

# **Old Coast Guard Pier Reconstruction**

Little Diamond Island, Portland, Maine

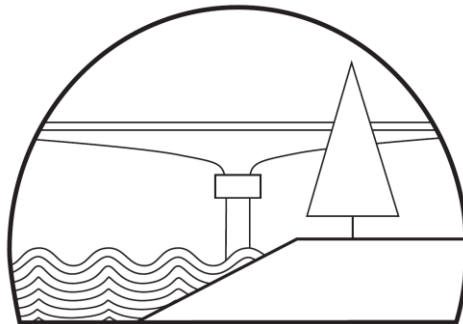
## **Development Review Application Level 1 – Site Alteration**

### **Applicant:**

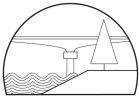
Charles G. Moore  
Old Coast Guard Station, LLC  
2 Union Street, Suite 500  
Portland, ME 04101

### **Submitted To:**

City of Portland  
Dept. of Planning & Urban Development  
389 Congress Street  
Portland, ME 04101



**BAKER DESIGN CONSULTANTS**  
Civil, Marine, and Structural Engineering  
7 Spruce Road, Freeport, ME 04032



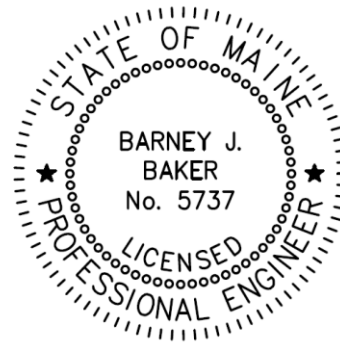
12-34 Little Diamond Island  
Portland, ME

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Freeport, Maine 04032  
207-846-9724  
b.baker@bakerdesignconsultants.com



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## **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 or (207) 874-8719

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

**PROJECT NAME:** Old Coast Guard Pier Reconstruction

**PROPOSED DEVELOPMENT ADDRESS:**  
6 Rand's Way, Little Diamond Island

**PROJECT DESCRIPTION:**  
1 - Reconstruction of the pier on Little Diamond Island owned by Old Coast Guard Station, LLC.  
2- Improvements (less than 50%) to the existing 71-ft x 31.5-ft building located on the pier.

**CHART/BLOCK/LOT:** 105-Z-25

<p><b>CONTACT INFORMATION:</b></p>	<p><b>Applicant's Contact for electronic plans</b>          Name: Barney Baker, PE          e-mail: b.baker@bakerdesignconsultants.com          work #: 207-846-9724</p>
<p><b>Applicant – must be owner, Lessee or Buyer</b>          Name: Charles (Kip) Moore          Business Name, if applicable: Old Coast Guard Station, LLC          Address: 2 Union Street, Suite 500          City/State : Portland, ME                      Zip Code: 04101</p>	<p><b>Applicant Contact Information</b>          Work # 207-761-0717          Home#          Cell #    Fax#          e-mail: kipmoore@aol.com</p>
<p><b>Owner – (if different from Applicant)</b>          Name:          Address:          City/State :                                      Zip Code:</p>	<p><b>Owner Contact Information</b>          Work #          Home#          Cell #    Fax#          e-mail:</p>
<p><b>Agent/ Representative</b>          Name: Barney Baker, PE          Address: 7 Spruce Road          City/State : Freeport, ME                      Zip Code: 04032</p>	<p><b>Agent/Representative Contact information</b>          Work # 207-846-9724          Cell # 207-838-3636          e-mail: b.baker@bakerdesignconsultants.com</p>
<p><b>Billing Information</b>          Name: Charles (Kip) Moore                c/o: Barney Baker, PE          Address: 7 Spruce Road          City/State : Freeport, ME                      Zip Code: 04032</p>	<p><b>Billing Information</b>          Work # 207-846-9724          Cell # 207-838-3636                              Fax# N/A          e-mail: b.baker@bakerdesignconsultants.com</p>

<b>Engineer</b> Name: Barney Baker, PE – Baker Design Consultants Address: 7 Spruce Road City/State : Freeport, ME                      Zip Code: 04032	<b>Engineer Contact Information</b> Work # 207-846-9724 Cell # 207-838-3636                              Fax# N/A e-mail: b.baker@bakerdesignconsultants.com
<b>Surveyor</b> Name: Reggie Parker, PLS – Royal River Survey Company Address: 107 Gray Road City/State : North Yarmouth, ME              Zip Code: 04097	<b>Surveyor Contact Information</b> Work # 207-829-5829 Cell # 207-650-8805                              Fax# 829-2777 e-mail: reg@royalriversurvey.com

**APPLICATION FEES:**

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

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

**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).

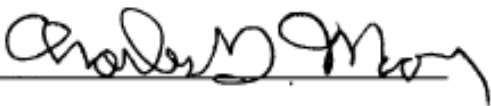
I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, 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.**

<b>Signature of Applicant:</b> 	<b>Date:</b> <b>April 17, 2013</b>
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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.

<p><b>Agent Authorization</b></p> <p>Charles (Kip) Moore          Old Coast Guard Station, LLC;          2 Union Street, Suite 500          Portland, ME 04101</p> <p>By signing below, I authorize Barney Baker, PE of Baker Design Consultants to act as agent for the purpose of permit communication on applications filed for reconstruction of the Old Coast Guard Pier on Little Diamond Island.</p> <p>Signed: </p>
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**PROJECT DATA**

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

<b>Total Area of Area</b>	N/A	sq. ft.
<b>Proposed Total Disturbed Area of the Site</b>	N/A	sq. ft.
<b><u>IMPERVIOUS SURFACE AREA</u></b>		
• Proposed Total Paved Area	N/A	sq. ft.
• Existing Total Impervious Area	N/A	sq. ft.
• Proposed Total Impervious Area	N/A	sq. ft.
• Proposed Impervious Net Change	N/A	sq. ft.
<b><u>PARKING SPACES</u></b>		
• Existing Number of Parking Spaces	N/A	
• Proposed Number of Parking Spaces	N/A	
<b>TOTAL Number of Parking Spaces</b>	N/A	

### General Submittal Requirements – Level I Site Alteration

Applicant Checklist	Planner Checklist	Number of Paper Copies	Submittal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	1	Completed application form.
<input type="checkbox"/>	<input type="checkbox"/>	1	Application fees.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written description of project.
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of right, title and interest.
<input type="checkbox"/>	<input type="checkbox"/>	1	Copies of required state and/or federal permits.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of proposed project's compliance with applicable zoning requirements.
<input type="checkbox"/>	<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.

### Site Plans and Boundary Survey Requirements – Level I Site Alteration

Applicant Checklist	Planner Checklist	Number of Copies	Submittal Requirement
<input 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	<b>Site Plan Including the following:</b>
<input 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 type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, utility connections, roadway improvements).
<input 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 type="checkbox"/>	<input type="checkbox"/>		▪ Details of proposed pier rehabilitation (Shoreland areas only).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing utilities.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed stormwater management and erosion controls.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Total area and limits of proposed land disturbance.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing vegetation to be preserved and proposed site landscaping.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed easements or public or private rights of way.



## Site Plan Standards for Review of Level I: Site Alteration

Level I: Site alteration plans shall only be subject to the following site plan standards, as applicable, as contained in section 14-526:

- (a) Transportation standards:
  1. Impact on surrounding street systems,
  2. Access and circulation, and
  4. Parking
- (b) Environmental quality standards
  1. Preservation of significant natural features,
  2. Landscaping and landscape preservation, and
  3. Water quality, stormwater management and erosion control.
- (c) Public infrastructure and community safety standards.
  1. Consistency with city master plans.
- (d) Site design standards
  5. Historic resources,
  6. Exterior lighting,
  8. Signage and wayfinding, and
  9. Zoning related design standards.

Except as provided in article III, or to conditions imposed under section 14-526(e) only, or to those submission requirements set forth in section 14-527 as relate solely thereto.



### PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST



A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
  - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
7. Hydrant locations

## **Written description of project.**

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The outline below provides a description of the project which replaces the existing timber pier and increases the elevation of the adjacent building. Reference should be made to the project plans located in the Site Plans section.

### **Description of Proposed Work**

The two major elements of the proposed work are defined below. Sheet C-1 Existing Conditions shows the current configuration and Sheets S-1 – S-5 show the new design.

#### **1. Pier Reconstruction**

The existing timber pier will be demolished and a new pier will be reconstructed in the same footprint as the existing structure. The existing pier is approximately 7,530-ft<sup>2</sup>, the new pier will have an area of approximately 7,520-ft<sup>2</sup> due to several minor adjustments to overall geometry (reduction of approximately 10-ft<sup>2</sup>). Approximately 120 existing timber bearing piles will be cut off and removed above the mudline, and 84 new timber or composite piles will be installed to support the new pier. Approximately 30 timber fender piles will be cut off and removed above the mudline and replaced with 29 timber fender piles. The pier deck elevation will be increased by 2-ft to provide greater clearance above the coastal resource. Two small accessory buildings located on the pier (10-ft x 14-ft shed and 12.5-ft x 23-ft shed) will be set aside during the reconstruction and installed in their original locations on the new pier. The existing float will be reinstalled in its current location with a new gangway.

#### **2. Increase Building Elevation**

An existing 71-ft x 31.5-ft pile-supported building (2,236.5-ft<sup>2</sup>) accessed from the pier will be lifted and new timber or composite piles will be installed beneath it. Existing piles to be removed are included in the totals presented in Work Item 1, 18 new piles will be installed beneath the building, these are also included in the total pile counts presented in Work Item 1. The building elevation will be increased 2-ft to provide greater clearance over the coastal resource and to maintain access from the pier.



BK | 3833PG059

Exhibit A

**Certain real estate situated in Portland, County of Cumberland and State of Maine, being more particularly described as follows:**

**A certain lot or parcel of land, together with the buildings thereon and appurtenant thereto, situated on Little Diamond Island (formerly known as Little Hog Island) in Casco Bay, City of Portland, in the County of Cumberland and State of Maine, situated on the southeasterly end of said Island, and bounded and described as follows: Beginning at an iron bolt set in the rock on the southeasterly shore of said Little Diamond Island at a point about four hundred and twenty (420) feet southwest of the old wooden wharf on the southeasterly end of said Island; thence from said iron bolt on a course of North 30 degrees West, a distance of four hundred and fifty (450) feet to an iron bolt set in a stone in the valley; thence North 60 degrees East, a distance of two hundred forty-nine (249) feet to a third iron bolt set in stone; thence continuing on the same course North 60 degrees East, a distance of seventy (70) feet to high water mark; thence by the shore in a direction southerly, easterly, and southwesterly to the point begun at; containing four (4) acres of upland, and including the shore appurtenant to the upland and the pile wharf above-mentioned now existing at the southeast end of the premises herein conveyed.**

**Excepting and reserving from the above-described premises the following parcel of land, with the buildings thereon, bounded and described as follows: Beginning at a point at the top of the bank on the easterly end of Little Diamond Island marked by an iron pipe; which point is located fifty-eight and eight tenths (58.8) feet from the southeast corner of a small brick building and seventy-three and two tenths (73.2) feet from the southwest corner of a larger brick building, which buildings now stand on the parcel being described; thence North 63 degrees 50' 40" West, one hundred ninety-seven and sixty-five hundredths (197.65) feet to a point; thence North 22 degrees 44' 00" East, forty-four (44) feet, more or less, to the shore; thence along the shore northeasterly, easterly and southerly to a point on the shore; thence North 63 degrees 50' 40" West, thirty (30) feet, more or less, to the point of beginning; meaning to describe a parcel of land approximately one-half acre in size upon which are located the two buildings previously mentioned, also the shore appurtenant thereto. Subject to conditions and reservations as contained in deed from United States of America to Theodore T. Rand, dated May 17, 1954, and recorded in the Cumberland County Registry of Deeds in Book 2171, Page 337.**

**Reserving to Theodore T. Rand, his heirs and assigns, the perpetual right to use and repair the water lines, power lines, telephone lines, and sewer and cable television lines should they become available, running over and under the premises being conveyed to the premises excepted herein, with said Theodore T. Rand, his heirs and assigns, to pay to the Grantee for metered water.**

DK 13833PG060

Also reserving to Theodore T. Rand, his heirs and assigns, a perpetual easement from the above-excepted parcel of land to and from the main wharf and floats on the premises conveyed herein, and the use of the same for ingress and egress to the excepted parcel of land, and also reserving an easement across land conveyed herein and land now or formerly of St. Joseph's Convent & Hospital, to Rockledge Avenue on Little Diamond Island. In the event Theodore T. Rand should convey the above-described excepted parcel of land, with the buildings thereon, then said Grantee shall have the first refusal to purchase the same at a price and on the terms which Theodore T. Rand would convey the same to any other person.

Also conveying a right of way and easement as described in a deed of St. Joseph's Convent & Hospital to Theodore T. Rand, dated May 8, 1985, and recorded in said Registry of Deeds in Book 6771, Page 62.

Being the same premises conveyed to the Grantor herein by Peoples Heritage Savings Bank by Deed dated August 31, 1992 and recorded in the Cumberland County Registry of Deeds in Book 10258, Page 10.

This conveyance is made subject to a Mortgage given by the Grantor to Peoples Heritage Savings Bank dated August 31, 1992 and recorded in said Registry of Deeds in Book 10258, Page 14, which the Grantee herein by its acceptance of this deed hereby assumes and agrees to pay.

RECEIVED  
RECORDED REGISTRY OF DEEDS

1998 MAY 19 PM 3:25

CUMBERLAND COUNTY

*John B. O'Brien*

-2-

## **Copies of State, Federal, and Local Permits**

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State and federal permit applications are in the process of being submitted but have not yet been obtained as of April 17, 2013. The following applications have been submitted:

- Army Corps of Engineers - Maine General Permit
- Maine DEP – NRPA Permit
- Portland Harbor Commissioners – Marine Construction Permit
- City of Portland – Flood Hazard Development Permit
- Maine Department of Agriculture, Conservation, and Forestry - Submerged Lands Lease

Permits will be available to submit once received.

## **Written Assessment of Proposed Project's Compliance with Applicable Zoning Requirements**

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Zoning: Island Business District, Shoreland Overlay Zone  
Flood Hazard Zone: Zone VE

The pier reconstruction will comply with all requirements of the City of Portland Land Use Zoning Ordinance, including standards of Section 14-450.8(o).

The existing building does not meet City of Portland Zoning requirements in regard to elevation:

- Section 14-450.8(p) – The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated two (2) feet above the base flood elevation.

This non-compliance is grandfathered.

Improvements to the building will be less than 50% of the current market value of the structure, and are therefore not substantial per Section 14-450.9. Because the improvement is not substantial, the improvements are not required to meet Section 14-450.8(p).

## **Written Description of Existing and Proposed Easements or Other Burdens**

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See Right of Use, Easement, and Right-of Way contained within Quitclaim Deed with Covenant 029946, CCRD Book 13833, Page 058-060.



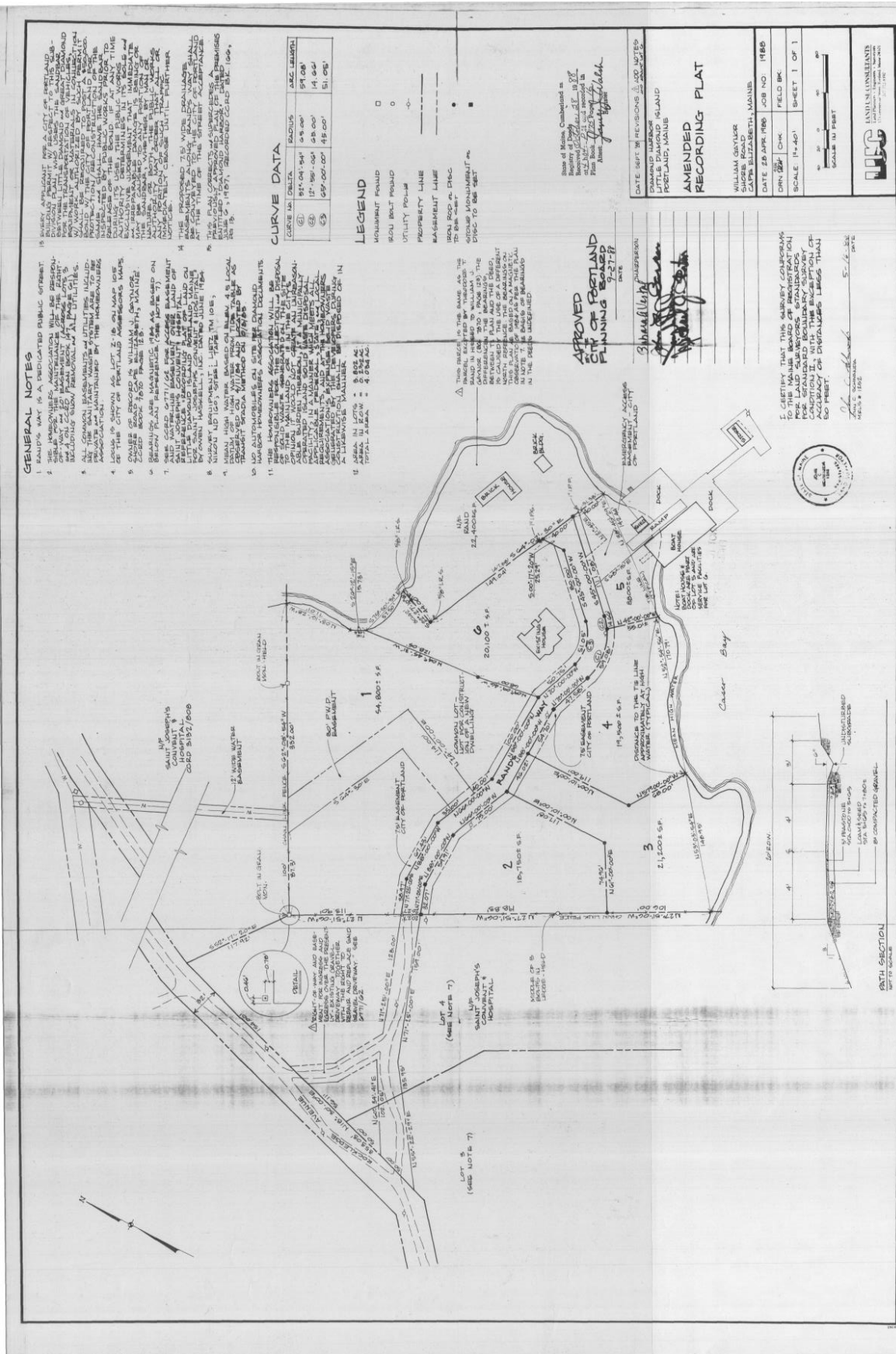
## **Written Requests for Waivers from Individual Site Plan and/or Technical Standards**

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### **Waiver of Boundary Survey Requirement**

Topographic survey for the site has been completed by a licensed PLS. A boundary survey meeting all of the requirements of Technical Manual Section 13 has not been completed. A request for waiver of boundary survey requirements is made in accordance with Technical Manual section 13.4.1 on the following basis:

- The development takes place on an improved lot-of-record (see reference: 1988 Subdivision Plat by Land Use Consultants for William Gaynor of Shore Road, Cape Elizabeth, ME, included on next page).
- The project involves the reconstruction of an existing timber pier in the same footprint as existing.
- The activity involves no additional development of the existing improved lot.
- The existing structure has been in place for over 100 years
- The replacement will cause no impacts to neighboring properties.



Evidence of Financial and Technical Capacity

Pier Area =	7,400 ft <sup>2</sup>
Estimated Cost of Pier Reconstruction =	<b>\$425,000</b>
Estimated Cost of Building Improvements = <i>Note: existing assessed valuation of building per City of Portland = \$319,300</i>	<b>\$50,000</b>
Total Estimated Cost of Project =	<b>\$475,000</b>

Old Coast Guard Station, LLC is in good standing with the Maine Bureau of Corporations as evidenced by the certificate below:



**Corporate Name Search**

## Information Summary

[Subscriber activity report](#)

**This record contains information from the CEC database and is accurate as of: Mon Jan 21 2013 18:06:00. Please print or save for your records.**

Legal Name	Charter Number	Filing Type	Status
OLD COAST GUARD STATION, LLC	19980366DC	LIMITED LIABILITY COMPANY (DOMESTIC)	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
02/02/1998	N/A	MAINE

**Other Names (A=Assumed ; F=Former)**

NONE

### Clerk/Registered Agent

TIMOTHY P. BENOIT  
 P.O. BOX 426

PORTLAND, ME 04112 0426

## Site Plans

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The following drawings are attached:

- G-1 Cover Sheet
- G-2 Notes & Schedules
- C-1 Existing Conditions
- S-1 Plan & Elevation
- S-2 Pile Layout Plan
- S-3 Typical Sections
- S-4 Deck Plan
- S-5 Framing Plan