

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that MARGARETP MILARDO

Located At 77 MCAULEY RD

Job ID: 2011-06-1317-ALTR

CBL: 105 - - J - 012 - 001 - - - -

has permission to Replace existing gangway, floating walkway & float with a permanent 110' pier head & 55' gangway to float 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

[Signature] 6/13/11
Code Enforcement Officer / Plan Reviewer

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



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: 2011-06-1317-ALTR

Located At: 77 MCAULEY

CBL: 105 - - J - 012 - 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. Flood proof materials shall be used and shall be adequately anchored.

Building

1. This approves a pier and gangway fabrication and installation; it does not approve reconstruction of the existing embankment stairs which access this pier.

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. Final - Residential

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.

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2011-06-1317-ALTR	Date Applied: 6/7/2011	CBL: 105 - - J - 012 - 001 - - - - -	
Location of Construction: 77 MCAULEY RD, LDI	Owner Name: MARGARET P MILARDO	Owner Address: 461 RIVER RD HOLLIS CENTER, ME - MAINE 04042	Phone: 929-4039
Business Name:	Contractor Name: Falls Point Marine - Kathy Keagan	Contractor Address: 3 S. Freeport Rd - Freeport, ME 04032	Phone: 865-4567
Lessee/Buyer's Name:	Phone:	Permit Type:	Zone: IR-1
Past Use: Single Family Dwelling	Proposed Use: Same: Single Family Dwelling - To replace existing walkway and to extend it further to a gangway and float	Cost of Work: \$67,000.00	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: R-3 Type: Pres/float Signature: SMB 6/13/11
Proposed Project Description: replace and extend floating walkway		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Lannie		Zoning Approval	

	Special Zone or Reviews	Zoning Appeal	Historic Preservation
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.	<input type="checkbox"/> Shoreland <i>with</i> <i>HAS ALL OTHER</i> <i>permits</i>	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in Dist or Landmark
2. Building Permits do not include plumbing, septic or electrical work.	<input type="checkbox"/> Wetlands	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does not Require Review
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.	<input type="checkbox"/> Flood Zone <i>Panel 14</i> <i>Zone A4</i>	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
	<input type="checkbox"/> Subdivision <i>cell</i>	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
	<input checked="" type="checkbox"/> Site Plan <i>#2011-200-level 1</i>	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
	<input type="checkbox"/> Maj <input type="checkbox"/> Min <input checked="" type="checkbox"/> MM	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
	Date: <i>6/10/11</i>	Date: <i>6/10/11</i>	Date: <i>S</i>

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 application 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

Jeanie Bourke - Milardo Pier Replacement on LDI

From: Philip DiPierro
To: Bourke, Jeanie
Date: 6/7/2011 2:46 PM
Subject: Milardo Pier Replacement on LDI

Hi Jeanie, this project, site plan #2011-200, the Milardo Pier Replacement & Repair project at 77 McAuley Road on Little Diamond Island, meets minimum DRC site plan requirements for the issuance of the building permit.

Please contact me with any questions. Thanks.

Phil

6/7/11

2011 06 1317

Entered PDS



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.

Location/Address of Construction: <u>77 McAuley Rd Little Diamond Island</u>		
Total Square Footage of Proposed Structure/Area <u>965</u>	Square Footage of Lot <u>97,000</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>105</u> Block# <u>J</u> Lot# <u>12</u>	Applicant * must be owner, Lessee or Buyer* Name <u>Margaret P Milardo</u> Address <u>461 River Rd. 04042</u> City, State & Zip <u>Hollis Center Me</u>	Telephone: <u>207</u> <u>929</u> <u>4039</u>
Lessee/DBA (If Applicable) RECEIVED JUN - 7 2011 Dept. of Building Inspections City of Portland, Maine	Owner (if different from Applicant) Name _____ Address _____ City, State & Zip _____	Cost Of Work: \$ <u>66,770 -</u> C of O Fee: \$ _____ Total Fee: \$ <u>6,900.00</u>
Current legal use (i.e. single family) <u>Single Family</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>same</u> Is property part of a subdivision? <u>no</u> If yes, please name _____ Project description: <u>to replace a floating walkway with a permanent pierhead with a gangway and float.</u>		
Contractor's name: <u>Falls Point Marine</u> Address: <u>3 S. Freeport Rd.</u> City, State & Zip: <u>Freeport Me 04032</u> Telephone: <u>865 4567</u> Who should we contact when the permit is ready: <u>Falls Point, Kathleen</u> Telephone: <u>865 4567</u> Mailing address: <u>same</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 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 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: [Signature] Date: 6/3/11

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



Falls Point Marine, Inc.

7, June, 2011

To whom it may concern,

I spoke with Genie in the inspections department this morning,

With this General Building Permit Application, we ask that it be expedited as this project needs to have a full moon low tide which is on June 15, 2011. There is not another low tide as low as this until the fall.

Your assistance would be greatly appreciated. If you have any questions please call.

Sincerely,

Kathleen Keegan

Kathy@fallspoint.com

207-865-6001



Certificate of Design Application

From Designer: Falls Point Marine Inc
 Date: 6/7/11
 Job Name: Milardo Little Diamond Island
 Address of Construction: 77 McAnley Lane Little Diamond

2003 International Building Code

Construction project was designed to the building code criteria listed below:

Building Code & Year _____ Use Group Classification (s) _____
 Type of Construction Pier Rebuild
 Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the 2003 IRC NA
 Is the Structure mixed use? no If yes, separated or non separated or non separated (section 302.3) _____
 Supervisory alarm System? no Geotechnical/Soils report required? (See Section 1802.2) _____

Structural Design Calculations

_____ Submitted for all structural members (106.1 – 106.11)

Design Loads on Construction Documents (1603)

Uniformly distributed floor live loads (7603.11, 1807)

Floor Area Use	Loads Shown
_____	_____
_____	_____
_____	_____
_____	_____

see attached plans

- _____ Live load reduction
- _____ Roof *live* loads (1603.1.2, 1607.11)
- _____ Roof snow loads (1603.7.3, 1608)
- _____ Ground snow load, P_g (1608.2)
- _____ If $P_g > 10$ psf, flat-roof snow load P_f
- _____ If $P_g > 10$ psf, snow exposure factor, C_e
- _____ If $P_g > 10$ psf, snow load importance factor, I_s
- _____ Roof thermal factor, C_t (1608.4)
- _____ Sloped roof snowload, P_s (1608.4)

Wind loads (1603.1.4, 1609)

- _____ Design option utilized (1609.1.1, 1609.6)
- _____ Basic wind speed (1809.3)
- _____ Building category and wind importance Factor, I_w (table 1604.5, 1609.5)
- _____ Wind exposure category (1609.4)
- _____ Internal pressure coefficient (ASCE 7)
- _____ Component and cladding pressures (1609.1.1, 1609.6.2.2)
- _____ Main force wind pressures (7603.1.1, 1609.6.2.1)

RECEIVED

JUN - 7 2011

Dept. of Building Inspections
City of Portland, Maine

- _____ Seismic design category (1616.3)
- _____ Basic seismic force resisting system (1617.6.2)
- _____ Response modification coefficient, R_d and deflection amplification factor C_d (1617.6.2)
- _____ Analysis procedure (1616.6, 1617.5)
- _____ Design base shear (1617.4, 1617.5.1)

Flood loads (1803.1.6, 1612)

- _____ Flood Hazard area (1612.3)
- _____ Elevation of structure

Other loads

- _____ Concentrated loads (1607.4)
- _____ Partition loads (1607.5)
- _____ Misc. loads (Table 1607.8, 1607.6.1, 1607.7, 1607.12, 1607.13, 1610, 1611, 2404)

Earth design data (1603.1.5, 1614-1623)

- _____ Design option utilized (1614.1)
- _____ Seismic use group ("Category")
- _____ Spectral response coefficients, S_D & S_I (1615.1)
- _____ Site class (1615.1.5)



New Commercial Permit Application Checklist

All of the following information is required and must be submitted. Checking off each item as you prepare your application package will ensure your package is complete and will help to expedite the permitting process.

One (1) complete Set of construction drawings must include:

Note: Construction documents for costs in excess of \$50,000.00 must be prepared by a Design Professional and bear their seal.

- Cross sections w/framing details
- Detail of any new walls or permanent partitions
- Floor plans and elevations
- Window and door schedules
- Foundation plans with rebar specifications and required drainage and damp proofing (if applicable)
- Detail egress requirements and fire separations
- Insulation R-factors of walls, ceilings, floors and U-factors of windows as per the IECC 2003
- Complete the Accessibility Certificate and The Certificate of Design
- A statement of special inspections as required per the IBC 2003
- Complete electrical and plumbing layout.
- Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review.
- Reduced plans or electronic files in PDF format are required if originals are larger than 11" x 17".
- Per State Fire Marshall, all new bathrooms must be ADA compliant.

Separate permits are required for internal & external plumbing, HVAC and electrical installations.

Nine (9) copies of the minor (< 10,000 sf) or major (> 10,000 sf) site plan application is required that includes:

- A stamped boundary survey to scale showing north arrow, zoning district and setbacks to a scale of $\geq 1" = 20'$ on paper $\geq 11" \times 17"$
- The shape and dimension of the lot, footprint of the proposed structure and the distance from the actual property lines. Photocopies of the plat or hand draw footprints not to scale will not be accepted.
- Location and dimensions of parking areas and driveways, street spaces and building frontage
- Finish floor or sill elevation (based on mean sea level datum)
- Location and size of both existing utilities in the street and the proposed utilities serving the building
- Existing and proposed grade contours
- Silt fence (erosion control) locations



Accessibility Building Code Certificate

Designer: Falls Point Marine, Inc

Address of Project: 77 McCauley Lane Little Diamond Island

Nature of Project: Rebuild Floating Walkway
to be a raised permanent
pier head with a seasonal
gangway and float

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act. Residential Buildings with 4 units or more must conform to the Federal Fair Housing Accessibility Standards. Please provide proof of compliance if applicable.

(SEAL)

Signature: KM Keegan

Title: Kathleen Keegan

Firm: Owner

Address: Falls Point Marine
Freeport Maine

Phone: 207 865 4567

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

BOARD OF HARBOR COMMISSIONERS

PORT OF PORTLAND, MAINE

Application for a Marine Construction Permit

DECISION

Date of public hearing:
April 14th, 2011

Name and address of applicant:
Sebastian and Margaret Milardo
461 River Road
Hollis, ME 04042

Location of project for which permit is requested:
77 McAuley Rd.
Little Diamond Island, 04109

Description of project:
To replace a portion of an existing dock system. This will include the replacement of one (1) gangway and six (6) attached floats with a raised permanent pier head extension with a new gangway and one (1) float

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

Carter Becker

Exhibits admitted (e.g. renderings, reports, etc.):
Marine Construction permit application packet prepared by Carter Becker, Falls Point Marine

Summary of testimony presented:

Reviewed project and answered questions from the Board

Findings of Fact and Conclusions of Law:

- 1) Waiver of 25ft rule as defined in Rule 16.2(b):
The Board of Harbor Commissioners may grant a waiver of the 25 foot rule if it finds that it would be unfair, inappropriate or unnecessary to apply the rule in a particular situation.

Granted _____ Not Granted _____

Reason:

Factors to be considered by the Board:

- a. Whether the particular marine structure or obstruction under consideration, even if allowed to be constructed or placed within 25 feet of a sideline, will permit a channel that will adequately allow the passage of vessels;
- b. Whether existing marine structures or obstructions make it impossible for a channel wide enough to allow the passage of vessels to exist, regardless of the placement or construction of the marine structure under consideration;
- c. The intended use of the marine structure of obstruction;
- d. Whether granting a waiver would significantly reduce an abutting property owner's use of that abutting property, including but not limited to the owner's ability in the future to attach a marine structure to that abutting property;
- e. Any boundary lines between properties that extend into the harbor as described in deeds, maps or plans; and
- f. Any other factor the Board believes is relevant to whether a waiver should be granted in a particular case.

2) The marine structure or obstruction will not substantially or unreasonably interfere with navigation, including its impact on convenient channels for the passage of vessels.

Satisfied _____ Not Satisfied _____

Reason:

3) The marine structure or obstruction will not injure the rights of others.

Satisfied _____ Not Satisfied _____

Reason:

Nothing in record to indicate otherwise

4) The marine structure or obstruction will not threaten public safety.

Satisfied Not Satisfied

Reason:

Nothing in record to indicate otherwise

Conclusion: (check one)

Option 1: The Board finds that the standards described above have been satisfied and therefore GRANTS the permit.

Option 2: The Board finds that while the standards described above have been satisfied, certain additional conditions must be imposed to minimize adverse effects on navigation and/or public safety, and therefore GRANTS the permit SUBJECT TO THE FOLLOWING CONDITIONS:

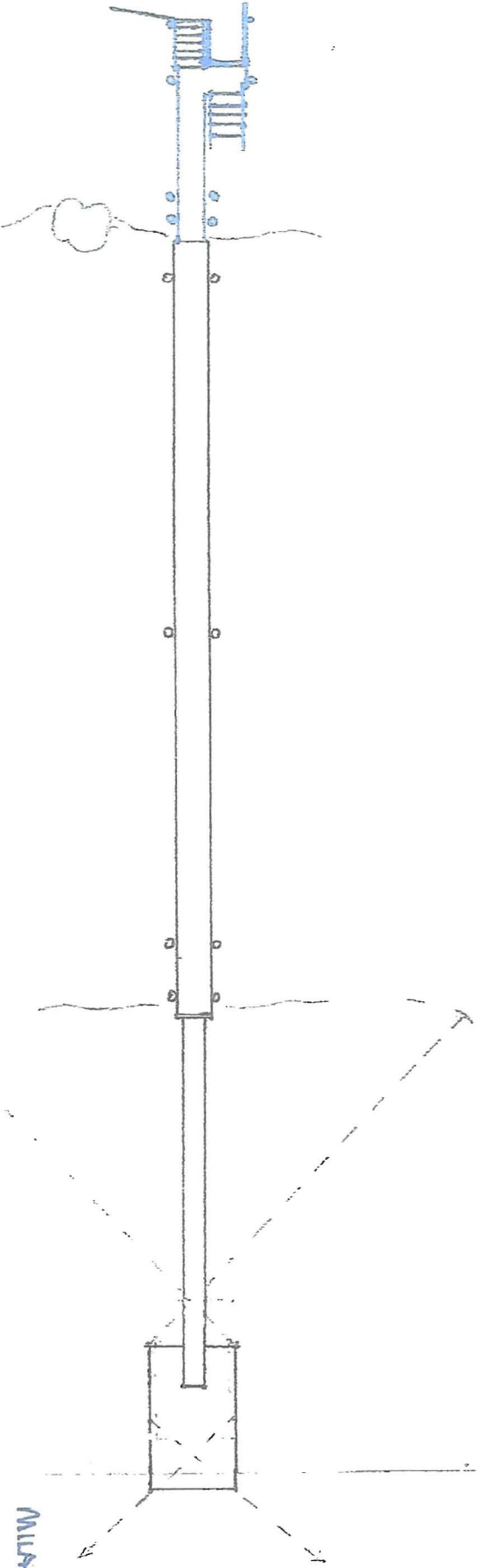
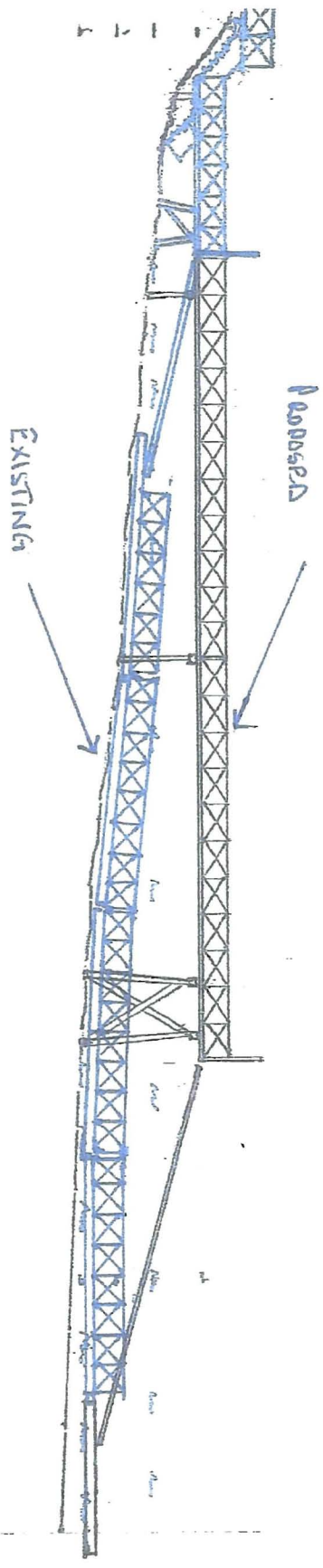
Option 3: The Board finds that the standards described have NOT all been satisfied and therefore DENIES the permit.

Dated:



Tom Dobbins
Chair, Board of Harbor
Commissioners

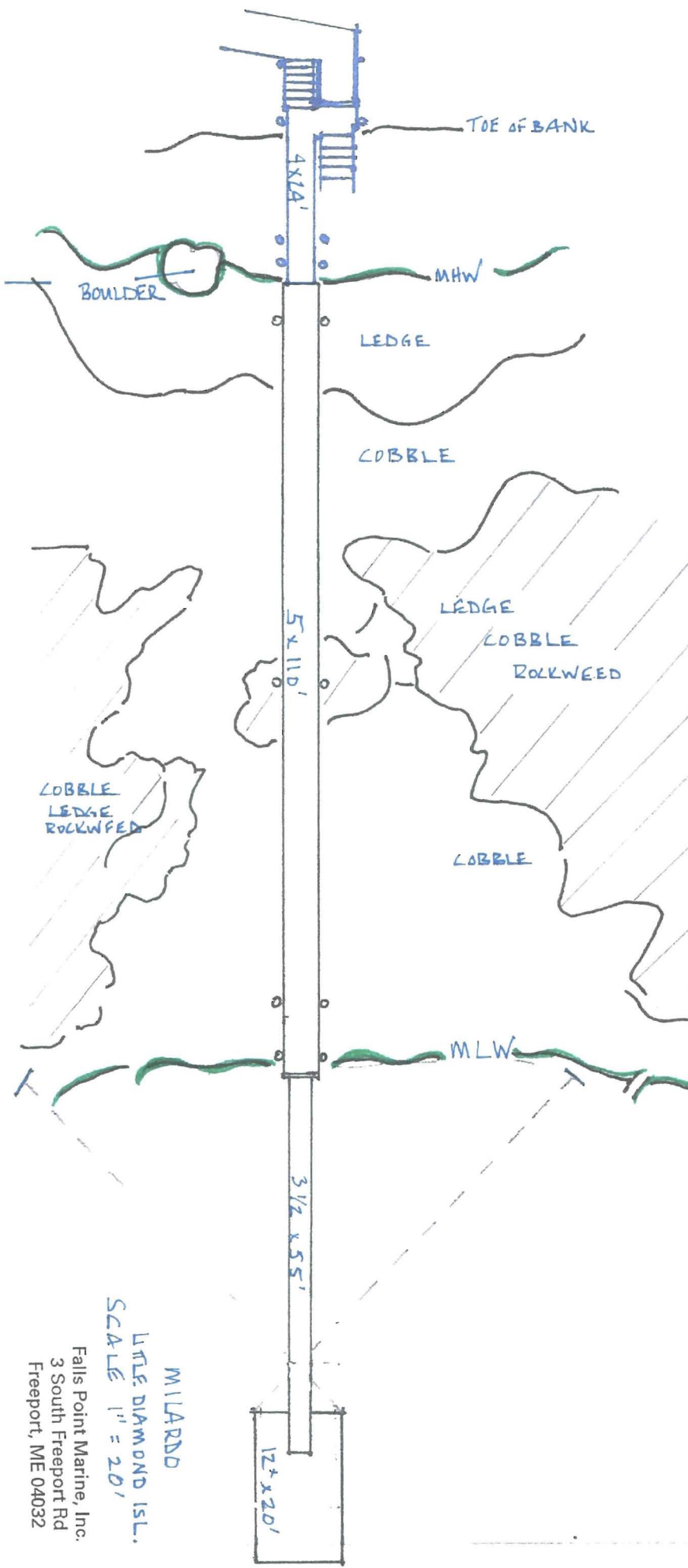
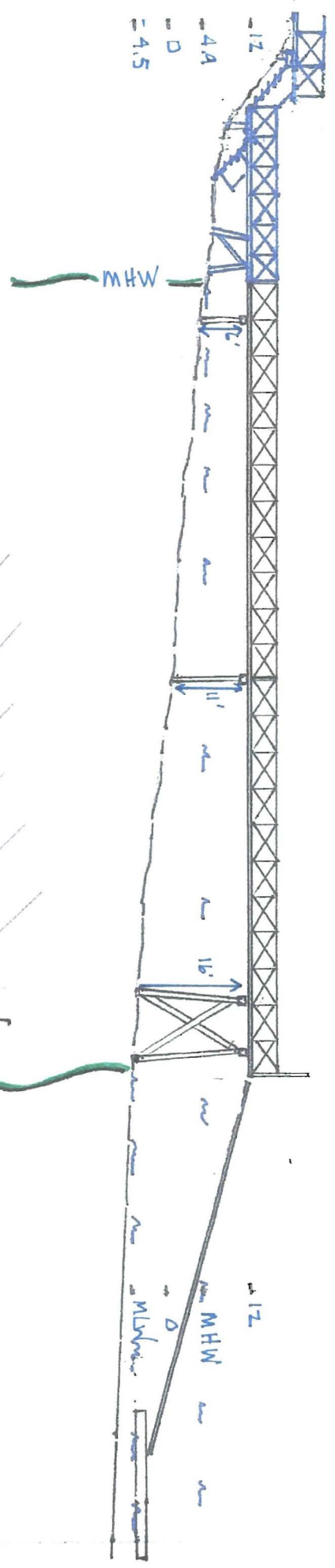
30' 21' 0' 55' 11' 150' 158' 170' 178'



Falls Point Marine, Inc.
3 South Freeport Rd
Freeport, ME 04032



EXISTING ←



MILARD RD
LITTLE DIAMOND ISL.
SCALE 1" = 20'
Falls Point Marine, Inc.
3 South Freeport Rd
Freeport, ME 04032

Engineer Name: <i>Carter Becker</i> Address: <i>Falls Point Marine</i> City/State : Zip Code:	Engineer Contact Information Work # <i>207 865 4567</i> Cell # <i>207 402 4567</i> Fax# <i>207 221 1390</i> e-mail: <i>carter@fallspoint.com</i>
Surveyor Name: <i>Monn Associates</i> Address: <i>565 Congress St #309</i> City/State : <i>Portland Me</i> Zip Code: <i>04101</i>	Surveyor Contact Information Work # Cell # Fax# e-mail:

APPLICATION FEES:

Check all reviews that apply. Payment may be made by Check or Cash addressed to the City of Portland.

Level I Site Alteration Site Plan <input checked="" type="checkbox"/> Application Fee (\$200.00) The City invoices separately for the following: <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.	Fees Paid (office use) —
Performance Guarantee: A performance guarantee is required to cover all public and private site improvements.	Required
Inspection Fee: An inspection fee of 2% of the performance guarantee is due prior to the release of permits	2% of the performance guarantee

Application Check List

Refer to the application checklist for a detailed list of submittal requirements.

As of December 1, 2010, all site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

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).

PROJECT NAME: Pier repair/replacement

PROPOSED DEVELOPMENT ADDRESS:
77 McAuley Rd. Little Diamond Isl.

PROJECT DESCRIPTION:

The applicant proposes to repair an existing dock system by constructing a raised permanent pier head to replace a 130' floating walkway.

CHART/BLOCK/LOT: 105 J12

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: <u>Sebastian + Margaret Milardo</u> Business Name, if applicable: Address: <u>461 River Road</u> City/State: <u>Hollis Me.</u> Zip Code: <u>04042</u>	Applicant Contact Information Work # <u>207 772 2823</u> Home# <u>207 929 4039</u> Cell # <u>207 831 2076</u> Fax# <u>207 772 2071</u> e-mail: <u>smilardo@dimihv.com</u>
Owner – (if different from Applicant) Name: Address: City/State Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: <u>Falls Point Marine, Inc.</u> <u>3 South Freeport Rd</u> Address: <u>Freeport, ME 04032</u> City/State: Zip Code:	Agent/Representative Contact information Work # <u>207 865 4567</u> Cell # <u>207 865 6001</u> e-mail: <u>Kathy@fallspoint.com</u>
Billing Information Name: <u>Margaret Milardo</u> Address: <u>461 River Road</u> City/State: <u>Hollis Me.</u> Zip Code: <u>04042</u>	Billing Information Work # <u>207 929 4039</u> Cell # Fax# e-mail: <u>milardo@myottmail.com</u>

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 a Site Plan review only, a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

Signature of Applicant: <i>see attached</i> <i>KMK - Letter of Authorization</i>	Date: <i>2/10/11</i>
----------------------------------------------------------------------------------------	----------------------

Please refer to Article V, Site Plan of the City of Portland Land Use Code for detailed information concerning the City's site plan review process, thresholds and standards. Should you have any questions regarding the submittal requirements or any other aspect of the site plan review process, please contact the Planning Division.

PROJECT DATA

The following information is required where applicable, in order complete the application

Total Site Area	sq. ft.
Proposed Total Disturbed Area of the Site	sq. ft.
IMPERVIOUS SURFACE AREA	
• Proposed Total Paved Area	sq. ft.
• Existing Total Impervious Area	sq. ft.
• Proposed Total Impervious Area	sq. ft.
• Proposed Impervious Net Change	sq. ft.
PARKING SPACES	
• Existing Number of Parking Spaces	
• Proposed Number of Parking Spaces	
TOTAL Number of Parking Spaces	

General Submittal Requirements – Level I Site Alteration

Applicant Checklist	Planner Checklist	Number of Paper Copies	Submittal Requirement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Completed application form.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Application fees.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written description of project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Evidence of right, title and interest.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Copies of required state and/or federal permits.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of zoning.
<input type="checkbox"/> <i>N/A</i>	<input type="checkbox"/>	1	Written description of existing and proposed easements or other burdens.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written requests for waivers from individual site plan and/or technical standards.
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity.

Effective August 18, 2010



Level I – Site Alteration Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level I: Site Alteration site plan.

Level I: Site Alteration Development includes:

- Alteration of a watercourse or wetland as defined in Section 14-47 of the City Code
- Alteration of a site. The disturbance of land areas of less than one (1) acre that are stripped, graded, grubbed, filled or excavated. The Planning Authority shall exempt from review the loam and seeding of lawns and the cumulative placement of less than fifteen (15) cubic yards of fill on any lot provided such loaming or placement does not alter a drainage course, swale, wetland or redirect water onto adjoining property and does not violate any other provision of the Portland City Code or state or federal law. "Disturbed area" does not include routine maintenance, but does include re-development and new impervious areas.
- The construction of any temporary or permanent parking area, paving of existing unpaved surface parking areas between 1,000 and 7,500 square feet, or creation of other impervious surface areas between 1,000 and 7,500 square feet.
- The rehabilitation or reconstruction, but not new construction, of piers, docks, wharves, bridges, retaining walls, and other structures located within the shoreland zone.
- A site alteration in which vehicle access is proposed from more than one (1) street;

The Land Use Code (including Article V), the Technical Manual, and the Design Manual are available on the City's web site at <http://www.portlandmaine.gov/planning/default.asp> or copies may be purchased at the Planning Division Office.

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8721

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

Site Plans and Boundary Survey Requirements – Level I Site Alteration

Applicant Checklist	Planner Checklist	Number of Copies	Submittal Requirement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual.
<input type="checkbox"/>	<input type="checkbox"/>	1	Site Plan Including the following:
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone)
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, utility connections, roadway improvements).
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Identification of and proposed protection measures for any significant natural features on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Details of proposed pier rehabilitation (Shoreland areas only).
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing utilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed grading and contours.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Proposed stormwater management and erosion controls.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Total area and limits of proposed land disturbance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing vegetation to be preserved and proposed site landscaping.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed easements or public or private rights of way.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

SEBASTIAN & MARGARET MILARDO
461 RIVER ROAD
HOLLIS, MAINE 04042

CORPS PERMIT # NAE-2011-00388
CORPS GP ID# 11-049
STATE ID# NRPA

DESCRIPTION OF WORK:

To replace existing walkway system; to construct and maintain a 4' x 14' access ramp above the mean high water line leading to a 5' x 110' pile supported pier with a 3.5' x 55' ramp leading to a 12' x 20' float below the mean high water line off 77 McAuley Road, Map 105-J Lot#12 at Little Diamond Island, Maine as shown on plans entitled "Sebastian & Margaret Milardo" on 4 sheets dated "2-13-2011".

ADDITIONAL CONDITIONS: SEE ATTACHED SHEET

LAT/LONG COORDINATES : 43.6688000° N -70.2100037° W USGS QUAD: PORTLAND EAST, MAINE

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. **Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP).** Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 41 of the GP (page 18) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 12, 2015. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 12, 2016.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [X], ISSUED[], DENIED [] DATE _____

APPLICATION TYPE: PBR ___ TIER 1: ___ TIER 2: ___ TIER 3: X LURC: ___ DMR LEASE: ___ NA: ___

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 03-03-2011 LEVEL OF REVIEW: CATEGORY 1: ___ CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 X, 404, 10/404, 103

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

LEEANN B. NEAL
PROJECT MANAGER
MAINE PROJECT OFFICE

FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

1. Name of Applicant: Sebastian and Margaret Milardo		5. Name of Agent: Falls Point Marine, Inc.	
2. Applicant's Mailing Address: 461 River Road Hollis, Me 04042		6. Agent's Mailing Address: 3 So. Freeport Rd. Freeport, Me 04032	
3. Applicant's Daytime Phone #: 207-772-2823		7. Agent's Daytime Phone #: 207-865-4567	
4. Applicant's Email Address (Required from either applicant or agent): milardo@myottmail.com		8. Agent's Email Address: Kathy@fallspoint.com	
9. Location of Activity: (Nearest Road, Street, Rt.#) 77 McAuley Rd, Little Diamond Island		10. Town: Portland	11. County: Cumberland
12. Type of Resource: (Check all that apply) <input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain	13. Name of Resource: Casco Bay		14. Amount of Impact: (Sq.Ft.)
			Fill: N/A Dredging/Veg Removal/Other: N/A
15. Type of Wetland: (Check all that apply) <input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____	FOR FRESHWATER WETLANDS		
	<i>Tier 1</i>	<i>Tier 2</i>	<i>Tier 3</i>
	<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1
16. Brief Activity Description: To replace a portion of an existing dock system. The applicant proposes to replace (1) gangway and (6) attached floats with a raised permanent pier head extension with a new gangway and (1) float.			
17. Size of Lot or Parcel & UTM Locations:		<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 2.227 acres UTM Northing: _____ UTM Easting: _____	
18. Title, Right or Interest:		<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement	
19. Deed Reference Numbers: Book#: 17566 Page: 222		20. Map and Lot Numbers: Map #: 105-J Lot #: 12	
21. DEP Staff Previously Contacted: No		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Resubmission of Application?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No If yes, previous application #		Previous project manager:	
24. Written Notice of Violation?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No If yes, name of DEP enforcement staff involved:		25. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
26. Detailed Directions to the Project Site: From Casco Bay Lines Ferry Terminal Dock: Travel Northeast on Diamond Ave. Veer left and continue on Rockledge Ave, take a left on McAuley Ave and follow to the end lot #12. 43°40'7.57"N 70°12'35.98"W			
27. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS	
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the information listed under Site Conditions <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input type="checkbox"/> Erosion Control/Construction Plan <input checked="" type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input checked="" type="checkbox"/> Appendix A and others, if required <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required	
28. FEES Amount Enclosed: \$430			

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

See Attached Letter of Authorization
SIGNATURE OF AGENT/APPLICANT

Date: 2.14.2011

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

Attachment #1: Description

The applicant owns a residence on the North face of Little Diamond Island. From here he commutes to work in Portland daily during the three seasons when the weather permits. Currently, there is a deteriorating floating walkway system which was built in 1996. This existing system consists of embankment stairs which land on a 4'x24' permanent pier head. No changes are planned for this existing pier head and stair system.

From this pier head extends a 3 ½' x 32' gangway, 4' x 128' floating walkway in (4) sections attached to a 10' x 20' outer float. This floating walkway system extends seaward 178' from the end of the existing permanent pier head.

The applicant proposes to extend the pier head 110' with a 55' gangway. The outer float location is to remain unchanged from its original position. The anchor system location will remain unchanged.

This proposed pier head extension will be constructed with an aluminum frame, wood handrails, decking, and timber pilings. From the end of the existing pier head, there will be one short inner bent - (2) 10x10" timbers pinned to ledge 5' seaward. There will be one mid bent with two timbers pinned and chained to ledge 55' seaward. There will be an outer crib shaped bent with 4 piles placed in an ~8 foot square formation. (7' upper, 9' square at substrate).

The float will continue to rest in 18" of water on the inshore end at MLW. The gangway will be stored on the pier head in the winter months. The one float will be stored off site in an upland location.

No activity has begun and this is not part of a larger project.

	Existing		Proposed	
	Size	ft ²	Size	ft ²
Pier head			5 x 110'	550
Gangway	3.5 x 32'	98	3.5 x 55'	175
Floating Walkway	4' x 130'	520		
Outer Float	10' x 20'	200	12' x 20'	240
Totals		818		965

Attachment #2 : Alternatives Analysis

This spot was originally chosen as the most logical location with the minimum of resource impact as it is the shortest distance to the deepest water. The location will remain unchanged. The site rests in the middle of a 520' shorefront property. There are no public facilities on the island for a similar use. The pier is in the lee of the prevailing winds in the summer months and is stowed during the winter months when the prevailing winds are northerly. The float will be useful approximately 98-99% of the tide cycle. There will be little to no water under the float during a moon tide (MLLW) avoiding any excessive square footage. The design avoids unnecessary interference with transiting vessels. The new design will allow for shoreline traversing. Smaller boats, dinghies and kayaks will be allowed to pass under the new pier head where it was impossible in the past. With the current system, one must to paddle around the entire system to navigate the shoreline. By raising the pier head above the substrate there will be much less direct impact on aquatic shore life.



43°40'7.57"N 70°12'35.98"W

Attachment #4 : Photos



Natural Resource Protection Act Application
APPENDIX D: Project Description Worksheet for a Dock, Pier or Wharf Application.



Help us process your application more efficiently by completing this worksheet, which is supplemental to a NRPA application for a dock, pier or wharf. A completed Appendix D may be substituted for Block 14 of the application page.



THIS IS AN APPLICATION FOR A.....

- Commercial wharf
If yes, indicate type of commercial activity: _____
License number: _____
Number of fishermen using this wharf: _____
- Public pier, dock or wharf
- Common or shared recreational pier, dock or wharf
- Private recreational pier, dock or wharf
- Expansion or modification of an existing structure
- Other, please indicate: _____



TELL US ABOUT YOUR BOAT....

My 17' Whaler requires a draft of 30" with the engine down.
I also have a Pearson Ensign sailboat with a 3-4' keel which stays on a mooring.



TELL US ABOUT YOUR PROJECT SITE.... For coastal piers and wharves, please complete Appendix B of the NRPA application. For freshwater docks, please describe the substrate and any vegetation: See Appendix B



SCENIC CONSIDERATIONS...Please complete Appendix A of the NRPA application.



WHAT FACILITIES ARE NEARBY?

The nearest public boat launch is located in N/A approximately N/A miles from the project location.
(town) (distance)

The nearest public, commercial, or private marina is located in Portland approximately 4 Nautical Miles miles from the project location.
(distance) (town)

- I have inquired about slip or mooring availability at the nearest marina or public facility.
- Yes, a slip or mooring is available.
- I have a mooring on Little Diamond where I keep my boat. It is directly seaward of the existing pier. The new pier will remain the same as the existing— dinghy access.

3/16/11

Plans supposed to be downloaded soon to e-plan

City of Portland
Development Review Application
Planning Division Transmittal form

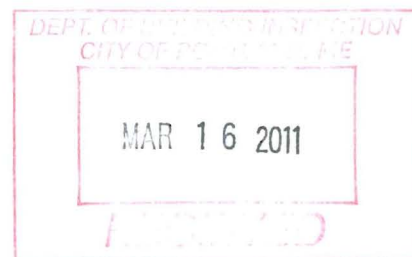
Application Number: 2011-200 **Application Date:** 3/14/2011 12:00:00 AM
Project Name:
Address: 77 McAuley Road, Little Diamond Island
Project Description: Pier Repair/Replacement
Zoning:
Other Reviews Required:
Review Type: Level I – Site Alteration

Distribution List:

<input type="checkbox"/> Planner	Shukria Wiar	<input type="checkbox"/> Parking	John Peverada
<input checked="" type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input type="checkbox"/> Traffic	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Stormwater	Dan Goyette	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input type="checkbox"/> Fire Department	Keith Gautreau	<input type="checkbox"/> Inspections	Tammy Munson
<input type="checkbox"/> City Arborist	Jeff Tarling	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
		<input type="checkbox"/> DRC Coordinator	Phil DiPierro

Preliminary Comments needed by: March 23, 2011

Final Comments needed by: March 30, 2011



Marge Schmuckal - New Topic/Note for PEZ.2011-200.LEVISA.FILL.657

From: <shukriaw@portlandmaine.gov>
To: <mes@portlandmaine.gov>
Date: 3/21/2011 10:05 AM
Subject: New Topic/Note for PEZ.2011-200.LEVISA.FILL.657



New Topic/Note Notification - Please **DO NOT** reply to this email.

A new Topic or Note has been added to the project listed below. Please contact the appropriate department at the numbers listed below if you have any questions regarding this email.

Project Name: PEZ.2011-200.LEVISA.FILL.657
Author: Shukria Wiar
Subject: Review Notes
Category: [Field4]
Path: PEZ.2011-200.LEVISA.FILL.657

[Login to ePlan Review](#)

If you do not have access to the specified folder, please contact the [Project Administrator](#).

Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Planning Division, Development Review Services
(207) 874-8719

Building Permits
(207) 874-8703

77 McAdams Rd
146 E 3rd

Marge Schmuckal - pre application meeting

From: Marge Schmuckal
To: Barbara Barhydt
Date: 2/9/2011 11:28 AM
Subject: pre application meeting

1996-

Hi Barbara,

I spoke with Kathy Keagan of Falls Point Marine who wants to briefly sit down and talk about what she needs for review from us concerning a site on Little Diamond Island - 77 McAuley Rd - 105-J-12. She suggested 1:00 on Wed Feb. 16th. Are you available to meet then?

Thanks,

Marge

Assessor's Office 591 Congress Street Portland, Maine 04101 Phone: 115-202-824 848

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Services

- Applications
- Doing Business
- Maps
- Tax Relief
- Tax Roll
- Q & A

Browse city services a-z

Browse facts and links a-z



Current Owner Information:

CBL 105 J012001
Land Use Type SINGLE FAMILY
Property Location 77 MCAULEY RD
Owner Information MILARDO MARGARET P
 461 RIVER RD
 HOLLIS CENTER ME 04042
Book and Page 17566/222
Legal Description 105-J-12
 MCAULEY RD 77
 LITTLE DIAMOND ISLAND
 97000 SF
Acres 2.227

Current Assessed Valuation:

TAX ACCT NO.	15146	OWNER OF RECORD AS OF APRIL 2010 MILARDO MARGARET P
LAND VALUE	\$408,800.00	461 RIVER RD
BUILDING VALUE	\$329,100.00	HOLLIS CENTER ME 04042
NET TAXABLE - REAL ESTATE	\$737,900.00	
TAX AMOUNT	\$13,223.18	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.

Building Information:

Card 1 of 1

Year Built 2003
Style/Structure Type CONTEMP
Stories 1.5
Bedrooms 3
Full Baths 2
Half Baths 1
Total Rooms 6
Attic NONE
Basement PIER/SLAB
Square Feet 2202

[View Sketch](#) [View Map](#) [View Picture](#)



Outbuildings/Yard Improvements:

Card 1

Year Built 1996
Structure BOAT DOCK-LT
Size 1X369
Units 1
Grade C
Condition A

Card 1

Year Built 2004
Structure SHED-FRAME
Size 12X16
Units 1
Grade C
Condition A

Sales Information:

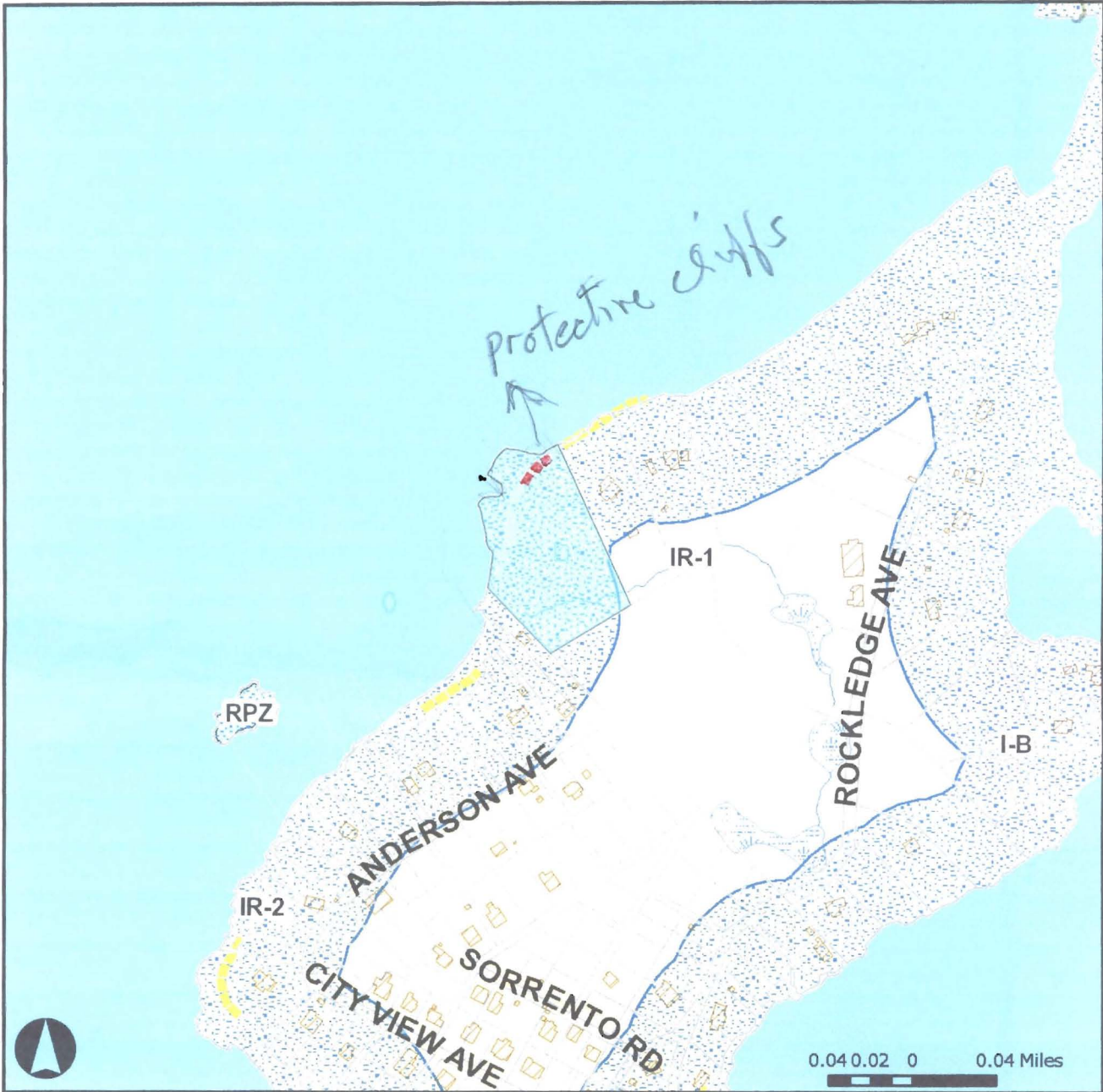
Sale Date	Type	Price	Book/Page
4/1/2002	LAND + BUILDING	\$270,000.00	17566/222
8/24/2001	LAND + BUILDING	\$0.00	232/16669
8/1/2001	LAND + BUILDING	\$334,000.00	16669/234
8/1/1997	LAND	\$0.00	13268/1
12/1/1994	LAND	\$105,000.00	11758/28
7/1/1986	LAND	\$122,000.00	7268/114

[New Search!](#)

PH 3 ANDAZA Level 1

160'-190' from replacement Dock property line 24' + 111' (width) 50' (length)

Map



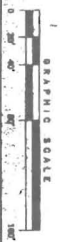
50' (length)
24' + 111' (width)

protective cliffs



0.04 0.02 0 0.04 Miles

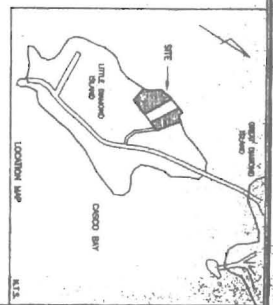
Parcels	Stream Overlay Zone	Zoning (continued)	Zoning (continued)
Interstate	Stream_protection	R2 Residential	C25
Streets	Island Zoning	R3 Residential	C26
Buildings	C43	R4 Residential	C27
Building	I-B	R5 Residential	C28
Out Building	I-TS	R6 Residential	C29
	I-R1	ROS Recreation Open Space	C30
	I-R2		C31



THOSE ON PLOTS
 ALL SHOWN UNCHANGED
 SHEET PLAN PLOTS
 FORMER AS SHOWN



PLAN REFERENCE:
 SUBDIVISION PLAN OF LAND ON LITTLE DIAMOND ISLAND, VERNON, ILLINOIS,
 RECORDED THROUGH DEPT. OF REVENUE, STATE OF ILLINOIS, MAP NO. 1000,
 RECORDED THROUGH DEPT. OF REVENUE, STATE OF ILLINOIS, MAP NO. 1000.



SITE PLAN			
LOT 12	LOT 11	LOT 10	LOT 14
OFF ROCK LEDGE AVENUE, LITTLE DIAMOND ISLAND			
PORTLAND, OREGON			
JOHN ORESTIS			
FENCES POINT ROAD, VERNON, ILLINOIS			
OWNER: ORESTIS ESTATE, INC.			
18 ORESTIS ESTATE, INC.			
18 ORESTIS ESTATE, INC.			
DATE	BY	SCALE	REVISION
NOV. 20, 1984	J.O.	1" = 40'	1
NOV. 20, 1984	J.O.	1" = 40'	2
NOV. 20, 1984	J.O.	1" = 40'	3

Applicant: Ben / TRADE MARK INC Date: 11/25/02

Address: Little Diamond Island C-B-L: 105-J-012

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New Development #02-1259

Zone Location - IR-1

Interior or corner lot -

Proposed Use/Work - Construct single family dwelling

Sewage Disposal - Private

Plat dated June 1984

Lot Street Frontage - 14-433 OK "A lot in the IR-1 zone that was described in a subdivision plat approved by the Planning Board on July 15, 1982 shall be considered a buildable lot provided that the applicable yard dimensions can be met"

Front Yard - 30' req - 104' shown

Rear Yard - 30' req - 75' shown

Side Yard - 20' req - 75' shown

Projections - rear deck 14' projection - left side stairs

Width of Lot - of per 14-433 - 80' req - 100' shown

Height - 35' max - 28' scaled to ridge

Lot Area - 40,000^{sq ft} (shows water) 97,000^{sq ft} per assessors

Lot Coverage Impervious Surface - 20% of lot max of 19,400^{sq ft} max

Area per Family -

$38 \times 60 = 2280$

Off-street Parking - 2 spaces req - 11/27/02 contract showed the drive from access to the house

$14 \times 38 = 532$
 $\frac{532}{2.5} = 212.8$

Loading Bays - NA

Site Plan - minor/minor #2002-0245

Shoreland Zoning Stream Protection - 75' from HWM shown by surveyor see 12/2/02 letter from John Schwanda confirming the 75' set back line

Flood Plains - panel 14 - Zone C

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: Little Diamond Island		Owner: John Orestis		Phone:		Permit No:
Owner Address: Princes Point Road, Yarmouth		Leasee/Buyer's Name:		BusinessName:		
Contractor Name: George Waterman		Address: 6 Roland Kimball Road, Freeport		Phone: 865-3618		Permit Issued:
Past Use: Vacant	Proposed Use: 202' x 4' dock		COST OF WORK: \$30,000.00		PERMIT FEE: \$170.00	
Proposed Project Description: Construct dock as per plans		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:		Zone: IR-1
		Signature:		Signature:		CBL: 105-J-12
		PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.)				Zoning Approval:
Permit Taken By: Victoria A. Dover		Date Applied For: March 20, 1996		Action: Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied <input type="checkbox"/>		Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>

1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Mail permit to George Waterman

Permit Never Issued

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 application 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 provisions of the code(s) applicable to such permit

29 April 1996 - Permit Routed
 6 Roland Kimball Road, Freeport 04032/865-3618/ March 20, 1996

George Waterman
 SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:
 White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Zone: IR-1 **CBL:** 105-J-12

Zoning Approval:

Special Zone or Reviews:
 Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj minor mm

Zoning Appeal
 Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:
 Approved
 Approved with Conditions
 Denied

Date: 30/APR/96

[Signature]

CEO DISTRICT

[Signature]

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

George Waterman
6 Roland Kimball Road
Freeport., ME 04032

July 5, 1996

RE: 105 -J-12, Little Diamond Island

Dear Mr. Waterman,

This letter is in response to your permit application to construct a dock over 200' in length at the above address. The permit has been on hold until we have heard from you in response to Rick Knowland's letter dated April 23, 1996. We have not received any documentation from you as was requested in that letter. I have enclosed another elevation certificate that will need to be filled out and returned to us, along with a written letter from the Army Corps of Engineers confirming whether a permit is required for this project. Please note that it is suggested that the Coast Guard also be notified of this project because of the length that it extends out.

Please let this office know whether this project is proceeding and submit the above information so that this permit can be issued. If we have no further response from you within 6 months of your original application, the application expires with no action taken on it.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Marge Schmuckal
Zoning Administrator

cc to: P. Samuel Hoffses, Chief of Codes Enforcement
Joseph Gray, Jr., Dir. of Planning & Urban Dev.



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

I. D. Number _____

March 20, 1996

Applicant
John Orestis
Applicant's Mailing Address
Princes Point Road, Yarmouth, ME
Consultant/Agent
George Waterman /865-3618
Applicant or Agent Daytime Telephone, Fax

Application Date
Dock/Little Diamond Isl
Project Name/Description

Address of Proposed Site
105-J-12
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 New Building Building Addition Change of Use Residential
 Office Retail Manufacturing Warehouse/Distribution Other (specify) New dock

Proposed Building Square Feet or # of Units _____ Acreage of Site _____ Zoning IR-1

Check Review Required:

- | | | | |
|-------------------------------------------------------------|------------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Single-Family Minor | <input type="checkbox"/> Other _____ |

Fees paid: site plan \$300.00 subdivision _____

Approval Status:

Reviewer _____

- Approved Approved w/Conditions listed below Denied

1. _____
2. _____
3. _____
4. _____

Approval Date _____ Approval Expiration _____ date Extension to _____ date Additional Sheets Attached

Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

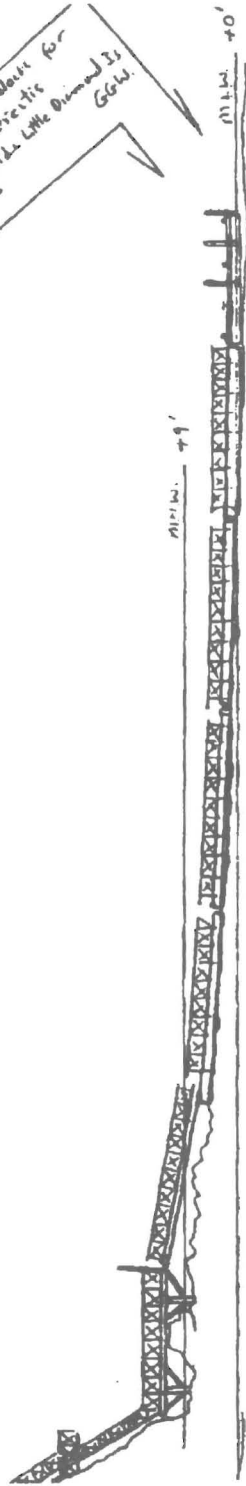
* No building permit may be issued until a performance guarantee has been submitted as indicated below

- | | | | |
|---------------------------------------------------------|----------------------------|-------------------------------|-----------------------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ date _____ | _____ amount _____ | _____ expiration date _____ |
| <input type="checkbox"/> Inspection Fee Paid | _____ date _____ | _____ amount _____ | |
| Performance Guarantee Reduced | _____ date _____ | _____ remaining balance _____ | _____ signature _____ |
| Performance Guarantee Released | _____ date _____ | _____ signature _____ | |
| Defect Guarantee Submitted | _____ submitted date _____ | _____ amount _____ | _____ expiration date _____ |
| Defect Guarantee Released | _____ date _____ | _____ signature _____ | |

Pink - Building Inspections Blue - Development Review Coordinator Green - Fire Yellow - Planning 2/9/95 Rev5 KT.DPUD

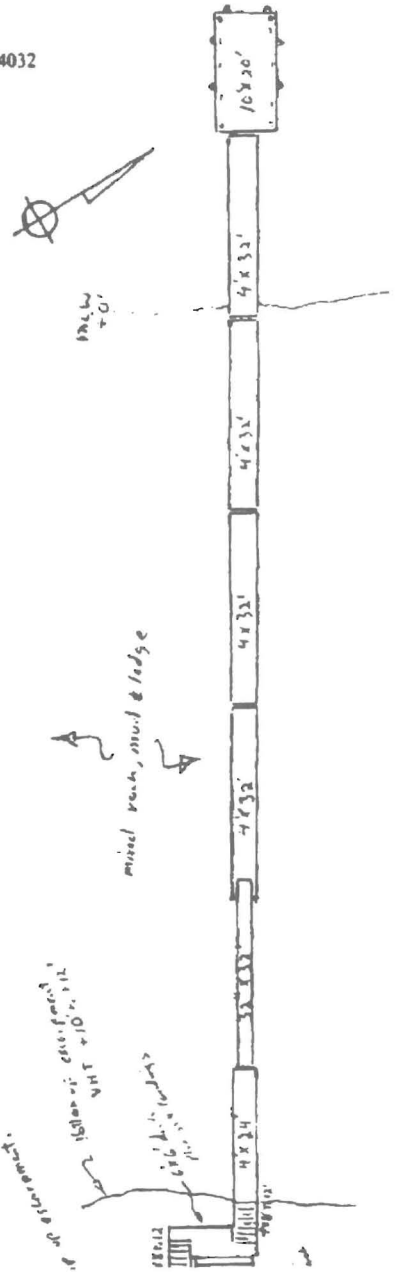
Address: Little Diamond Island

Proposed abut for
John Dierckx
at 512 Little Diamond St
GGW



George G. Waterman
6 Roland Kimball Road • Freeport, Maine 04032
(207) 865-3618 • Mobile: 776-0251

Profile
Scale 1" = 24'
PLAN





CITY OF PORTLAND

April 23, 1996

George Waterman
Waterman Marine Construction
10 South Street
Freeport, ME 04032

Re: Little Diamond Dock

Dear Mr. Waterman:

On April 22, 1996 the Portland Planning Authority granted minor site plan and shoreland regulations approval for a dock on Little Diamond Island (assessors ref. 105-J-12) subject to the following condition(s):

1. A written letter shall be submitted from the Army Corps of Engineers confirming whether a permit is required for this project.
2. That documentation be provided to address Flood Plain Management Regulations.

The approval is based on the submitted site plan and the submitted supporting material including a letter dated 4-11-96. 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:

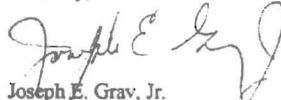
1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. Prior to construction, a preconstruction 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 preconstruction meeting.

O:\PLAN\CORRESPRICK\LETTERS\DOCK.WPD

3. 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 Poliskey at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

If there are any questions, please contact the Planning Staff.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
George Flaherty, Director of Environmental/Intergovernmental Services
Kathi Staples PE, City Engineer
James Seymour, Acting Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
✓ Mary Gresik, Building Permit Secretary
Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

**BOARD OF HARBOR COMMISSIONERS
FOR THE HARBOR OF PORTLAND**

Application for Permit

1. Name of Applicant: John C. Crestis George G. Waterman
2. Mailing Address of Applicant: Princes Pt. Rd. 6 Roland Kimball Rd.
Yarmouth, Me. 04078 Freeport, Me. 04032
3. Location of project for which permit is requested: West side Little Diamond
 - a. Please attach enlargement of Portland Harbor chart showing exact location.
4. Description of project for which permit is requested: 24' X 4' fixed pier on posts,
chained to ledge; stairs with landing on graded, seeded embankment
above; ramp (32' X 32"), four floating walkways (32' X 3') and a
final float 10' X 20', all moored to ledge or buried rock.
(use separate sheet if necessary)
5. Please attach the following:
 - a. For projects under \$10,000.00 a detailed scale drawing on graph paper.
 - b. For projects over \$10,000.00 a detailed scale drawing prepared by a registered engineer
6. All applications must be accompanied by a tax assessor's map and/or an engineer's drawing showing the distances between project and abutters' landmarks, i.e., piers, floats, dolphins, etc.
7. Please list the names and addresses of all abutters and lessees or other persons having an interest in property on which the project is located.
 - a. Theodore & Rand ETATS, Little Diamond Island, Me. 04109
 - b. Pratt S. Mason, Jr., and Carol C. JTS, 3 Storer St., Portland, Me.
 - c. St. Joseph's Convent & Hosp., 605 Stevens Ave, Portland, Me. 04102
 - d. _____ 04103(use separate sheet if necessary)
8. Estimated cost of project: \$30,000
9. For all permit applications involving projects costing more than \$10,000.00 the applicant must submit a survey certified by a registered engineer or a registered land surveyor showing the location of the proposed project. The Board may require surveys to be submitted with regard to other projects at its discretion in cases where the project is close to a channel, in a congested area, close to a property line, or where similar factors are present.
10. Please attach copies of all applications (if any) submitted with regard to this project to the Corps of Engineers, Planning Board or Department of Environmental Protection.
11. Please note that:
 - a. All applications must be submitted not less than 14 days before the Board's next scheduled hearing date.
 - b. All fees due in connection with the application must be paid at the time the application is submitted (refer to attached fee schedule).

**BOARD OF HARBOR COMMISSIONERS
FOR THE HARBOR OF PORTLAND**

Application for Permit

c. By filing this application with the Commission, the applicant certifies that he has sent or delivered a copy of the application (without exhibits) to all abutters, lessees and other persons having an interest in the property on which the project is located, not less than 14 days before the scheduled hearing, and has notified them of the hearing date.

12. If this application is approved and a permit is issued:

- a. The permit must be posted at the construction site;
- b. The permit will require that the construction project be surrounded by a containment boom unless this requirement is waived in writing by the Board of Harbor Commissioners for the Harbor of Portland;
- c. The permit may be limited by restrictions specific to the project;
- d. The permit will be subject to all applicable local and federal regulations;
- e. Nothing in the permit shall be construed to justify or authorize any invasion to the private rights of others;
- f. Nothing in the permit will limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland within their applicable statute;
- g. The permit has an automatic expiration date of one year from the date approved unless otherwise stipulated. An extension of six months may be issued after review by the Harbor Master only if notified in advance of the expiration.

13. The following statement appears on all permits granted by the Board of Harbor Commissioners for the Harbor of Portland:

"This permit is a limited authorization containing a stated set of conditions which must be complied with. If a contractor performs the work for you, both you and the contractor are responsible for assuring the work is done in conformance with the conditions and limitations of this authorization. Please be sure the person who will do the work has read and understands these conditions.

Performing any work not specifically authorized by this permit, or failing to comply with its conditions, may subject you to the enforcement provisions of our regulations. If any change in the plans or construction methods is found necessary, please contact us immediately to discuss modifications of your authorization. Any change must be approved before it is undertaken."

Dated: 11 March 1995

George G. Westerman
Applicant

George G. Westerman, builder
Name and office of person signing for applicant

9929C

Orestis dock

Proposed Dock for John Orestis March 1996
Little Diamond Island

CONSTRUCTION PLAN

1. FIXED PIER, 4'x24':
 - Piling cut-offs 1.0 lb CCA grade B, arranged in four bents, placed over 1 1/8" hot rolled steel pins drilled into ledge and taut chained to other ledge pins of like kind.
 - Headers pinned with 7/8" steel.
 - Bracing in all available directions with pressure treated 4x6.
 - Walkway of pressure treated southern yellow pine, on 4x6 stringers with X-frame trussed handrails and gallows frame; spiked and chained to headers.
 - Removeable walkway section (4'x11') in case equipment needs to traverse the shore above mean high water but below the bluffs.
Note: piling support system is located at +8' above mean low water and higher, and the lowest bent is doubled and splayed. This results in extreme ice resistance.
2. RAMP, 32'x32"
 - All CCA pressure treated and galvanized bolted.
 - X-frame trussed, fixed soft pivot mounted.
 - Stores on fixed walkway for winter
 - Room under for pedestrian and small equipment passage when tide permits.
3. FLOATING WALKWAY, four 4'x32' units:
 - Moored to ledge pins and buried rock in tidal zone.
 - Rests on tidal rock and mud when tide is out.
 - Seasonal; stored in Little Diamond Cove off season, along with the end float and other floats.
4. END FLOAT, 10'x20' (200 sq.ft.):
 - Fixed pivoted to floating walkway.
 - Fendered and fender posted for safe berthing of small boats.
 - Not in navigable waters: outer end of system is in c.2' water at mean low water. Boats will touch on soft mud at extreme low water.
5. STAIRS AND LANDING, c.16' on c.7 to 12 slope; 6'x6' landing to break the fall:
 - Following specific recommendation of DEP, the slope is to be hand groomed, seeded and erosion control mulched in the nearby surrounds of the stair to assure the stability of the slope even though the stair installation is to be done by hand.
 - Trussed handrails, driven support posts, but also hung at the top by synthetic cable from a driven treated deadman post.

5/95

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

PLEASE TYPE OR PRINT IN BLACK INK ONLY (3 COPIES, PLEASE BEAR DOWN)

Name of Applicant: George G. Waterman		Name of Owner: John Orestis	
Mailing Address: 6 Roland Kimball Rd.		Town/City: Freeport	
State: Me.	Zip Code: 04032	Daytime Telephone No: (include area code) 207 865-3618	
Name of Wetland, Water Body or Stream: Casco Bay, west side Little Diamond			
Detailed Directions to Site: By boat go NE along W. shore to last major undeveloped lot, east of boat house & cyclone fence. By land follow westerly road N to last lot on E. (west) side			
Town/City: Portland	Map #:	Lot #:	County: Cumberland
Description of Project: 24' x 4' fixed pier on posts, chained to ledge, stairs with landing on embankment above; ramp (32' x 32"), four floating walkways (32' x 3') and a final float 10' x 20', all moored to ledge or buried rock.			

(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 Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

- | | | |
|-------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Sec. (2) Soil Disturbance | <input type="checkbox"/> Sec. (7) Riprap | <input checked="" type="checkbox"/> Sec. (13) Piers & Pilings |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (8) Utility Crossing | <input type="checkbox"/> Sec. (14) Public Boat Ramps |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (9) Stream Crossing | <input type="checkbox"/> Sec. (15) Select Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (10) State Transportation Facilities | <input type="checkbox"/> Sec. (16) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Outfall Pipes | <input type="checkbox"/> Sec. (11) Restoration of Natural Areas | <input type="checkbox"/> Sec. (17) Maintenance Dredging |
| | <input type="checkbox"/> Sec. (12) Fish & Wild. Creation/Enhance | |

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 all of the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach a check for \$35 (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 photographs showing existing site conditions (unless not required under standards).

Signature of Applicant: <i>George G. Waterman</i>	Date: 14 Feb. 1996
---------------------------------------------------	--------------------

Keep the bottom 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 <i>Scott</i>	Staff	
PBR #	FP		Acc. Date <i>2/14/96</i>	Def. Date	After Photos

copy

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

George Waterman
6 Roland Kimball Road
Freeport., ME 04032

July 5, 1996

RE: 105 -J-12, Little Diamond Island

Dear Mr. Waterman,

This letter is in response to your permit application to construct a dock over 200' in length at the above address. The permit has been on hold until we have heard from you in response to Rick Knowland's letter dated April 23, 1996. We have not received any documentation from you as was requested in that letter. I have enclosed another elevation certificate that will need to be filled out and returned to us, along with a written letter from the Army Corps of Engineers confirming whether a permit is required for this project. Please note that it is suggested that the Coast Guard also be notified of this project because of the length that it extends out.

Please let this office know whether this project is proceeding and submit the above information so that this permit can be issued. If we have no further response from you within 6 months of your original application, the application expires with no action taken on it.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Marge Schmuckal
Zoning Administrator

cc to: P. Samuel Hoffses, Chief of Codes Enforcement
Joseph Gray, Jr., Dir of Planning & Urban Dev.



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

I. D. Number

Applicant: John Orestis
Applicant's Mailing Address: Princes Point Road, Yarmouth, ME
Consultant/Agent: George Waterman /865-3618
Applicant or Agent Daytime Telephone, Fax:

Application Date: March 20, 1996
Project Name/Description: Dock/Little Diamond Isl

Address of Proposed Site: 105-J-12
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building, Building Addition, Change of Use, Residential, Office, Retail, Manufacturing, Warehouse/Distribution, Other (specify) New dock
Proposed Building Square Feet or # of Units, Acreage of Site, IR-1 Zoning

Check Review Required:

- XX Site Plan (major/minor)
Subdivision # of lots
PAD Review
14 403 Streets Review
Flood Hazard
Shoreland
Historic Preservation
DEP Local Certification
Zoning Conditional Use (ZBA/PB)
Zoning Variance
Single-Family Minor
Other

Fees paid: site plan \$300.00 subdivision

Approval Status:

Reviewer

- Approved, Approved w/Conditions listed below, Denied

1
2
3
4

Approval Date, Approval Expiration date, Extension to date, Additional Sheets Attached

Condition Compliance 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
Performance Guarantee Reduced date remaining balance signature
Performance Guarantee Released date signature
Defect Guarantee Submitted submitted date amount expiration date
Defect Guarantee Released date signature

Pink - Building Inspections Blue - Development Review Coordinator Green - Fire Yellow - Planning 2/9/95 Rev5 KIT DPUD

Address: Little Diamond Island



CITY OF PORTLAND

April 23, 1996

George Waterman
Waterman Marine Construction
10 South Street
Freeport, ME 04032

Re: Little Diamond Dock

Dear Mr. Waterman:

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1. A written letter shall be submitted from the Army Corps of Engineers confirming whether a permit is required for this project.
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The approval is based on the submitted site plan and the submitted supporting material including a letter dated 4-11-96. 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:

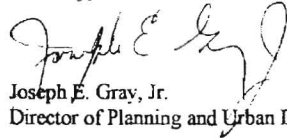
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2. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. 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 preconstruction meeting.

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If there are any questions, please contact the Planning Staff.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

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Richard Knowland, Senior Planner
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Marge Schmuckal, Zoning Administrator
George Flaherty, Director of Environmental/Intergovernmental Services
Kathi Staples PE, City Engineer
James Seymour, Acting Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
✓ Mary Gresik, Building Permit Secretary
Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

**BOARD OF HARBOR COMMISSIONERS
FOR THE HARBOR OF PORTLAND**

Application for Permit

1. Name of Applicant: John C. Crestis George G. Waterman
2. Mailing Address of Applicant: Princes Pt. Rd. 6 Roland Kimball Rd.
Yarmouth, Me. 04078 Freeport, Me. 04032
3. Location of project for which permit is requested: West side Little Diamond
 - a. Please attach enlargement of Portland Harbor chart showing exact location.
4. Description of project for which permit is requested: 24' X 4' fixed pier on posts, chained to ledge; stairs with landing on graded, seeded embankment above; ramp (32' X 32"), four floating walkways (32' X 3') and a final float 10' X 20', all moored to ledge or buried rock.
(use separate sheet if necessary)
5. Please attach the following:
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 - a. Theodore & Rand ETALS, Little Diamond Island, Me. 04109
 - b. Pratt S. Mason, Jr., and Carol C. JTS, 3 Storer St., Portland, Me.
 - c. St. Joseph's Convent & Hosp., 605 Stevens Ave, Portland, Me. 04102
 - d. 04103(use separate sheet if necessary)
8. Estimated cost of project: \$30,000
9. For all permit applications involving projects costing more than \$10,000.00 the applicant must submit a survey certified by a registered engineer or a registered land surveyor showing the location of the proposed project. The Board may require surveys to be submitted with regard to other projects at its discretion in cases where the project is close to a channel, in a congested area, close to a property line, or where similar factors are present.
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**BOARD OF HARBOR COMMISSIONERS
FOR THE HARBOR OF PORTLAND**

Application for Permit

c. By filing this application with the Commission, the applicant certifies that he has sent or delivered a copy of the application (without exhibits) to all abutters, lessees and other persons having an interest in the property on which the project is located, not less than 14 days before the scheduled hearing, and has notified them of the hearing date.

12. If this application is approved and a permit is issued:

- a. The permit must be posted at the construction site;
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- c. The permit may be limited by restrictions specific to the project;
- d. The permit will be subject to all applicable local and federal regulations;
- e. Nothing in the permit shall be construed to justify or authorize any invasion to the private rights of others;
- f. Nothing in the permit will limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland within their applicable statute;
- g. The permit has an automatic expiration date of one year from the date approved unless otherwise stipulated. An extension of six months may be issued after review by the Harbor Master only if notified in advance of the expiration.

13. The following statement appears on all permits granted by the Board of Harbor Commissioners for the Harbor of Portland:

This permit is a limited authorization containing a stated set of conditions which must be complied with. If a contractor performs the work for you, both you and the contractor are responsible for assuring the work is done in conformance with the conditions and limitations of this authorization. Please be sure the person who will do the work has read and understands these conditions.

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Dated: 11 March 1995

George G. Westerman
Applicant

George G. Westerman, builder
Name and office of person signing for applicant

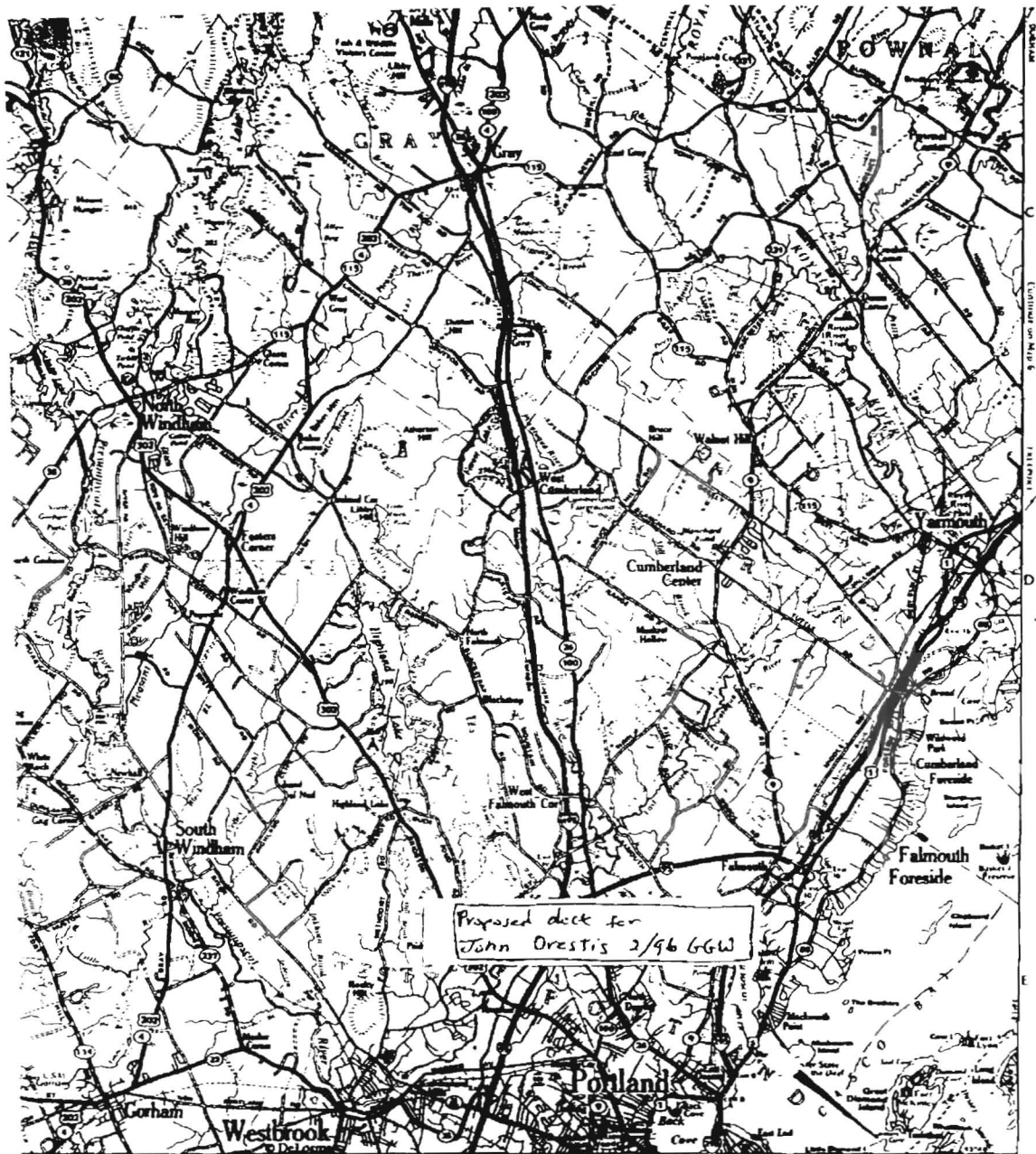
9925C

Orestis dock

Proposed Dock for John Orestis March 1996
Little Diamond Island

CONSTRUCTION PLAN

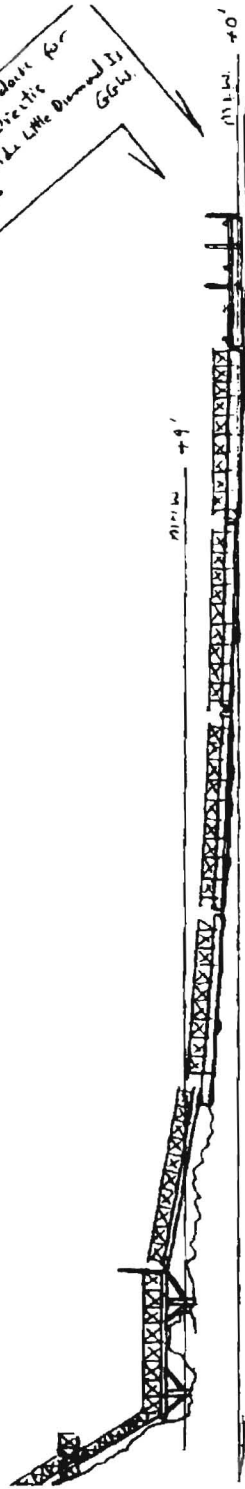
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 - X-frame trussed, fixed soft pivot mounted.
 - Stores on fixed walkway for winter
 - Room under for pedestrian and small equipment passage when tide permits.
3. FLOATING WALKWAY, four 4'x32' units:
 - Moored to ledge pins and buried rock in tidal zone.
 - Rests on tidal rock and mud when tide is out.
 - Seasonal; stored in Little Diamond Cove off season, along with the end float and other floats.
4. END FLOAT, 10'x20' (200 sq.ft.):
 - Fixed pivoted to floating walkway.
 - Fendered and fender posted for safe berthing of small boats.
 - Not in navigable waters: outer end of system is in c.2' water at mean low water. Boats will touch on soft mud at extreme low water.
5. STAIRS AND LANDING, c.16' on c.7 to 12 slope; 6'x6' landing to break the fall:
 - Following specific recommendation of DEP, the slope is to be hand groomed, seeded and erosion control mulched in the nearby surrounds of the stair to assure the stability of the slope even though the stair installation is to be done by hand.
 - Trussed handrails, driven support posts, but also hung at the top by synthetic cable from a driven treated deadman post.



Proposed deck for
John Orestis 2/96 GGW

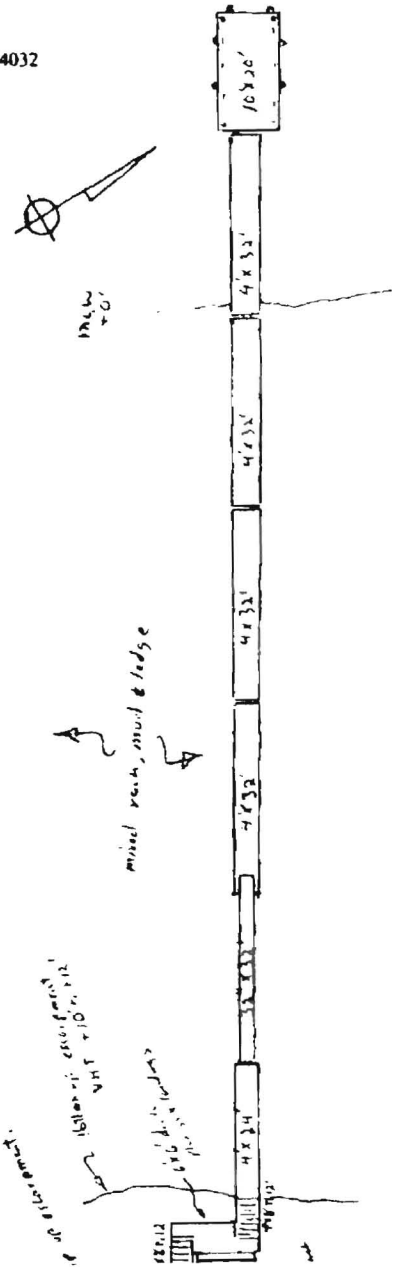
MAP 5
of R.

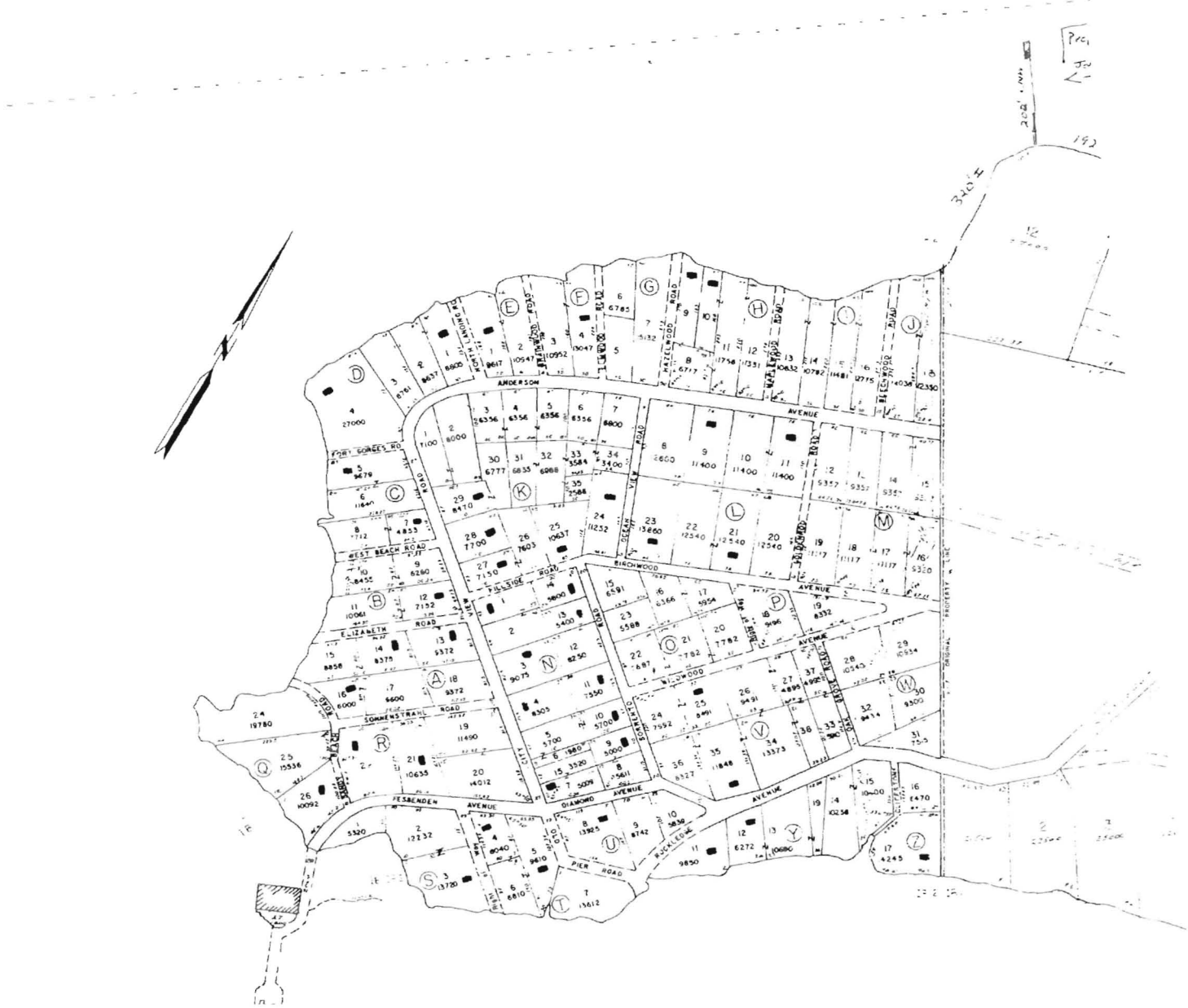
Proposed dock for
John O'Leary
3/96
M/S Side Life Diamond II
GGW



George G. Waterman
6 Roland Kimball Road • Freeport, Maine 04032
(207) 865-3618 • Mobile: 776-0251

Profile
Scale 1" = 24'
PLAN





Prop
J
←

192

300' E



5/95

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

PLEASE TYPE OR PRINT IN BLACK INK ONLY (3 COPIES, PLEASE BEAR DOWN)

Name of Applicant:		George C. Waterman		Name of Owner:		John Prestig			
Mailing Address:				6 Roland Kimball Rd.		Town/City:		Freeport	
State:		Zip Code:		Daytime Telephone No:		(include area code)			
		ME		04032		207 865-3618			
Name of Wetland, Water Body or Stream:				Casco Bay, west side Little Diamond					
Detailed Directions to Site:				by boat go NE along W. shore to last major undeveloped lot, east of boat house & cyclone fence. by land follow westerly road N to last lot on L (west) side					
Town/City:		Portland		Map #:		Lot #:		County:	Cumberland
Description of Project:				24' x 4' fixed pier on posts, chained to ledge; stairs with landing on embankment above; ramp (32' x 32"), four floating walkways (32' x 3') and a final float 10' x 20', all moored to ledge or buried rock.					

(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 Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

- | | | |
|-------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Sec. (2) Soil Disturbance | <input type="checkbox"/> Sec. (7) Riprap | <input type="checkbox"/> Sec. (13) Piers & Pillings |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (8) Utility Crossing | <input type="checkbox"/> Sec. (14) Public Boat Ramps |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (9) Stream Crossing | <input type="checkbox"/> Sec. (15) Select Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (10) State Transportation Facilities | <input type="checkbox"/> Sec. (16) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Outfall Pipes | <input type="checkbox"/> Sec. (11) Restoration of Natural Areas | <input type="checkbox"/> Sec. (17) Maintenance Dredging |
| | <input type="checkbox"/> Sec. (12) Fish & Wild. Creation/Enhance | |

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 all of the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach a check for \$35 (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 photographs showing existing site conditions (unless not required under standards).

Signature of Applicant:	<i>George C. Waterman</i>	Date:	14 Feb. 1996
-------------------------	---------------------------	-------	--------------

Keep the bottom 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	
			<i>1/1/96</i>		



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

June 7 2011

Received from Falls River Maine, Inc.

Location of Work 77 N. Cumberland St. Littleton, CO

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: _____

Building (IL) Plumbing (I5) _____ Electrical (I2) _____ Site Plan (U2) _____

Other _____

CBL: 105 5012

Check #: 6065 Total Collected \$ 690.00

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

**APPENDIX A: MDEP VISUAL EVALUATION
FIELD SURVEY CHECKLIST**
(Natural Resources Protection Act, 38 M.R.S.A. §§ 480 A - Z)

Name of applicant: Sebastian and Margaret Milardo Phone: 772-2823 (w) 831-2076 (c)

Application Type: Tier 3 Coastal Wetland

Activity Type: (brief activity description) Rebuild pier: Replace a floating walkway that currently has 6 floats to become one extended raised pier head on pilings with a single ramp (gangway) and float.

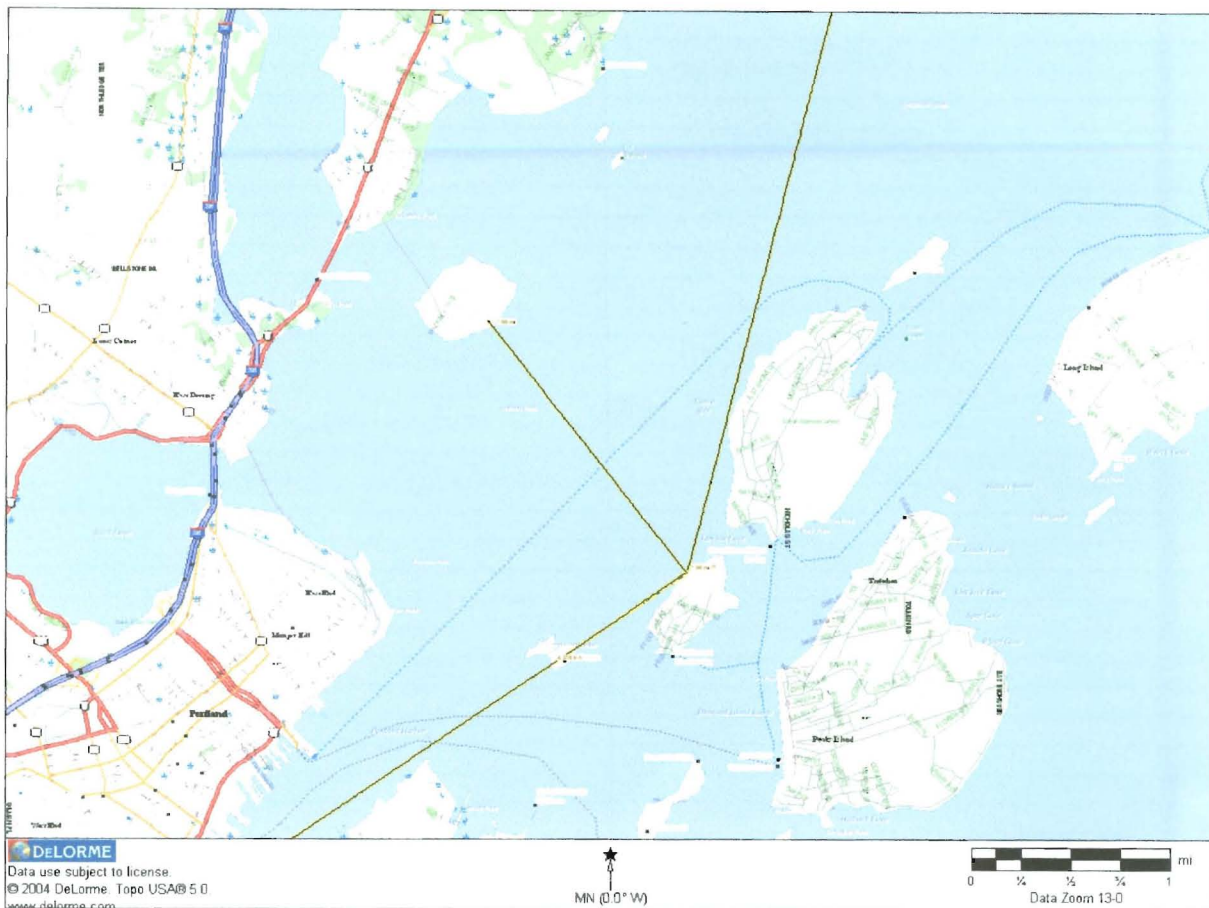
Activity Location: Town: Portland. Little Diamond Island Court: Cumberland County

GIS Coordinates, if known: 43°40'7.57"N 70°12'35.98"W

Date of Survey: Wed Oct 6, 2010 3:45 pm Tide .3 and falling

Observer: Kathleen Keegan/Carter Becker Phone: 207.865.4567

	Distance Between the Proposed Visibility Activity and Resource (in Miles)		
	0-¼	¼-1	1+
1. Would the activity be visible from:			
<i>A. A National Natural Landmark or other outstanding natural feature?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>C. A state or federal trail?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>D. A public site or structure listed on the National Register of Historic Places?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>E. A National or State Park?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>F. 1) A municipal park or public open space?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. What is the closest estimated distance to a similar activity?	<input checked="" type="checkbox"/> (391')	<input type="checkbox"/>	<input type="checkbox"/>
3. What is the closest distance to a public facility intended for a similar use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Is the visibility of the activity seasonal? (i.e., screened by summer foliage, but visible during other seasons)		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5. Are any of the resources checked in question 1 used by the public during the time of year during which the activity will be visible?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No



Attached - Appendix A: Visual Evaluation

The Field Survey Checklist is included to summarize the visual impacts of the project on the identified natural resource. The project study area describes all known resources as described in the checklist on Appendix A within a five mile radius and describes that the proposed dock will be visible from a distance of .7 miles from Fort Gorges which is on the National Register of Historic Places. Macworth Island is a State Park across the bay in Falmouth, approximately 1.8 miles away. The proposed dock will comply with DEP standards for Scenic Character and Mitigation Strategies. For mitigation strategies regarding environmental impact, this specific site was chosen for the following reasons:

- We feel this location to be the most practical as it meets the required setbacks, faces the proper direction, and is the shortest distance to enough water for small to medium size boat access. The applicant does not intend to leave his larger vessel tied to the float. The dinghy will be the main vessel tied to the float. The mooring will be used.
- The applicant is rebuilding a deteriorating dock system which has been functioning effectively since it was built in 1996. The footprint will only differ with regards to the practical width of an elevated pier head. No unnecessary footprint changes or increases are planned. The existing floating walkway is 3 ½' wide and that is not practical for an elevated permanent pier head.
- The applicant has chosen an aluminum pier head and gangway with a marine grade timber substructure. The pier head will have wood handrails and walking surface which will alter the overall visual effect minimally from its current state. The aluminum frame will last longer than wood. We believe the aluminum, after the first year, has a lesser visual impact than wood. The patina of aluminum turns a dull grey over time and becomes much less noticeable against the landscape than does a bulky wood structure. It also last longer and does not contain any hazardous products as does treated wood. We can span much greater distances with less substructure with aluminum that we can with wood. Wood is much heavier and decomposes at a greater rate.
- The pier head will be built above the flow of ice in the winter. The outer timber bent is traditionally strong and stout enough to withstand winter ice. We have chosen a ramp with the shortest length possible but also sustaining sufficient length to access water. The length of the ramp needs to provide gentle enough slope for safety while traversing at a low tide. It is just narrow enough to fit inside the pier head during the winter months.

**APPENDIX B: MDEP COASTAL WETLAND CHARACTERIZATION:
INTERTIDAL & SHALLOW SUBTIDAL FIELD SURVEY CHECKLIST**

NAME OF APPLICANT: Sebastian and Margaret Milardo PHONE: 772-2823 (w) 831-2076 (c)

APPLICATION TYPE: Tier 3

ACTIVITY LOCATION: TOWN: Portland - Little Diamond Isl. COUNTY: Cumberland

ACTIVITY DESCRIPTION: fill pier lobster pound shoreline stabilization
 dredge other: _____

DATE OF SURVEY: October 6, 2010 OBSERVER: Falls Point Marine

TIME OF SURVEY: 3:45 pm Tide .3 and falling

SIZE OF DIRECT IMPACT OR FOOTPRINT (square feet):

Intertidal area: 8 ft sq (8) 10" piles Subtidal area: 12'x20' floats (~12-18" @ low tide)

SIZE OF INDIRECT IMPACT, if known Raised Pier head 5x110'=550 sq ft

Gangway: 3.5x55' Floats 12x20'

Existing 818 sq ft → Proposed 965 sq ft

HABITAT TYPES PRESENT(check all that apply):

sand beach boulder/cobble beach sand flat mixed coarse & fines salt marsh
 ledge rocky shore mudflat (sediment depth, if known: _____)

ENERGY: protected semi-protected partially exposed exposed

DRAINAGE: drains completely standing water pools tidal

SLOPE: >20% 10-20% 5-10% 0-5% variable

SHORELINE CHARACTER:

bluff/bank (height from spring high tide: _____) beach rocky vegetated

FRESHWATER SOURCES: stream river wetland stormwater

MARINE ORGANISMS PRESENT:

	absent	occasional	common	abundant
mussels	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
clams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
marine worms	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
rockweed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
eelgrass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
lobsters	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SIGNS OF SHORELINE OR INTERTIDAL EROSION? yes no

PREVIOUS ALTERATIONS? yes no

CURRENT USE OF SITE AND ADJACENT UPLAND:

undeveloped residential commercial degraded recreational

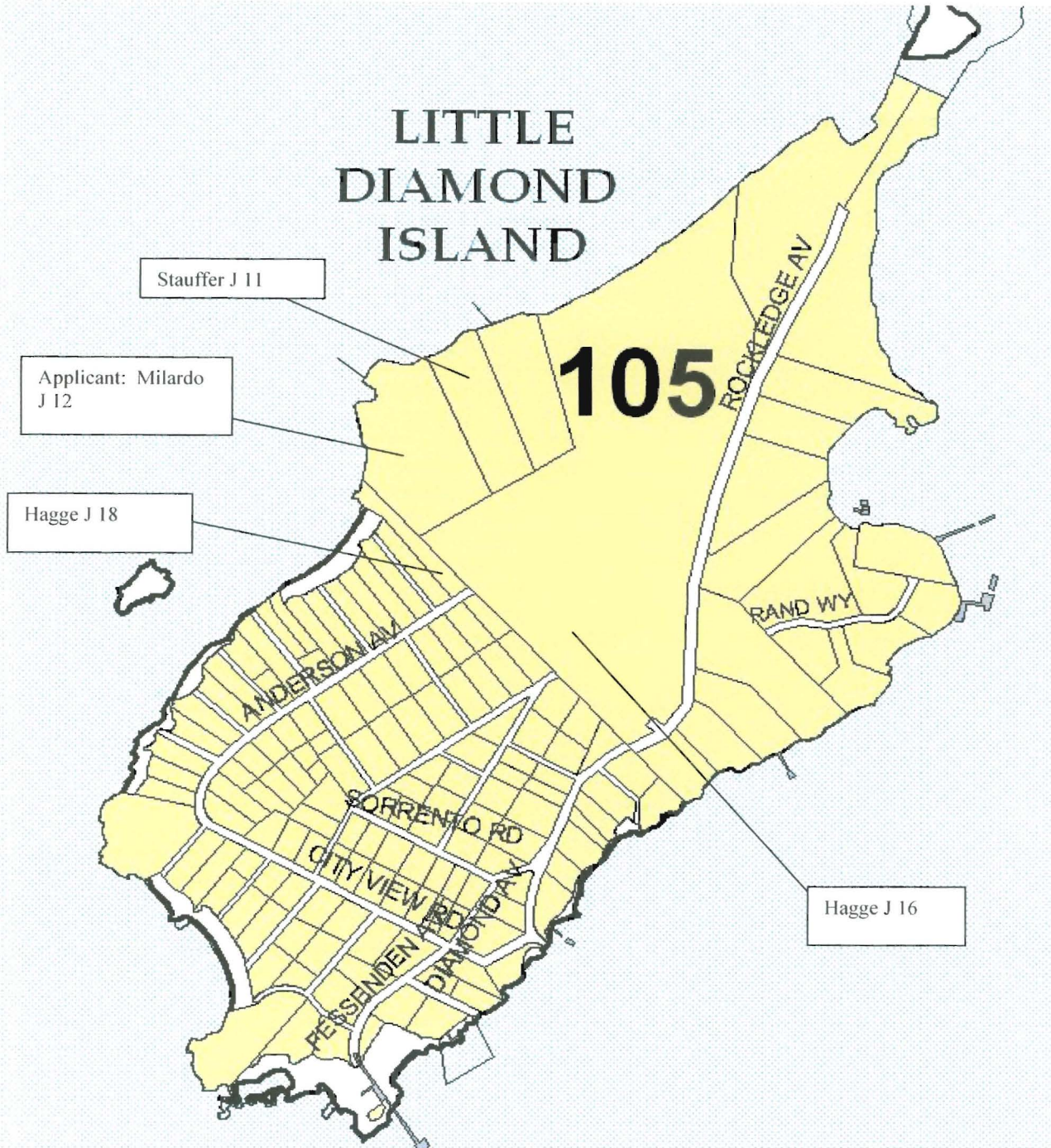
PLEASE SUBMIT THE FOLLOWING:

Photographs Overhead drawing

(pink)

Abutters: Project Zone: IR1

LITTLE DIAMOND ISLAND



#1 CBL	105 J011001 Stauffer
Property Location	63 MACAULEY RD LITTLE DIAMOND ISLAND
Owner Information	STAUFFER WILLIAM L ANNE K JTS 26 SCHOONER RD SCARB. ME 04074
#2 CBL	105 J016001 Hagge
Property Location	0 ROCKLEDGE AVE LITTLE DIAMOND ISLAND LOT 19
Owner Information	HAGGE PATRICIA H D 225 COMMERCIAL ST # 502 PORTLAND ME 04101
#3 CBL	105 J018001 Hagge
Property Location	0 ROCKLEDGE AVE LITTLE DIAMOND ISLAND LOT 15
Owner Information	HAGGE CYRUS Y 225 COMMERCIAL ST STE 502 PORTLAND ME 04101

0033260

BK 17566 PG 222

Warranty Deed

John C. Orestis, of Yarmouth, County of Cumberland and State of Maine, for consideration paid, grants to Margaret F. Milardo, whose mailing address is RR 1, Box 339, Hollis, Maine 04042, with Warranty Covenants, a certain lot or parcel of land situated in Portland, County of Cumberland and State of Maine, bounded and described as follows:

A certain lot or parcel of land on Little Diamond Island in the City of Portland, County of Cumberland and State of Maine, more particularly described as follows:

Lot No. 12 as shown on Recording Plat of Land on Little Diamond Island, Portland, Maine for St. Joseph's Convent & Hospital prepared by Owen Haskell, Inc. dated June, 1984, recorded in the Cumberland County Registry of Deeds in Plan Book 147, Page 61 (hereinafter the "Plat").

This conveyance of the premises herein described is subject to certain restrictions as set forth in a deed from John C. Orestis to Sandra J. Shaw dated January 5, 1997 and recorded in Cumberland County Registry of Deeds at Book 13268, Page 1, which restrictions shall run with the land, and Grantee by her acceptance of this Deed agrees for herself, her successors and assigns, forever to be bound by such restrictions.

Being the same premises conveyed by John C. Orestis and John V. Bonneau, co-Trustees of the Exemption Equivalent Trust U/W of Sandra J. Shaw to John C. Orestis by Trustee's Deed dated August 16, 2001 and recorded in the Cumberland County Registry of Deeds at Book 16669, Page 234.

Witness my hand and seal this 24th day of April, 2002.

MAINE REAL ESTATE TAX PAID

[Signature]
Witness

[Signature]
John C. Orestis

State of Maine
Cumberland, SS.

April 24, 2002

Then personally appeared the above-named John C. Orestis and acknowledged the foregoing to be his free act

[Signature]
Notary Public Attorney at Law
Print Name: Erik S. Homb
My Commission Expires:

RECEIVED
RECORDED IN CUMBERLAND COUNTY
2002 APR 25 AM 9:38
John B. Coburn



Falls Point Marine, Inc.

To Whom It May Concern,

Either Kathleen Keegan and/or Carter Becker of Falls Point Marine, Inc. are authorized to apply for and obtain such permits as necessary from all permitting authorities (local, state and federal) in order to rebuild an existing dock system on our property at 77 McCauley Rd, Little Diamond Island in Casco Bay.

Sebastian G. Milardo

Signed: Margaret Milardo

Sebastian G. Milardo

Print Name: Margaret Milardo

Date: 2/2/11

Mailing Address 461 River Road

Hollis, Maine 04049