Subdivision # of lots \_\_\_\_\_
- Amendment to Plan - Board Review  Zoning Conditional - ZBA  Shoreland  Historic Preservation  DEP Local Certification
- Amendment to Plan - Staff Review  Zoning Variance  Flood Hazard  Site Location
- After the Fact - Major  Stormwater  Traffic Movement  Other \_\_\_\_\_
- After the Fact - Minor  PAD Review  14-403 Streets Review

Fees Paid: Site Plan \$400.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date 5/20/2008

**Planning Approval Status:**

Reviewer \_\_\_\_\_

- Approved  Approved w/Conditions See Attached  Denied

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permit \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

**Performance Guarantee**  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- Performance Guarantee Accepted \_\_\_\_\_ date \_\_\_\_\_ amount \_\_\_\_\_ expiration date \_\_\_\_\_
- Inspection Fee Paid \_\_\_\_\_ date \_\_\_\_\_ amount \_\_\_\_\_
- Building Permit Issue \_\_\_\_\_ date \_\_\_\_\_
- Performance Guarantee Reduced \_\_\_\_\_ date \_\_\_\_\_ remaining balance \_\_\_\_\_ signature \_\_\_\_\_
- Temporary Certificate of Occupancy \_\_\_\_\_ date \_\_\_\_\_  Conditions (See Attached) \_\_\_\_\_ expiration date \_\_\_\_\_
- Final Inspection \_\_\_\_\_ date \_\_\_\_\_ signature \_\_\_\_\_
- Certificate Of Occupancy \_\_\_\_\_ date \_\_\_\_\_
- Performance Guarantee Released \_\_\_\_\_ date \_\_\_\_\_ signature \_\_\_\_\_
- Defect Guarantee Submitted \_\_\_\_\_ submitted date \_\_\_\_\_ amount \_\_\_\_\_ expiration date \_\_\_\_\_
- Defect Guarantee Released \_\_\_\_\_ date \_\_\_\_\_ signature \_\_\_\_\_



**From:** "Dan Goyette" <DGoyette@woodardcurran.com>  
**To:** "Philip DiPierro " <PD@portlandmaine.gov>  
**Date:** 6/2/2008 12:20:06 PM  
**Subject:** RE: Peaks Island Slope Stabilization Project

Phil,

I didn't see anything wrong with it.

Dan

-----Original Message-----

From: Philip DiPierro [mailto:PD@portlandmaine.gov]  
Sent: Monday, June 02, 2008 11:56 AM  
To: Dan Goyette  
Subject: Peaks Island Slope Stabilization Project

Hi Dan, any word yet on the review for the above mentioned project. Just checking.

Thanks,

Philip DiPierro  
Development Review Coordinator  
City of Portland Planning Division  
389 Congress Street  
Portland, Maine 04101

Phone 207 874-8632  
Fax 207 756-8258



## Development Review Application Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Address of Proposed Development: 562 ISLAND AVE, PEARLS ISLAND ME 04108

Zone:

Project Name: MAKEY EROSION CONTROL

Existing Building Size: 850 sq. ft.

Proposed Building Size: 850 sq. ft.

Existing Acreage of Site: 9,139 sq. ft.

Proposed Acreage of Site: 9,139 sq. ft.

Proposed Total Disturbed Area of the Site: ± 540 sq. ft. \*

\* If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) or Chapter 500, Stormwater Management Permit with the Maine Department of Environmental Protection (DEP).

Tax Assessor's Chart, Block & Lot:

Chart # 92  
Block # A  
Lot # 19

Property Owners Name/  
Mailing address:

JOHN MAKEY  
KAREN MURPHY  
562 ISLAND AVE  
PEARLS ISLAND  
ME 04108

Telephone #: 617-464-2323

Cell Phone #: 508-509-0445

Consultant/Agent Name,  
Mailing Address, Telephone #, Fax #  
and Cell Phone #:

PETER F. SPENCER,  
90 WATSEMAN MARINE  
475 US ROUTE 1, STEP  
CURP

Applicant's Name/  
Mailing Address:

JOHN MAKEY  
562 ISLAND AVE  
PEARLS ISL ME  
04108

Telephone #

Cell Phone #: 508-509-0445

FIREPORT ME 041032  
207-869-9100 O 207-798-2600 C  
207-869-9101 F

Fee for Service Deposit (all applications)        (\$200.00)

Proposed Development (check all that apply)

New Building  Building Addition  Change of Use  Residential  Office  Retail

Manufacturing  Warehouse/Distribution  Parking lot

Subdivision (\$500.00) + amount of lots        (\$25.00 per lot) \$        + major site plan fee if applicable

Site Location of Development (\$3,000.00)

(except for residential projects which shall be \$200.00 per lot       )

Traffic Movement (\$1,000.00)  Storm water Quality (\$250.00)

Section 14-403 Review (\$400.00 + \$25.00 per lot)

Other       

~ Please see next page ~

**Major Development (more than 10,000 sq. ft.)**

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Minor Site Plan Review**

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Plan Amendments**

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

**Billing Address: (name, address and contact information)**

WATERMAN MARINE CORP  
 475 US RTE 1, STE 6  
 FREEPORT ME 04032  
 207 869-9100  
 ATT: PETER F. SPENCER

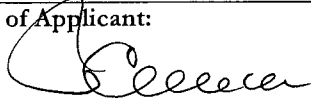
Submittals shall include **seven (7) folded** packets containing of the following materials:

- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: [www.portlandmaine.gov](http://www.portlandmaine.gov) Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that 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 Planning Authority and Code Enforcement'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.

**This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.**

Signature of Applicant: 	Date: 5/06/08
----------------------------------------------------------------------------------------------------------------	------------------



## Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Project Name, Address of Project

Application Number

The form is to be completed by the Applicant or Designated Representative:

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
✓	(2)	Name and address of applicant and name of proposed development	a
✓	(3)	Scale and north points	b
✓	(4)	Boundaries of the site	c
✓	(5)	Total land area of site	d
	(6)	Topography - existing and proposed (2 feet intervals or less)	e
	(7)	Plans based on the boundary survey including:	2
	(8)	Existing soil conditions	a
	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
	(12)	Location of on-site waste receptacles	e
	(13)	Public utilities	e
	(14)	Water and sewer mains	e
	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
	(18)	Parking areas	g
	(19)	Loading facilities	g
	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing vegetation and proposed vegetation	h
	(24)	Type of vegetation	h
	(25)	Quantity of plantings	h
	(26)	Size of proposed landscaping	h
	(27)	Existing areas to be preserved	h
	(28)	Preservation measures to be employed	h
	(29)	Details of planting and preservation specifications	h
	(30)	Location and dimensions of all fencing and screening	i
	(31)	Location and intensity of outdoor lighting system	j
	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
	(33)	Written statements to include:	c
	(34)	Description of proposed uses to be located on site	cl
	(35)	Quantity and type of residential, if any	cl
✓	(36)	Total land area of the site	c2
	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
	(38)	General summary of existing and proposed easements or other burdens	c3
	(39)	Type, quantity and method of handling solid waste disposal	c4
	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
✓	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6 c6





*Custom Docks, Ramps & Float Systems*

## **J. Makey, K Murphy Application Peaks Island**

### **Activity Description**

#### **Erosion control**

This property is situated at 562 Island Avenue on the north west side facing Diamond Pass and Great Diamond Island. This property is experiencing erosion at a rapid rate with annual loss of land and an undermining of the bank structure, a significant portion of which appears to have been caused by excessive storm and groundwater spilling over the property during periods of heavy precipitation as the result of a plug in the storm drainage catchbasin on the street in front of the property. This aspect of the erosion problem has been removed by the recent removal of the plug from the catchbasin by City Works Department staff.

The proposed erosion control measures include taking appropriate measures to introduce conditions to promote vegetation on the upper bank below the existing bulkhead wall; the collection and orderly dispersion of water seepage between the layers separating the 10' glacial till/clay mixture and the marine clay below; and the building of a rip rap wall on the lower slump area above the beach and high water to stabilize and contain the existing embankment and prevent the further loss of soil and property.

A description of the proposed erosion control measures are as follows:

1. Upper slope area
  - Install Enkamat over the upper slope, stapled to the grade, seeded and covered over with a jute straw. This area encompasses the upper slope from the existing bulkhead wall down to the water seam at approximately 20' elevation from the beach. Enkamat is a porous non biodegradable erosion control matting suitable for encouraging vegetation on steep slopes such as are presented here.
2. Mid slope area
  - Install filter fabric over the mid slope area at the water seam locations and over lay the fabric with 6" / 9" stone to both ballast and armor the slope. This will allow the water to flow in a controlled manner from the seam between the soil layers down to the rip rap and provide orderly dispersion.
3. Lower slope area
  - Set silt fencing and hay bales seaward of the construction area. machine dig a toe ditch in which to set the base stone and install

geo textile filter fabric in the toe ditch and up the bank to cover the area of rip rap wall installation. Install 18"/ 24" stone in the toe ditch area and 12"/14" over this to the height of the wall to merge with the mid slope ballast stone.

The property had been subjected to heavy stormwater runoff as the catch basin on Island Avenue in front of the dwelling had a plug inserted in it to prevent the catch basin from removing the storm water running down the street and adjacent upland properties. The recent removal of this plug has controlled storm runoff with no evidence of surface water on the property following the heavy precipitation (3 1 /2") the last week of April.

The area of the site requiring erosion control measures is 540 sq ft. It is estimated that weather permitting, the site work to install the erosion control plan will take 4 days.

Approvals required to complete this work include the Maine DEP, for which PBR has been issued and the City of Portland.



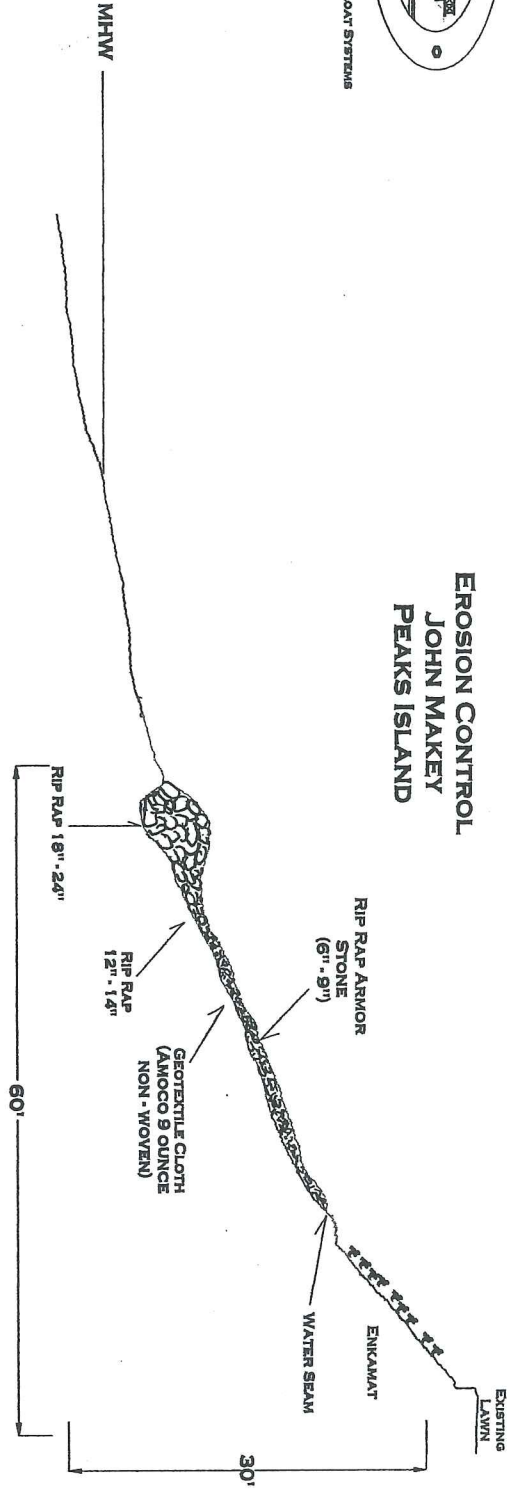




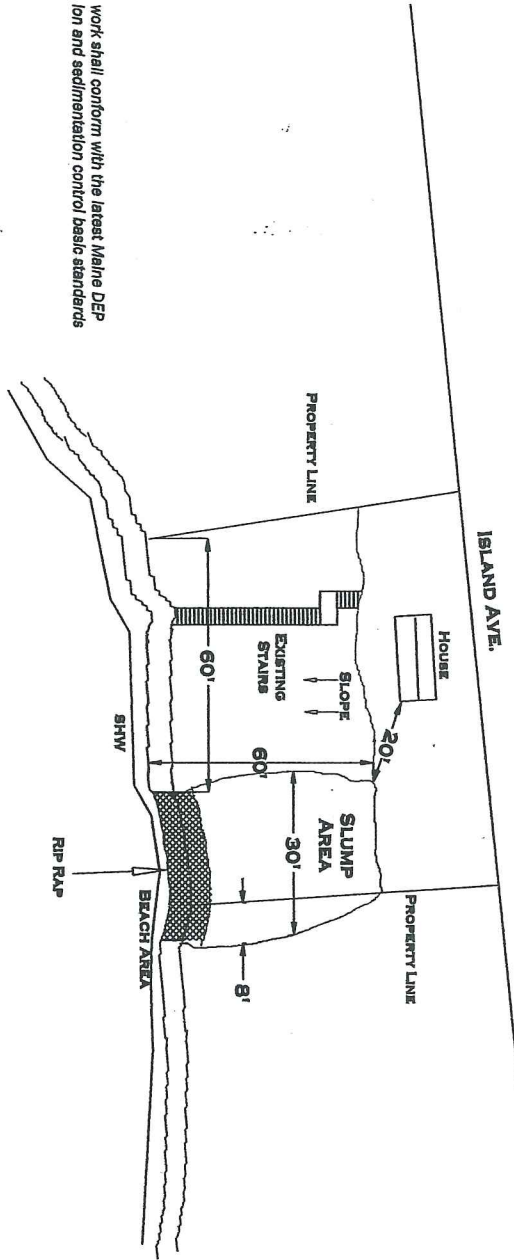


FROM DOCKS, RAMPS & FLOAT SYSTEMS

# EROSION CONTROL JOHN MAKEY PEAKS ISLAND



## PROFILE PLAN



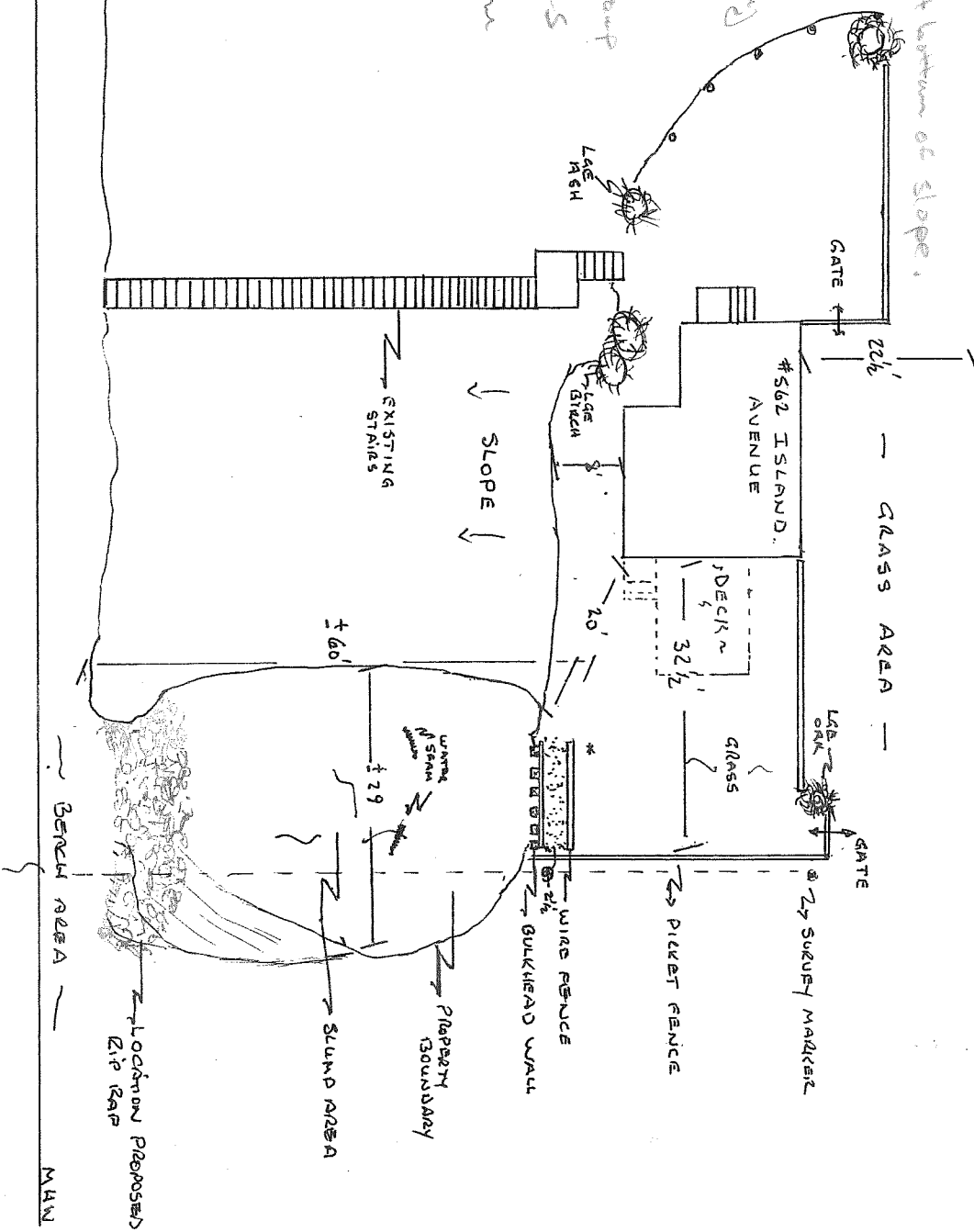
work shall conform with the latest Maine DEP  
ion and sedimentation control basic standards

**CITY OF PORTLAND  
APPROVED SITE PLAN**  
Subject to Dept. Conditions  
Date of Approval: 6/3/08

5/1/08 Conversation w/ John MacLain

- Erosion from ocean - wave action at bottom of slope.
- Surface water & seepage out of ground caused most of problem
- Cannot riprap any further than proposed - DEP will require full permitting
- Tried to get DEP permit previously & denied. PER
- DEP does not require engineers stamp
- Lot DEP know if plan changes
- Most of the damage occurred from surface water erosion

ISLAND AVENUE



PLAN:

BALLAST & ARMOR SLOPE  
 TO WATER SEAM 6"/9" ROCK  
 IN STALL. INKAMAT COVER UPPER  
 SLOPE / SOIL & SEED OVER  
 (SEEDING CONTROL & STORM  
 WATER MGMT)  
 RIP RAP LOWER SLOPE 18"/24"  
 TOE DITCH, 12"/14" OVER

SKETCH OF  
 MAKEBY PROPERTY  
 562 ISLAND AVE.  
 PEAKS ISL.  
 4/08

August 26, 2007

To whom it may concern:

I John MAKEY GIVE  
permission to WATERMAN MARINE  
and Peter Spencer to obtain the  
proper permitting to perform  
erosion control work at  
562 Island Ave - PEAKS ISLAND  
MAINE. SAID ADDRESS property  
IS OWNED BY John MAKEY and  
KAREN Murphy

Karen Murphy John Makey

Thank you.

Thursday, May 01, 2008

To whom it may concern:

As the owners of property at 548 Island Avenue, Peaks Island, Maine, we hereby give permission to the representatives and employees of Waterman Marine Corporation to impact our property abutting that of John Makey and Karen McCarthy, known as The Blue Suhtter for the purpose of stopping the erosion of the embankment between our properties. The amelioration to be undertaken will be in line with the plans shown to us by Peter Spencer on Wednesday, April 30, 2008.

Monica Stevenson and John Freeman

207-766-2010  
[monicas@maine.rr.com](mailto:monicas@maine.rr.com)  
548 Island Avenue  
Peaks Island, Maine 04108

- Permission letter  
from neighbors  
Not signed.  
- Deeds for both properties

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

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)		JOHN MACKEY			Applicant Mailing Address:		562 ISLAND AVE	
Town/City:		PEAKS ISLAND			State:		MAINE	
Zip Code:	04108	Daytime Telephone No: (include area code)		617.464.2323		Project Location: (town)		PORTLAND
County:	CUMBERLAND	Map #:	92	Lot #:	19	Name of Wetland or Waterbody:		
Name of Agent:		PETER SPENCER/WATERMAN MARINE			Agents Telephone No: (include area code)		207.869.9100	
Detailed Directions to Site:		FROM THE FERRY DOCK ON PEAKS ISLAND, CONTINUE STRAIGHT ON TO WELCH ST., TURN LEFT ON ISLAND AVE FOR .3 MILE, TURN RIGHT THEN LEFT TO STAY ON ISLAND AVE. #562						
Description of Project:		INSTALL A RIP RAP WALL APPROX. 35' IN LENGTH & 5' TO 10' IN HEIGHT TO PREVENT FURTHER EROSION OF PROPERTY.						
Part of a larger project?						Yes	<input checked="" type="checkbox"/>	No

(CHECK ONE) This project: does  does not  involve work below mean low water.

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.

- Sec. (2) Act. Adjacent to Protected Natural Res.
- Sec. (3) Intake Pipes
- 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 Facilities
- 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

I authorize staff of the Departments of Environmental Protection and Public Safety to access the project site for the purpose of determining compliance with the standards. This notification is valid until approved by the Department or 14 days after filing if no response is received. If no response is received, the permit is not valid.

I have attached the following required submittals. NOTIFICATION OF NECESSARY ATTACHMENTS:

- Attach a check for \$55 (non-refundable) made payable to the State of Maine
- Attach a U.S.G.S. topo map or Maine Atlas & Gazetteer
- Attach all other required submissions as outlined in the rule

Permit not signed off by DEP

By signing this Notification Form, I represent that the project meets the requirements and standards in the rule and that the applicant has sufficient title, right, and authority to carry out the activity where the activity takes place.

Signature of Agent or Applicant:		Date:	10/18/07
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Keep a copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the applicant. No further authorization by DEP will be issued after receipt of notification. In violation of any standard is subject to enforcement action.

AUGUSTA DEP STATE HOUSE STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111	PORTLAND DEP 312 CANCO ROAD PORTLAND, ME 04103 (207)822-6300	BANGOR DEP 106 HOUSSEY ROAD BANGOR, ME 04401 (207)948-2111
----------------------------------------------------------------------------------	-----------------------------------------------------------------------	---------------------------------------------------------------------

PBR # 44683  
4/24/08

OFFICE USE ONLY	Ck.#	Date	Staff
PBR # 44683	FP	4/24/08	Acc. Date



File Number

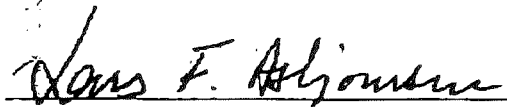
**TRUSTEE DEED**  
Maine Statutory Short Form

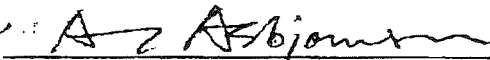
**KNOW ALL MEN BY THESE PRESENTS**, That **Lars F. Asbjornsen and Anne Asbjornsen**, Trustees under **The Lars and Anne Asbjornsen Living Trust**, of Freeport, Cumberland County, Maine, for consideration paid, grant to **Karen L. Murphy and John A. Makey**, whose mailing address is 53 Thomas Park ~ #3, South Boston, Massachusetts 02127, as Joint Tenants, the real property situated in Portland in the County of Cumberland and State of Maine more particularly described in Exhibit A attached hereto and incorporated herein by reference.

**IN WITNESS WHEREOF**, **Lars F. Asbjornsen and Anne Asbjornsen**, Trustees under **The Lars and Anne Asbjornsen Living Trust**, have hereunto set their hands and seals this 30<sup>th</sup> day of June, 2005.

The Lars and Anne Asbjornsen Living Trust



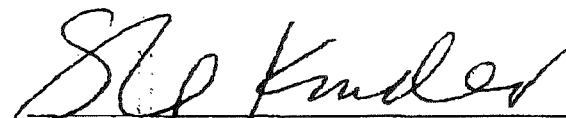
  
By: Lars F. Asbjornsen, Trustee

  
By: Anne Asbjornsen, Trustee

State of Maine  
County of Cumberland

June 30, 2005

Personally appeared before me the above named Lars F. Asbjornsen and Anne Asbjornsen, Trustees under the Lars and Anne Asbjornsen Living Trust, and acknowledged the foregoing instrument to be his/her free act and deed in their said capacity.

  
Notary Public/Attorney at Law

SUSAN GAGE KNEEDLER  
Notary Public, Maine  
My Commission Expires November 22, 2011

**EXHIBIT A**  
(DEED)

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

Beginning on the northwesterly side of Island Avenue at a pine tree dividing line between lots numbered two (2) and three (3) as shown on a plan of the Estate of Josiah Sterling made by James B. Jones in 1902; thence running southwesterly by the northwesterly side of Island Avenue eighty-six (86) feet, more or less, to a stake set in the ground; thence running northwesterly at right angles to said Island Avenue seventy-four (74) feet to a stake in the ground on the bank at high water mark; thence continuing northwesterly in the same direction to low water mark; thence easterly by low water mark to the said dividing line between lots numbered two (2) and three (3); thence southeasterly in said dividing line to said Island Avenue and the point of beginning, being a part of lot numbered three (3) as shown on said plan.

The point of beginning first above mentioned lies three hundred six (306) feet, more or less, northeasterly from the dividing line between the Sterling Trefethen estate as shown on plan in the office of the Department of Public Works of the City of Portland made from surveys of J. B. Jones made in 1897 and 1898.

TOGETHER WITH all our right, title and interest in and to land adjacent to the above described lying both northeasterly and southwesterly therefrom.

**PARCEL TWO:** A certain lot or parcel of land situated on northwesterly sideline of Island Avenue on Peaks Island, City of Portland, County of Cumberland and State of Maine and bounded and described as follows:

Beginning on the northwesterly sideline of said Island Avenue at an iron pipe found being 1" diameter flush in the ground and solid, said iron pipe being the southwesterly corner of land conveyed by Alice B. Glen a/k/a A. Barbara Doherty to Lars F. and Anne Asbjornsen by deed dated May 5, 1993 and recorded in Book 10675, Page 242 at the Cumberland County Registry of Deeds in said Portland, said iron pipe also being two hundred twenty (220) feet, more or less, northeasterly from the dividing line between the Sterling Trefethen estate as shown on plan in the office of the Department of Public Works of the City of said Portland made from surveys of J.B. Jones in 1897 and 1898;

Reviewed and Approved: \_\_\_\_\_

*[Handwritten signature]*

File No: 50741-hs

Thence North 40° 10' 50" West at a right angle to said northwesterly sideline of Island Avenue and along said Asbjornsen land twenty-nine and three tenths (29.3) feet, more or less to a point;

Thence continuing along the lands of said Asbjornsen North 40° 10' 50" West seventy-four (74) feet, more or less, to the high water mark;

Thence continuing along the lands of said Asbjornsen North 40° 10' 50" West to the low water mark of Casco Bay;

Thence turning southwesterly by low water mark of said Casco Bay to remaining lands conveyed by Love Dean, formerly Love Dineen to Paul Foley a/k/a the Grantor, by deed dated July 22, 1974 and recorded in Book 3580, Page 17 at said Registry and a point on said low water mark of said Casco Bay said point being thirty (30) feet perpendicular to said Asbjornsen's southerly line;

Thence turning parallel to and thirty (30) feet from said Asbjornsen southerly line and along remaining lands of said Foley, South 40° 10' 50" East to a point at the high water mark;

Thence continuing along the remaining lands of said Foley, South 40° 10' 50" East fifty-two (52) feet, more or less, to a #5 rebar set with a yellow cap, PLS #2246 at or near the top of the bank;

Thence continuing along the remaining lands of said Foley, South 40° 10' 50" East thirty (30) feet to the northwesterly sideline of said Island Avenue and a #5 rebar set with a yellow cap, PLS #2246;

Thence turning a right angle to the last described line along northwesterly sideline of said Island Avenue North 49° 49' 10" East thirty (30) feet to the point of beginning.

The above described lot or parcel of land contains twenty-seven hundred eighty (2,780) square feet, more or less, as measured to approximate high water line.

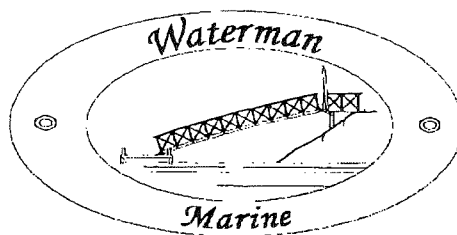
The above described lot or parcel of land is a portion of the premises conveyed to said Love Dean, formerly Love Dineen by Mildred E. Casey, et al, by deed dated August 27, 1971 and recorded in Book 3188, Page 132 at said Registry.

Reference is to a survey entitled "Plan of Property in Peaks Island, Portland, Maine, made for Clara Foley", prepared by Lloyd E. Jones, Surveyor, dated November 16, 1974 and is unrecorded.

Reviewed and Approved: \_\_\_\_\_

*M*      *N.E.A.*





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Fax - 207.869.9101

www.watermanmarine.com  
pspencer@watermanmarine.com

**Fax Transmittal Form**

---

To: PAUL DIPIERRO

From: PETER SPENCER

Date Sent: 5/30/08

Fax Number: 207-756-8258

Number of Pages: 5

---

Message: J. MARY DEED  
562 ISLAND AVE, PEAK ISL  
SIGNED LETTER OF AUTHORIZATION  
EN ROUTE HERE.

















# PORTLAND, MAINE

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[www.portlandmaine.gov](http://www.portlandmaine.gov)

**Planning and Urban Development**  
Gregory Mitchell, Director

**Planning Division**  
Alexander Jaegerman, Director

**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** June 8, 2012  
**SUBJECT:** Request for Release of Defect Guarantee  
548 & 562 Island Ave., Peaks Island, Stevenson/Makey/Murphy Slope Stabilization  
(ID #10-79900029                      Lead CBL #092 A 001001 & 092 A 019001)

Please release the defect guarantee, City Held Escrow Account #710-0000-233.92-01 for the Slope Stabilization Project at 548 & 562 Island Avenue, Peaks Island

Remaining Balance      \$882.50

**Approved:**

  
\_\_\_\_\_  
Alexander Jaegerman  
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator

389 Congress Street, Portland, Maine 04101-3509    Ph (207)874-8721 or 874-8719    Fx 756-8258    TTY 874-8936

**Philip DiPierro - Re: inspection**

---

**From:** Stevenson Monica <monicas@maine.rr.com>  
**To:** "Philip DiPierro" <PD@portlandmaine.gov>  
**Date:** 5/29/2012 12:21 PM  
**Subject:** Re: inspection  
**CC:** "John Freeman" <freeman9@maine.rr.com>, "John Makey" <jamjr38@aol.com>, ...

---

All of the plants are alive...2 were replaced last week, so they are smaller than the rest, but they are all viable. Please let us know when you come out.

Monica

On May 29, 2012, at 11:47 AM, Philip DiPierro wrote:

Hi John, I'll try to get out to the island within the next week or so to do the final inspection. Are all the plants still alive and in good health? If not they will need to be replaced and another inspection will be required before the remaining funds can be released. You may want to check the plants before I go out.

Please contact me with any questions. Thanks.

Phil

Philip DiPierro  
Development Review Coordinator  
City of Portland Planning Division  
389 Congress Street  
Portland, Maine 04101

Phone 207 874-8632

Fax 207 756-8258

>>> "John Freeman" <[freeman9@maine.rr.com](mailto:freeman9@maine.rr.com)> 5/29/2012 10:58 AM >>>

Phil,

I has been a year. When do you think someone can do a final inspection to release the final 10% ?

John Freeman

**From:** [Philip DiPierro](#)  
**Sent:** Tuesday, June 14, 2011 11:22 AM  
**To:** [John Makey](#) ; [freeman9@maine.rr.com](mailto:freeman9@maine.rr.com) ; [Momo](#) ; [Karen Murphy](#)  
**Subject:** Re: inspection

Hi all, I was at the site last week for a final inspection and everything looked fine. I'm currently processing the paperwork for the reduction to the 1 year 10% defect guarantee.

I will re-inspect the site next year and assuming there are no defects or failures, and all the plants are healthy, the remaining 10% defect guarantee will then be released.

How are the funds to be distributed?  
Please contact me with any questions.

Thanks.

Phi

Philip DiPierro  
Development Review Coordinator  
City of Portland Planning Division  
389 Congress Street  
Portland, Maine 04101

Phone 207 874-8632

Fax 207 756-8258

>>> "Karen Murphy" <[kmurphy@meditech.com](mailto:kmurphy@meditech.com)> 6/13/2011 3:42 PM >>>

Hi, We received a check from Newport Bank.....assuming it's our escrowed funds, was an amount of roughly \$960, but there was no documentation indicating that this is what the check was for. Phil can you please confirm this was the 90% amount escrowed for 562 Island Ave.? Txs, Karen \*\*\*On Mon 3:40p Jun 13, 2011 John Freeman wrote\*\*\* Phil, Just following up to see where things are regarding inspection and release of escrowed funds.  
John



# PORTLAND, MAINE

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Planning and Urban Development  
Penny St. Louis, Director

Planning Division  
Alexander Jaegerman, Director


**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** June 14, 2011  
**SUBJECT:** Request for Reduction of Performance Guarantee to Defect Guarantee  
548 & 562 Island Ave., Peaks Island, Stevenson/Makey/Murphy Slope Stabilization  
(ID #10-79900029 Lead CBL #092 A 001001 & 092 A 019001)

Please reduce the Performance Guarantee, City Held Escrow Account #710-0000-233.92-01 for the Slope Stabilization Project at 548 & 562 Island Avenue, Peaks Island, to the Defect Guarantee.

Original Amount	\$8,825.00
<b><u>This Reduction</u></b>	<b><u>\$7,942.50</u></b>
Remaining Balance	\$ 882.50

This is the first reduction for the project.

Approved:

  
Alexander Jaegerman  
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator  
File: Urban Insight





# PORTLAND MAINE

## Planning Division

Phil DiPierro, Development Review Coordinator

6/23/11

Hi Peggy,

This PG was posted by

2 individuals. Please divide  
equally & send 1 check to each.

① Monica Stevenson

548 Island Ave.

Peaks Island, Maine 04108

\$3,971.25

② Karen Murphy

53 Thomas Park Unit #3

So. Boston, Mass. 02127

\$3,971.25

Thanks,

Phil

## Philip DiPierro - Re: inspection

---

**From:** Philip DiPierro  
**To:** Makey, John; Momo; Murphy, Karen; freeman9@maine.rr.com  
**Date:** 6/14/2011 11:22 AM  
**Subject:** Re: inspection

---

Hi all, I was at the site last week for a final inspection and everything looked fine. I'm currently processing the paperwork for the reduction to the 1 year 10% defect guarantee.

I will re-inspect the site next year and assuming there are no defects or failures, and all the plants are healthy, the remaining 10% defect guarantee will then be released.

How are the funds to be distributed?  
Please contact me with any questions.

Thanks.

Phi

Philip DiPierro  
Development Review Coordinator  
City of Portland Planning Division  
389 Congress Street  
Portland, Maine 04101

Phone 207 874-8632  
Fax 207 756-8258

>>> "Karen Murphy" <kmurphy@meditech.com> 6/13/2011 3:42 PM >>>

Hi, We received a check from Newport Bank.....assuming it's our escrowed funds, was an amount of roughly \$960, but there was no documentation indicating that this is what the check was for. Phil can you please confirm this was the 90% amount escrowed for 562 Island Ave.? TxS, Karen \*\*\*On Mon 3:40p Jun 13, 2011 John Freeman wrote\*\*\* Phil, Just following up to see where things are regarding inspection and release of escrowed funds. John

Memorandum  
Department of Planning and Urban Development  
Planning Division

---



TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: June 14, 2011

RE: C. of O. for # 548-562 Island Ave., Peaks Island,  
Stevenson/Makey/Murphy Slope Stabilization  
(Id# 10-79900029) (CBL 092 A 001001 & 092 A 019001)

---

After visiting the site, I have the following comments:

Site work complete:

At this time, **I recommend issuing a Permanent Certificate of Occupancy.**

Cc: Inspection Services Manager  
File: Barbara Barhydt, Development Review Services Manager  
File: 1 Solution



# PORTLAND MAINE

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**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

**Planning Division**  
Alexander Jaegerman, Director

**OCTOBER 18, 2010**

**MONICA STEVENSON  
JOHN FREEMEN  
548 ISLAND AVE.  
PEAKS ISLAND, ME 04108**

**KAREN MURPHY  
JOHN MAKEY  
53 THOMAS PARK APT #3  
SO. BOSTON, MA 02127**

**WILLIAM R. WALSH, P.E.  
WALSH ENGINEERING  
918 BRIGHTON AVE,  
PORTLAND, ME 04102**

**Project Name: STEVENSON/MURPHY SLOPE STABILIZATION**

**Project ID: 10-79900029**

**Address: 548 ISLAND AVE.  
562 ISLAND AVE.**

**CBL: 092-A-001-001  
092-A-019-001**

**Applicant: MONICA STEVENSON, JOHN FREEMEN, KAREN MURPHY, JOHN MAKEY  
Planner: ERICK GILES, AICP, LEED AP**

Dear Applicants:

On October 18, 2010, the Portland Planning Authority approved a minor site plan for the Stevenson/Murphy Slope Stabilization project at 548 and 562 Island Ave., Peaks Island as shown on the approved plan prepared by Bill Walsh of Walsh Engineering and dated September 29, 2010.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

#### **STANDARD CONDITIONS OF APPROVAL**

Please note the following standard conditions of approval and requirements for all approved site plans:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14 of the Portland City Code.
2. This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved

by the Planning Division and Public Services Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds or prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised subdivision or site plan application for staff review and approval.

5. The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
8. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact **Erick Giles** at 874-8723 or [egiles@portlandmaine.gov](mailto:egiles@portlandmaine.gov)

Sincerely,

  
Alexander Jaegerman  
Planning Division Director

**Attachments:**

1. Performance Guarantee Packet

**Electronic Distribution:**

Penny St. Louis Littell, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Erick Giles, Planner  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Tammy Munson, Inspections Division  
Lannie Dobson, Administrative Assistant

---

Michael Bobinsky, Public Services Director  
Katherine Earley, Public Services  
Bill Clark, Public Services  
David Margolis-Pinco, Deputy City Engineer  
Jane Ward, Public Services  
Keith Gautreau, Fire  
Jeff Tarling, City Arborist  
Tom Errico, Wilbur Smith Consulting Engineers  
Dan Goyette, Woodard & Curran  
Assessor's Office  
Approval Letter File  
**Hard Copy:** Project File





# PORTLAND MAINE

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**Planning and Development Department**  
Lee D. Urban, Director, 2008

**Planning Division**  
Alexander Jaegerman, Director

RE: 562 Island Avenue, Peaks Island  
CBL: 092 A 019001  
Application ID: 2008-0062

Dear Mr. Spencer,

On June 3, 2008, the Portland Planning Authority approved a minor site plan for the Shoreline Stabilization Project located in the Shoreland Zone, to include rip rap with filter fabric, armor and ballast, and Enkamat erosion control material, in the vicinity of 562 Island Avenue, Peaks Island as submitted by John Mackey and shown on the approved plan prepared by Peter Spencer of the Waterman Marine Corporation, and dated April 30, 2008, with the following conditions:

1. Erosion and sediment control shall be done in accordance with Best Management Practices, MDEP Technical & Design Guidelines.
2. Photos showing the finished activity must be submitted to Phil DiPierro, Development Review Coordinator, within 20 days of completion.
3. To the greatest extent practicable, materials used in the construction of this project shall be of native sources so that the completed project blends as best as possible with the areas natural surroundings, and to avoid the growth of non-native invasive plant species.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
2. A minimum inspection fee payment of \$300.00 must be submitted to the Planning Division prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised subdivision or site plan application for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Philip DiPierro at 874-8632.

Sincerely,

Alexander Jaegerman  
Planning Division Director

Electronic Distribution:

cc: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Jeanie Bourke, Inspections Division  
Lisa Danforth, Administrative Assistant  
Michael Bobinsky, Public Works Director  
Kathi Earley, Public Works  
Bill Clark, Public works  
Jim Carmody, City Transportation Engineer  
Michael Farmer, Public Works  
Jeff Tarling, City Arborist  
Captain Greg Cass, Fire Prevention  
Assessor's Office  
Approval Letter File



June 3, 2008

RE: 562 Island Avenue, Peaks Island  
CBL: 092 A 019001  
Application ID: 2008-0062

Dear Mr. Spencer,

On June 3, 2008, the Portland Planning Authority approved a minor site plan for the Shoreline Stabilization Project to include rip rap with filter fabric, armor and ballast, and Enkamat erosion control material, in the vicinity of 562 Island Avenue, Peaks Island as submitted by John Mackey and shown on the approved plan prepared by Peter Spencer of the Waterman Marine Corporation, and dated April 30, 2008, with the following conditions:

1. Erosion and sediment control shall be done in accordance with Best Management Practices, MDEP Technical & Design Guidelines.
2. Photos showing the finished activity must be submitted to Phil DiPierro, Development Review Coordinator, within 20 days of completion.
3. To the greatest extent practicable, materials used in the construction of this project shall be of native sources so that the completed project blends as best as possible with the areas natural surroundings, and to avoid the growth of non-native invasive plant species.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division. (Does Inspections or zoning sign off on a permit for this work?)
- ~~2. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.~~
- ~~3.2.~~ A minimum inspection fee payment of \$300.00 must be submitted to the Planning Division prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised subdivision or site plan application for staff review and approval.

4.3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

5.4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/~~building~~ contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting. (Do you need public works to do a preconstruction with you? *Do we need*

6.5. *deterted* If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

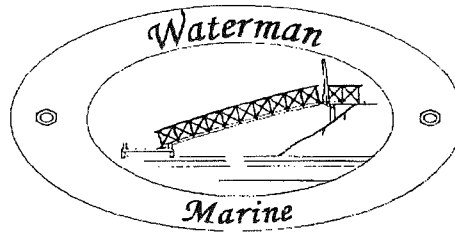
If there are any questions, please contact Philip DiPierro at 874-8632.

Sincerely,

Alexander Jaegerman  
Planning Division Director

Electronic Distribution:

cc: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Jeanie Bourke, Inspections Division  
Lisa Danforth, Administrative Assistant  
Michael Bobinsky, Public Works Director  
Kathi Earley, Public Works  
Bill Clark, Public works  
Jim Carmody, City Transportation Engineer  
Michael Farmer, Public Works  
Jeff Tarling, City Arborist  
Captain Greg Cass, Fire Prevention  
Assessor's Office  
Approval Letter File



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 Fax - 207.869.9101

www.watermanmarine.com  
 pspencer@watermanmarine.com

**Fax Transmittal Form**

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To: PAUL DIPIERRO  
 From: PETER SPENCER  
 Date Sent: 5/30/08  
 Fax Number: 207.756-8258  
 Number of Pages: 5

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Message: J. MARBY DEON  
 562 ISLAND AVE, PEARCE ISL  
 SIGNED LETTER OF AUTHORIZATION  
 EN ROUTE ~~HERE~~. ATTACHED.



# PORTLAND MAINE

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## Development Review Application Packet Portland, Maine Department of Planning and Development Planning Division and Planning Board

### Application Packet

	<u>Page Number</u>
1. Development Review Application	2-3
2. Development Review Fee Structure	
a. To All Development Applicants and Consultants	4-5
b. Development Review Fee Schedule	6
3. Site Plan Checklist – To be completed by Applicant or Representative	7-8
a. Zoning Summary Example	9
4. Portland Fire Department, Site Review Checklist	10
5. Street Names and Street Numbering	11
6. A Guide to Holding Neighborhood Meetings	12-16

This guide applies to proposed zone changes, contract zones and zoning text amendments; subdivisions of five or more units or lots; and major site plan proposals.

- a. Attachments
  - i. Neighborhood Meeting Invitation Format
  - ii. Handout to Neighborhood Meeting Attendees from the Planning Division
  - iii. Neighborhood Meeting Certification



## Development Review Application Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Address of Proposed Development: 562 ISLAND AVE, PEAKS ISLAND ME 04108

Zone:

Project Name: MAKEY EROSION CONTROL

Existing Building Size: 850 sq. ft.

Proposed Building Size: 850 sq. ft.

Existing Acreage of Site: 9,139 sq. ft.

Proposed Acreage of Site: 9,139 sq. ft.

Proposed Total Disturbed Area of the Site: + 540 sq. ft. \*

\* If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) or Chapter 500, Stormwater Management Permit with the Maine Department of Environmental Protection (DEP).

Tax Assessor's Chart, Block & Lot:

Chart # 92

Block # A

Lot # 19

Property Owners Name/  
Mailing address:

JOHN MAKEY  
KAREN MURPHY  
562 ISLAND AVE  
PEAKS ISLAND  
ME 04108

Telephone #: 617-464-2323

Cell Phone #: 508-509-0445

Consultant/Agent Name,  
Mailing Address, Telephone #, Fax #  
and Cell Phone #:

PETER F. SPENCER,  
90 WATSON MANIE  
CORP  
475 US ROUTE 1, STE 6

Applicant's Name/  
Mailing Address:

JOHN MAKEY  
562 ISLAND AVE  
PEAKS ISL ME  
04108

Telephone #

Cell Phone #: 508-509-0445

FIREPORT ME 04102  
207-869-9100 O 207-798-2600 C  
207-869-9101 F  
Fee for Service Deposit (all applications) ✓ (\$200.00)

Proposed Development (check all that apply)

- New Building  Building Addition  Change of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking lot  
 Subdivision (\$500.00) + amount of lots \_\_\_\_\_ (\$25.00 per lot) \$ \_\_\_\_\_ + major site plan fee if applicable  
 Site Location of Development (\$3,000.00)  
 (except for residential projects which shall be \$200.00 per lot \_\_\_\_\_ )  
 Traffic Movement (\$1,000.00)  Storm water Quality (\$250.00)  
 Section 14-403 Review (\$400.00 + \$25.00 per lot)  
 Other \_\_\_\_\_

~ Please see next page ~

**Major Development (more than 10,000 sq. ft.)**

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Minor Site Plan Review**

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Plan Amendments**

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

**Billing Address: (name, address and contact information)**

WATERMAN MARINE CORP  
 475 US RTE 1, STEP  
 FREEPORT ME 04032  
 207-869-9100  
 ATT: PETER F. SPENCER

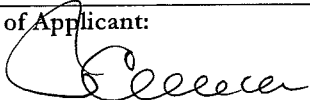
Submittals shall include **seven (7) folded packets** containing of the following materials:

- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: [www.portlandmaine.gov](http://www.portlandmaine.gov) Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that 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 Planning Authority and Code Enforcement'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.

**This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.**

Signature of Applicant: 	Date: 5/06/08
----------------------------------------------------------------------------------------------------------------	------------------



# Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Project Name, Address of Project

Application Number

The form is to be completed by the Applicant or Designated Representative:

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
✓	(2)	Name and address of applicant and name of proposed development	a
✓	(3)	Scale and north points	b
✓	(4)	Boundaries of the site	c
✓	(5)	Total land area of site	d
	(6)	Topography - existing and proposed (2 feet intervals or less)	e
	(7)	Plans based on the boundary survey including:	2
	(8)	Existing soil conditions	a
	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
	(12)	Location of on-site waste receptacles	e
	(13)	Public utilities	e
	(14)	Water and sewer mains	e
	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
	(18)	Parking areas	g
	(19)	Loading facilities	g
	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing vegetation and proposed vegetation	h
	(24)	Type of vegetation	h
	(25)	Quantity of plantings	h
	(26)	Size of proposed landscaping	h
	(27)	Existing areas to be preserved	h
	(28)	Preservation measures to be employed	h
	(29)	Details of planting and preservation specifications	h
	(30)	Location and dimensions of all fencing and screening	i
	(31)	Location and intensity of outdoor lighting system	j
	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
	(33)	Written statements to include:	c
	(34)	Description of proposed uses to be located on site	cl
	(35)	Quantity and type of residential, if any	cl
✓	(36)	Total land area of the site	c2
	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
	(38)	General summary of existing and proposed easements or other burdens	c3
	(39)	Type, quantity and method of handling solid waste disposal	c4
	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
✓	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6 c6









*Custom Docks, Ramps & Float Systems*

## **J. Makey, K Murphy Application Peaks Island**

### **Activity Description**

#### **Erosion control**

This property is situated at 562 Island Avenue on the north west side facing Diamond Pass and Great Diamond Island. This property is experiencing erosion at a rapid rate with annual loss of land and an undermining of the bank structure, a significant portion of which appears to have been caused by excessive storm and groundwater spilling over the property during periods of heavy precipitation as the result of a plug in the storm drainage catchbasin on the street in front of the property. This aspect of the erosion problem has been removed by the recent removal of the plug from the catchbasin by City Works Department staff.

The proposed erosion control measures include taking appropriate measures to introduce conditions to promote vegetation on the upper bank below the existing bulkhead wall; the collection and orderly dispersion of water seepage between the layers separating the 10' glacial till/clay mixture and the marine clay below; and the building of a rip rap wall on the lower slump area above the beach and high water to stabilize and contain the existing embankment and prevent the further loss of soil and property.

A description of the proposed erosion control measures are as follows:

1. Upper slope area
  - Install Enkamat over the upper slope, stapled to the grade, seeded and covered over with a jute straw. This area encompasses the upper slope from the existing bulkhead wall down to the water seam at approximately 20' elevation from the beach. Enkamat is a porous non biodegradable erosion control matting suitable for encouraging vegetation on steep slopes such as are presented here.
2. Mid slope area
  - Install filter fabric over the mid slope area at the water seam locations and over lay the fabric with 6" / 9" stone to both ballast and armor the slope. This will allow the water to flow in a controlled manner from the seam between the soil layers down to the rip rap and provide orderly dispersion.
3. Lower slope area
  - Set silt fencing and hay bales seaward of the construction area. machine dig a toe ditch in which to set the base stone and install

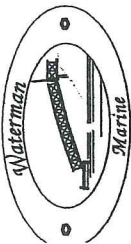
geo textile filter fabric in the toe ditch and up the bank to cover the area of rip rap wall installation. Install 18"/24" stone in the toe ditch area and 12"/14" over this to the height of the wall to merge with the mid slope ballast stone.

The property had been subjected to heavy stormwater runoff as the catch basin on Island Avenue in front of the dwelling had a plug inserted in it to prevent the catch basin from removing the storm water running down the street and adjacent upland properties. The recent removal of this plug has controlled storm runoff with no evidence of surface water on the property following the heavy precipitation (3 1/2") the last week of April.

The area of the site requiring erosion control measures is 540 sq ft. It is estimated that weather permitting, the site work to install the erosion control plan will take 4 days.

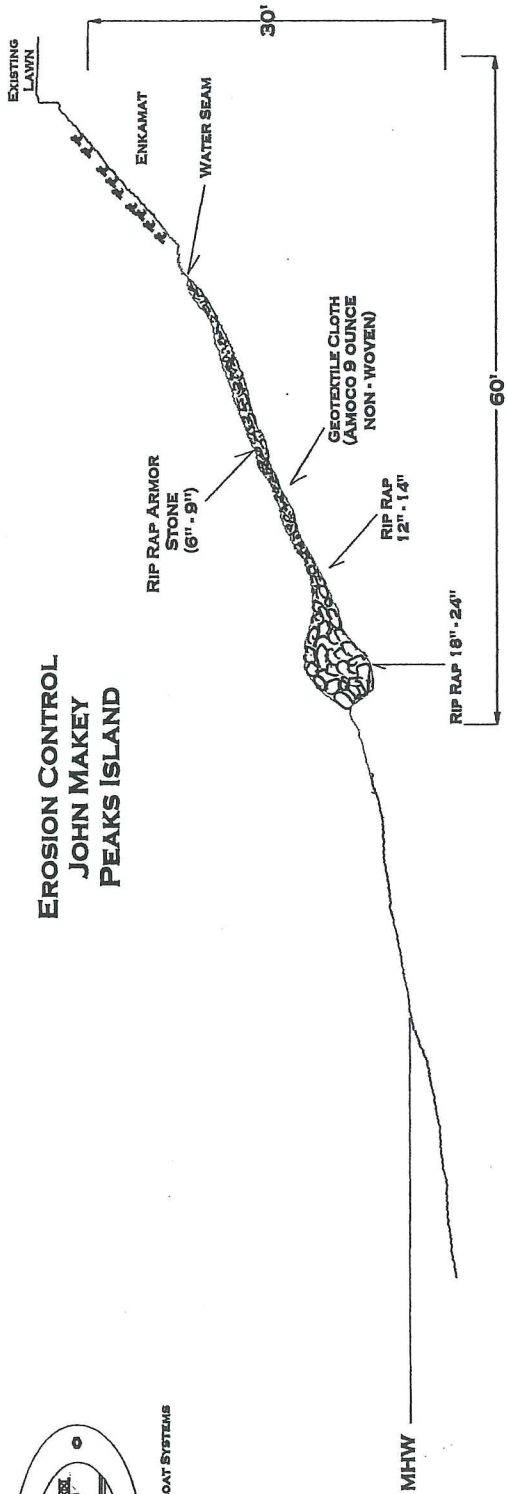
Approvals required to complete this work include the Maine DEP, for which PBR has been issued and the City of Portland.



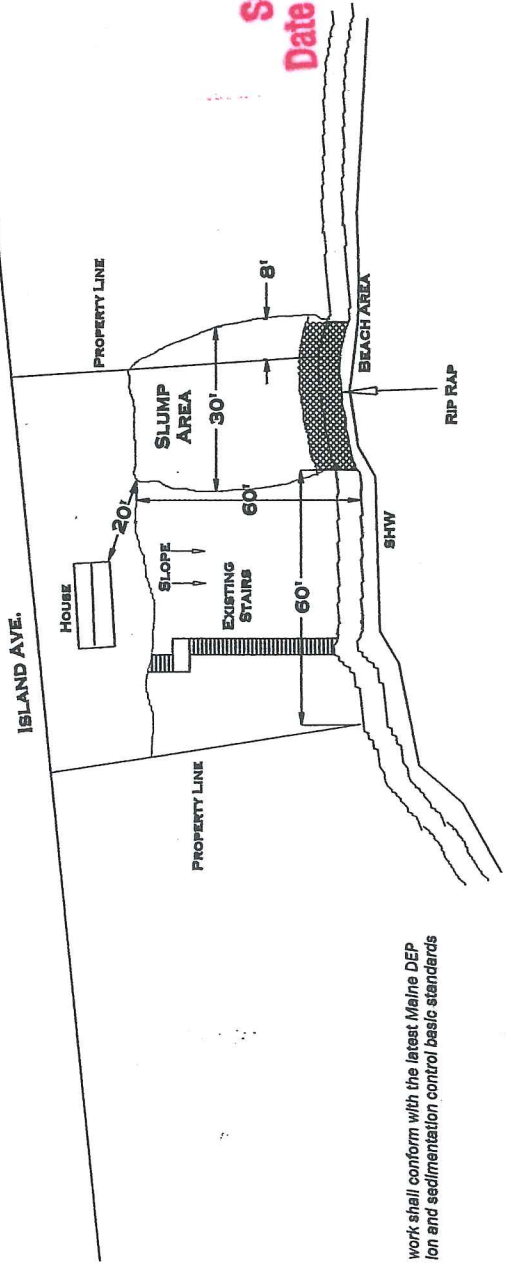


FROM DOCKS, RAMPS & FLOAT SYSTEMS

# EROSION CONTROL JOHN MAKEY PEAKS ISLAND



## PROFILE PLAN



**CITY OF PORTLAND  
APPROVED SITE PLAN**  
Subject to Dept. Conditions  
Date of Approval: 6/3/08

©Waterman Marine Corp.  
All Rights Reserved  
4/30/08

work shall conform with the latest Maine DEP  
ion and sedimentation control basic standards



August 26, 2007

To whom it may concern:

I John MAKEY GIVE  
permission to WATERMAN MARINE  
and Peter Spencer to obtain the  
proper permitting to perform  
erosion control work at  
562 Island Ave - PEAKS ISLAND  
MAINE. SAID ADDRESS property  
IS OWNED BY John MAKEY and  
KAREN Murphy

Karen Murphy

John Makey

Thank you.

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

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)		JOHN MACKAY		Applicant Mailing Address:		562 ISLAND AVE	
Town/City:		PEAKS ISLAND		State:		MAINE	
Zip Code:	04108	Daytime Telephone No: (include area code)		617.464.2323		Project Location: (town)	
County:		CUMBERLAND		Map #:	92	Lot #:	19
Name of Agent:		PETER SPENCER/WATERMAN MARINE		Agents Telephone No: (include area code)		207.869.9100	
Detailed Directions to Site:		FROM THE FERRY DOCK ON PEAKS ISLAND, CONTINUE STRAIGHT ON TO WELCH ST., TURN LEFT ON ISLAND AVE FOR .3 MILE, TURN RIGHT THEN LEFT TO STAY ON ISLAND AVE. #562					
Description of Project:		INSTALL A RIP RAP WALL APPROX. 35' IN LENGTH & 5' TO 10' IN HEIGHT TO PREVENT FURTHER EROSION OF PROPERTY.					
Part of a larger project?						Yes	<input checked="" type="checkbox"/> No

(CHECK ONE) This project: does  does not  involve work below mean low water.

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.


- |                                                                           |                                                                                   |                                                               |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Sec. (2) Act. Adjacent to Protected Natural Res. | <input checked="" type="checkbox"/> Sec. (8) Shoreline stabilization              | <input type="checkbox"/> Sec. (14) REPEALED                   |
| <input type="checkbox"/> Sec. (3) Intake Pipes                            | <input type="checkbox"/> Sec. (9) Utility Crossing                                | <input type="checkbox"/> Sec. (15) Public Boat Ramps          |
| <input type="checkbox"/> Sec. (4) Replacement of Structures               | <input type="checkbox"/> Sec. (10) Stream Crossing                                | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) REPEALED                                | <input type="checkbox"/> Sec. (11) State Transportation Facilities                | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation         | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas                   | <input type="checkbox"/> Sec. (18) Maintenance Dredging       |
| <input type="checkbox"/> Sec. (7) Outfall Pipes                           | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement |                                                               |

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.**

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

- Attach** a check for \$55 (non-refundable) made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** all other required submissions as outlined in the PBR Sections checked above.

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:		Date:	10/18/07
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**Keep a copy as a record of permit.** Send the form with attachments via certified mail 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  
 STATE HOUSE STATION 17  
 AUGUSTA, ME 04333-0017  
 (207)287-2111

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.#	Date	Staff	Staff	After Photos
PBR #	FP		Acc. Date	Def. Date	

Thursday, May 01, 2008

To whom it may concern:

As the owners of property at 548 Island Avenue, Peaks Island, Maine, we hereby give permission to the representatives and employees of Waterman Marine Corporation to impact our property abutting that of John Makey and Karen McCarthy, known as The Blue Suhtter for the purpose of stopping the erosion of the embankment between our properties. The amelioration to be undertaken will be in line with the plans shown to us by Peter Spencer on Wednesday, April 30, 2008.

Monica Stevenson and John Freeman

207-766-2010  
[monicas@maine.rr.com](mailto:monicas@maine.rr.com)  
548 Island Avenue  
Peaks Island, Maine 04108















PERMIT BY RULE NOTIFICATION FORM  
(For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)		JOHN MACKAY		Applicant Mailing Address:		562 ISLAND AVE	
Town/City:		PEAKS ISLAND		State:		MAINE	
Zip Code:	04108	Daytime Telephone No: (include area code)	607.464.2323		Project Location: (town)	PORTLAND	
County:	CUMBERLAND	Map #:	92	Lot #:	19	Name of Wetland or Waterbody:	
Name of Agent:		PETER SPENCER / WATERMAN MARINE		Agents Telephone No: (include area code)		207.869.9100	
Detailed Directions to Site:		FROM THE FERRY DOCK ON PEAKS ISLAND, CONTINUE STRAIGHT ON TO WELCH ST., TURN LEFT ON ISLAND AVE FOR .3 MILE, TURN RIGHT THEN LEFT TO STAY ON ISLAND AVE. #562					
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				Part of a larger project?	Yes	<input checked="" type="checkbox"/>	No

(CHECK ONE) This project: does  does not

I am filing notice of my intent to carry out Chapter 305. I and my agents, if any, have

- Sec. (2) Act. Adjacent to Protected Natural Resources
- Sec. (3) Intake Pipes
- Sec. (4) Replacement of Structures
- Sec. (5) REPEALED
- Sec. (6) Movement of Rocks or Vegetation
- Sec. (7) Outfall Pipes

I authorize staff of the Departments of Environmental Protection and Marine Resources to access the project site for the purpose of conducting an inspection. This authorization is valid until approved by the Department of Environmental Protection.

I have attached the following required submissions: NECESSARY ATTACHMENTS:

- Attach a check for \$55 (non-refundable)
- Attach a U.S.G.S. topo map or Map of Maine showing the project location clearly marked.
- Attach all other required submissions as outlined in the PBR Sections checked above.

Peter Spencer spoke to John McClain (sp?) last Thursday. John said permit was approved & she was going to send it over.

- Linda Kokemuller - DEP

water.  
y Rule (PBR) under DEP Rules, in the Sections checked below.  
Sec. (14) REPEALED  
Sec. (15) Public Boat Ramps  
Sec. (16) Coastal Sand Dune Projects  
Sec. (17) Transfers/Permit Extension  
Sec. (18) Maintenance Dredging  
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CEPTED WITHOUT THE

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:		Date:	10/18/07
----------------------------------	--	-------	----------

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- |                                                                                  |                                                                       |                                                                   |                                                                                   |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| AUGUSTA DEP<br>STATE HOUSE STATION 17<br>AUGUSTA, ME 04333-0017<br>(207)287-2111 | PORTLAND DEP<br>312 CANCO ROAD<br>PORTLAND, ME 04103<br>(207)822-6300 | BANGOR DEP<br>106 HOGAN ROAD<br>BANGOR, ME 04401<br>(207)941-4570 | PRESQUE ISLE DEP<br>1235 CENTRAL DRIVE<br>PRESQUE ISLE, ME 04769<br>(207)764-0477 |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------|

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	
PBR #	FP	Date	Acc. Date	Def. Date	After Photos

August 26, 2007

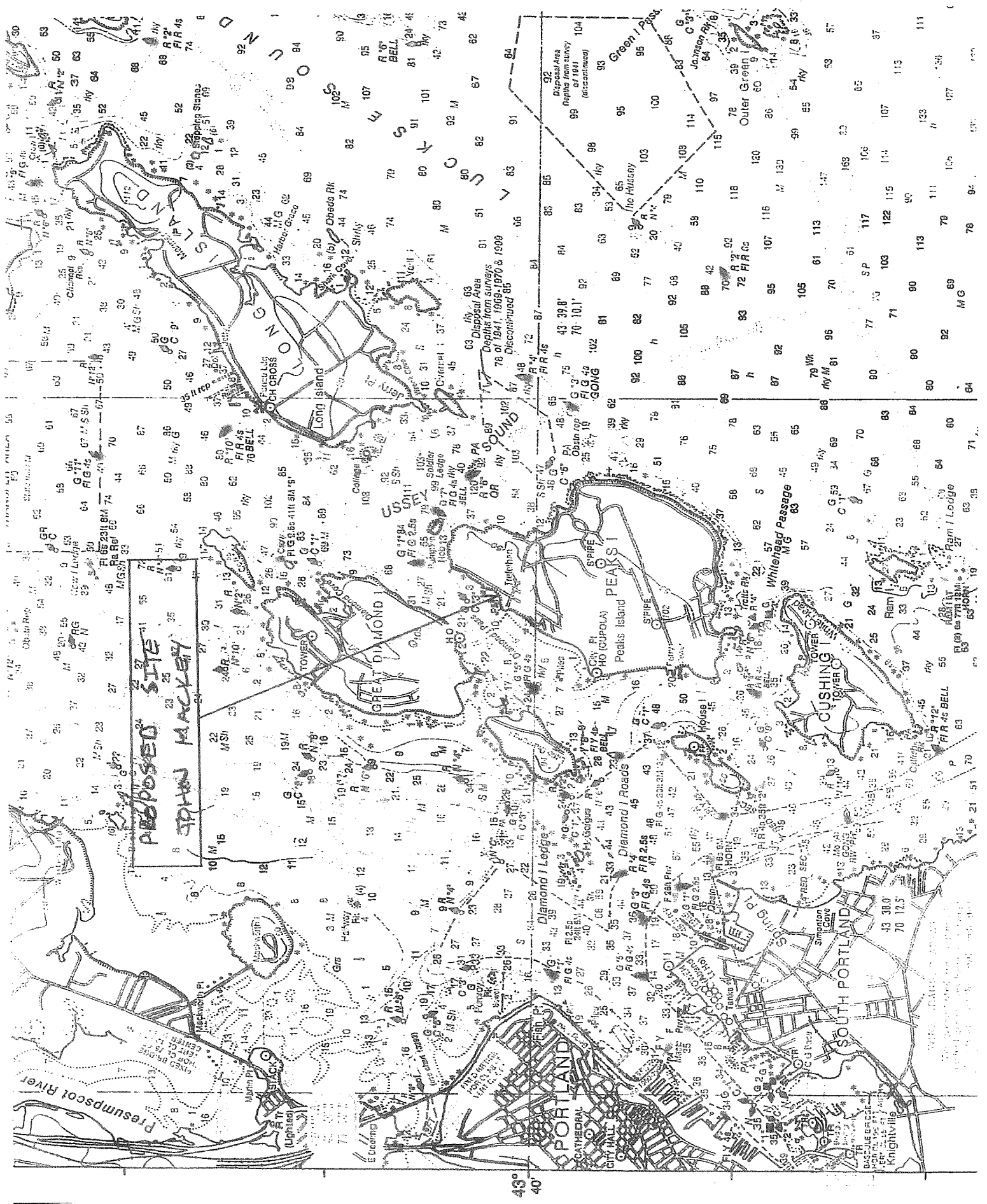
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permission to WATERMAN MARINE  
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erosion control work at  
562 Island Ave - PEAKS ISLAND  
MAINE. SAID ADDRESS property  
IS OWNED BY John MAKEY and  
KAREN Murphy

Karen Murphy

John Makey

Thank you.



PROPOSED SITE  
STEPHEN MACKAY

GREAT DIAMOND I

CUSHING TOWER

PORTLAND

SOUTH PORTLAND

Disposal Area  
Depth from surveys  
of 1941, 1969, 1970 & 1993  
Discontinued 85

Disposal Area  
Depth from survey  
of 1941  
(discontinued)

Peaks Island  
SPIKE  
HO (CUPOLA)

Whiteland Passage

Ramp / Lodge

Diamond I Ledge

Diamond I Roads

Old Bungalows

Smith Cove

City Hall

City Hall

City Hall

City Hall

43° 40'

43° 40'

43° 40'

43° 40'























