



ECO-ANALYSTS, INC.

Environmental Consultants

P.O. Box 224 Bath, Maine 04530

(207) 615 - 1527 · (207) 386-0451 (Fax) · lvickers7@gmail.com

March 5, 2015

Barbara Barhydt
Development Review Services Manager
Planning Division
City of Portland
389 Congress Street
Portland, ME 04101

Re: Level II Site Plan Review for an Access Stairs and a Seasonal Pier, Ramp, and Float for Ko Saribekian at 31 Brookside Road, Portland, Maine.

Dear Ms. Barhydt,

ECO-ANALYSTS, INC. (EA) is pleased to submit a Level II Site Plan Application to the City of Portland for the placement of a set of access stairs and a seasonal pier, ramp, and float at the Saribekian property located adjacent to Fall Brook and in the Shoreland Zone in Portland, Maine. The intent of the stairs, pier, ramp, and float is to provide partial tide access to Fall Brook and adjacent coastal waters for recreational purposes.

The application includes the following information:

- Completed Application Form
- Letter of Authorization
- Location and Tax Maps
- Written Description of Project
- Evidence of right, title, or interest
- Copies of DEP and ACOE permits
- Assessment of Project's compliance with Applicable Zoning requirements
- Summary of Existing Easements
- Construction Management Plan
- Summary of Significant Natural Features
- Boundary Survey
- Site Plans based on Boundary Survey
- Photographs

The proposed project is small in nature and does not involve structures that would require review by the Portland Fire Department. In addition, the project does not involve wastewater, an increase in impervious area, solid waste, or HVAC equipment. For these reasons, these portions of the Site Plan application are not applicable and have not been included in the attached materials.

Thank you in advance for your consideration of this Application. If you require any additional information or clarifications, please feel free to contact me at 207 – 615 – 1527 or by email at lvickers7@gmail.com.

Sincerely,
ECO-ANALYSTS, INC.

A handwritten signature in cursive script that reads "Lisa Vickers".

Lisa Vickers
Biologist



Jeff Levine, AICP, Director
Planning & Urban Development Department

Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

I, the undersigned, intend and acknowledge that no Site Plan or Historic Preservation Applications can be reviewed until payment of appropriate application fees are **paid in full** to the Inspections Office, City of Portland Maine by method noted below:

- Within 24-48 hours, once my complete application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.
- Within 24-48 hours, once my application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.
- I intend to deliver a payment method through the U.S. Postal Service mail once my application paperwork has been electronically delivered.

Applicant Signature:

Date:

I have provided digital copies and sent them on:

Date:

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means i.e. a thumb drive or CD to the Inspections Office, City Hall, 3rd Floor, Room 315.

PROJECT NAME: Access Stairs with Seasonal Pier, Ramp, and Float

PROPOSED DEVELOPMENT ADDRESS:

31/35 Brookside Road

PROJECT DESCRIPTION:

The applicant proposes to install a set of access stairs and a temporary (seasonal) pier, ramp and float in order to access Fall Brook.

CHART/BLOCK/LOT: 158/A/26

PRELIMINARY PLAN

N/A (date)

FINAL PLAN

3/6/2015 (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Ko Saribekian Business Name, if applicable: Address: 31 Brookside Road City/State : Portland, ME Zip Code: 04103	Applicant Contact Information E-mail: N/A Home #: (207) 776 - 3281 Work #: Cell #: Fax#:
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information E-mail: Home #: Work #: Cell #: Fax#:
Agent/ Representative Name: ECO-ANALYSTS, Inc. - Lisa Vickers Address: P.O. Box 224 City/State : Bath, ME Zip Code: 04530	Agent/Representative Contact information E-mail: lvickers7@gmail.com Home #: Work #: (207) 386 - 0450 Cell #: (207) 615 - 1527 Fax#: (207) 386 - 0451
Billing Information Name: Ko Saribekian Address: 31 Brookside Road City/State : Portland, ME Zip Code: 04103	Billing Information E-mail: Home #: Work #: Cell #: Fax#:

Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information E-mail: Home #: Work #: Cell #: Fax#:
Surveyor Name: Wayne Wood Address: 30 Wood Drive City/State : Gray, ME Zip Code: 04039	Surveyor Contact Information E-mail: wtwco@securespeed.net Home #: Work #: (207) 657 - 3330 Cell #: Fax#:
Architect Name: Address: City/State : Zip Code:	Architect Contact Information E-mail: Home #: Work #: Cell #: Fax#:
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information E-mail: Home #: Work #: Cell #: Fax#:

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

Level II Development (check applicable reviews) <input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400) <input type="checkbox"/> After-the-fact Review (\$1,000 plus applicable application fee) <hr/> 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 fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	Other Reviews (check applicable reviews) <input type="checkbox"/> Traffic Movement (\$1,000) <input type="checkbox"/> Stormwater Quality (\$250) <input type="checkbox"/> Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ___ x \$200/lot = _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Change of Use <input type="checkbox"/> Flood Plain <input checked="" type="checkbox"/> Shoreland <input type="checkbox"/> Design Review <input type="checkbox"/> Housing Replacement <input type="checkbox"/> Historic Preservation
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APPLICATION SUBMISSION:

1. All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file which can be found on the **Electronic Plan and Document Submittal** page of the City’s website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Document-Submittal>

2. **In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Building Inspections Office to start the review process.**

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

1. **One (1) full size site plans that must be folded.**
2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-527 (c), including evidence of right, title and interest.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. One (1) set of plans reduced to 11 x 17.

Please refer to the application checklist (attached) for a detailed list of submission requirements.

APPLICANT SIGNATURE:

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 Level II Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant:	Date:
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PROJECT DATA

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

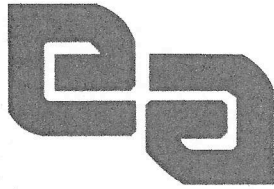
Total Area of Site	10454.4	sq. ft.
Proposed Total Disturbed Area of the Site	140	sq. ft.
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland		
Impervious Surface Area		
Impervious Area (Total Existing)	0	sq. ft.
Impervious Area (Total Proposed)	0	sq. ft.
Building Ground Floor Area and Total Floor Area		
NOT APPLICABLE		
Building Footprint (Total Existing)		sq. ft.
Building Footprint (Total Proposed)		sq. ft.
Building Floor Area (Total Existing)		sq. ft.
Building Floor Area (Total Proposed)		sq. ft.
Zoning		
Existing	Shoreland and R3	
Proposed, if applicable		
Land Use		
Existing	Residential	
Proposed		
Residential, If applicable		
Not Applicable		
# of Residential Units (Total Existing)		
# of Residential Units (Total Proposed)		
# of Lots (Total Proposed)		
# of Affordable Housing Units (Total Proposed)		
Proposed Bedroom Mix		
Not Applicable		
# of Efficiency Units (Total Proposed)		
# of One-Bedroom Units (Total Proposed)		
# of Two-Bedroom Units (Total Proposed)		
# of Three-Bedroom Units (Total Proposed)		
Parking Spaces		
Not Applicable		
# of Parking Spaces (Total Existing)		
# of Parking Spaces (Total Proposed)		
# of Handicapped Spaces (Total Proposed)		
Bicycle Parking Spaces		
Not Applicable		
# of Bicycle Spaces (Total Existing)		
# of Bicycle Spaces (Total Proposed)		
Estimated Cost of Project	\$10,000	

FINAL PLAN - Level II Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
x		1	* Completed Application form
x		1	* Application fees
x		1	* Written description of project
x		1	* Evidence of right, title and interest
x		1	* Evidence of state and/or federal permits
x		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
x		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
n/a		1	* Evidence of financial and technical capacity
x		1	Construction Management Plan
n/a		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
x		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
n/a		1	Stormwater management plan and stormwater calculations, including description of project, hydrology and impervious area.
n/a		1	Written summary of project's consistency with related city master plans
n/a		1	Evidence of utility capacity to serve
n/a		1	Written summary of solid waste generation and proposed management of solid waste
n/a		1	A code summary referencing NFPA 1 and all Fire Department technical standards
n/a		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
n/a		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
x		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
		1	Final Site Plans including the following:
x			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
n/a			Existing and proposed structures on parcels abutting site;
n/a			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
n/a			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
n/a			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
n/a			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
n/a			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
n/a			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
n/a			Location of all snow storage areas and/or a snow removal plan;
n/a			A traffic control plan as detailed in Section 1 of the Technical Manual;
n/a			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
x			Location and proposed alteration to any watercourse;
n/a			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
n/a			Proposed buffers and preservation measures for wetlands;
n/a			Existing soil conditions and location of test pits and test borings;
n/a			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
n/a			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
n/a			Grading plan;
n/a			Ground water protection measures;
n/a			Existing and proposed sewer mains and connections;
n/a			Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
n/a			Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;

- Continued on next page -

n/a		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
n/a		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
n/a		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
n/a		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
n/a		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance;
n/a		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
n/a		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
n/a		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
x		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.



ECO-ANALYSTS, INC.

Environmental Consultants

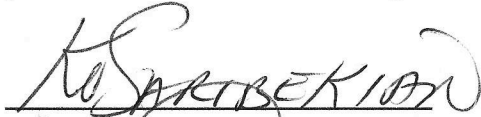
P.O. Box 224 Bath, Maine 04530

(207) 837 - 2199 • (207) 386-0451 (Fax) • timforrester@comcast.net

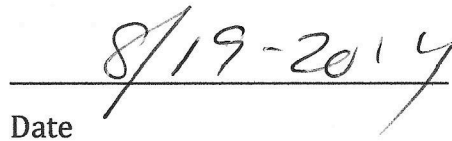
August 19, 2014

To Whom It May Concern:

By this letter, I authorize ECO-ANALYSTS, Inc., to act as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence to construct an access staircase and seasonal ramp and float on my property located on Brookside Road in the City of Portland Maine; to attend meetings, site visits, and appear before all boards, commissions, and committees; and provide other services as required for completing the aforementioned tasks.



Print Name



Date



Signature

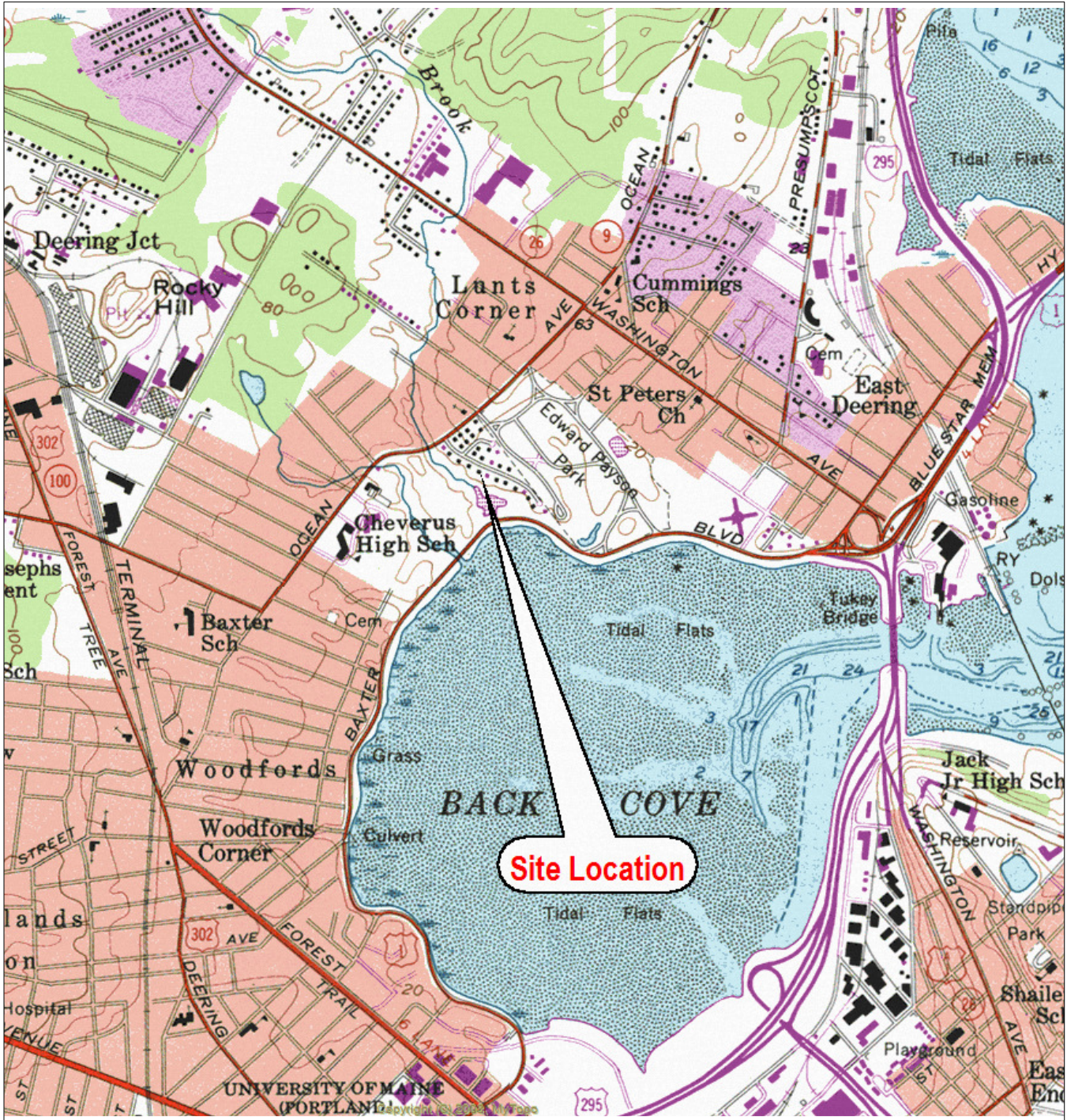
Thank you for the opportunity to work on this project. Should you have any additional questions, please do not hesitate to contact me at 207-615-1527 or via email at lvickers7@gmail.com

Sincerely,

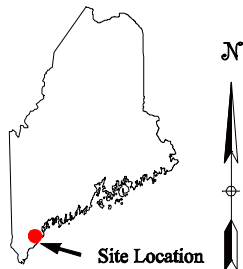



Lisa Vickers
Biologist

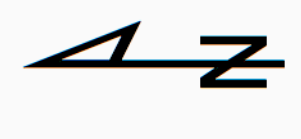
Location Map for Ko Saribekian at 31 Brookside Road in Portland, Maine.



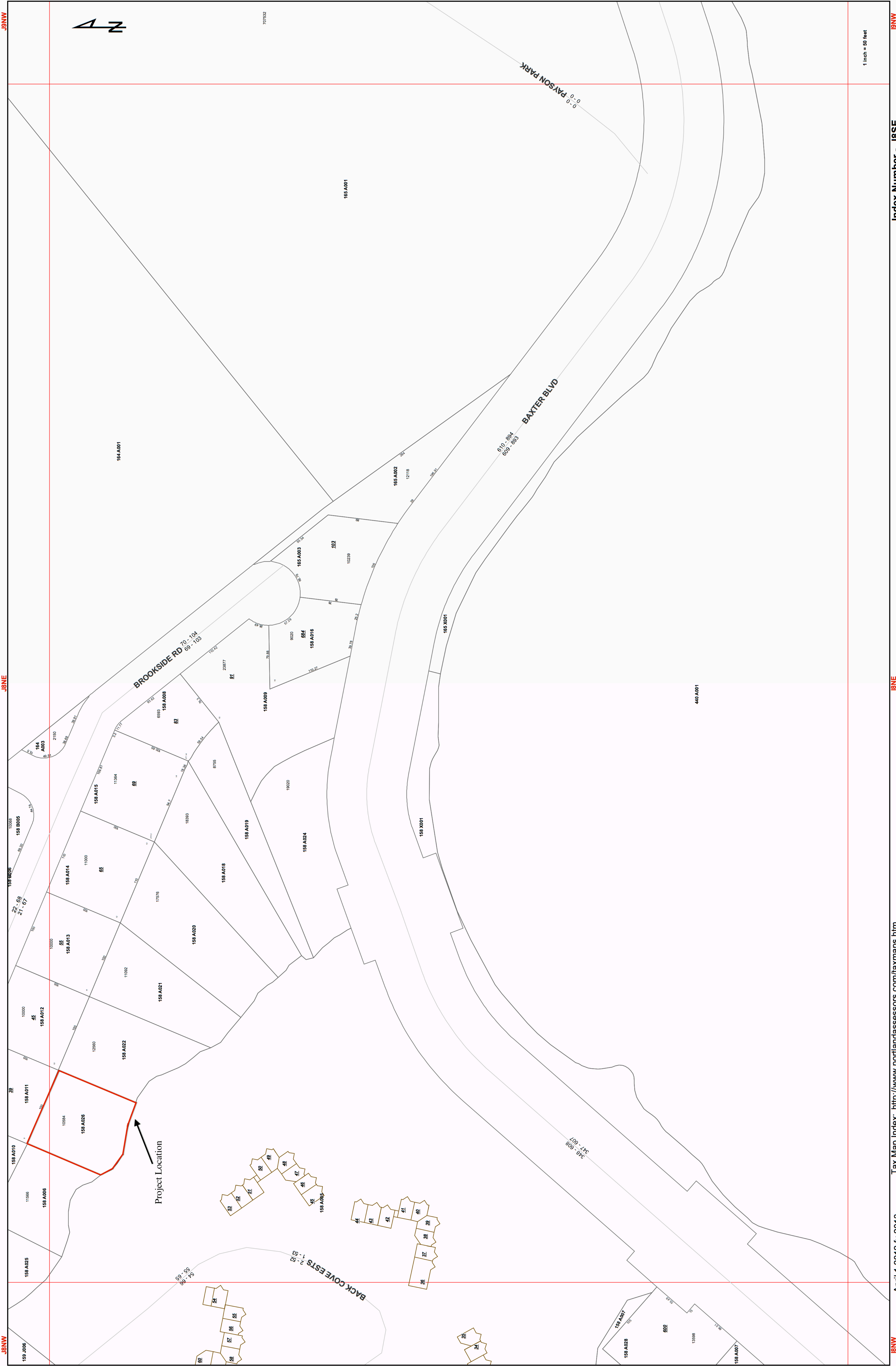
Directions: Traveling south on 295, Take the Baxter Boulevard Exit. Continue around Back Bay and take a right onto Front Street (park entrance). When you reach Route 9, take a left. Brookside will be on your left. Subject parcel is 31 Brookside and will be on your right.



Notes:	
Maine Atlas & Gazetteer Map 5 (Section E-4) 43.6811459°N 70.2725160°W	
 ECO-ANALYSTS, INC. ENVIRONMENTAL CONSULTANTS	
P.O. BOX 224 BATH, MAINE 04530 (207) 837-2199 Fax (207) 386-0451 timforrester@comcast.net	
Date: 8/19/2014	DWG Name: Saribekian Site Location



707532



1 inch = 50 feet

Project Purpose and Description

The applicant owns a 0.24-acre parcel of land adjacent to Fall Brook in the City of Portland. There is a portion of the tidal cycle that allows the applicant to access Fall Brook and adjacent coastal waters for recreational water access, specifically with the use of a kayak. The applicant proposes to construct a four (4) foot wide by twelve (12) foot long set of access stairs that will begin from the top of the bank in the southeasterly portion of the applicant's lot. In addition, the applicant proposes a four (4) foot wide by eight (8) foot long seasonal pier that connects to a four (4) foot wide by five (5) foot long seasonal ramp and a four (4) foot wide by ten (10) foot long seasonal float to access coastal waters on a partial tide basis. The pier and float will be supported by galvanized pipes which are anchored to ledge. The float will move with the tides and will be constructed with float stops to elevate the float during mean low water (MLW). All structures, including the galvanized pipes, will be stored outside of the coastal wetland during the off-season as shown on the attached plan view.

In summary, the purpose of the proposed system is to safely access Fall Brook and adjacent coastal waters and has been designed to straddle the shoreline to the greatest extent practicable and minimize impacts to the coastal wetland.

0050582

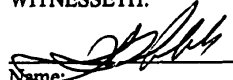
BK # 5699PG026

SHORT FORM QUITCLAIM DEED WITH COVENANT

RICHARD P. CURTIS and LINDA M. CURTIS, of Portland, Maine, FOR CONSIDERATION PAID, grants to **KOHARIG SARIBEKIAN**, whose mailing address is c/o Kimmel and Beach, 62 Portland Road, Kennebunk, Maine 04043 with QUITCLAIM COVENANT, certain real property, together with any improvements thereon, located at Brookside Road, Portland, Cumberland County, Maine and more particularly described on Exhibit A attached hereto and made a part hereof.

WITNESS our hands and seals this 31st day of August, 2000.

WITNESSETH:


Name: _____


Richard P. Curtis


Name: _____


Linda M. Curtis

MAINE REAL ESTATE TAX PAID

State of Maine
County of Cumberland, ss.

August 31, 2000

PERSONALLY APPEARED the above-named Richard P. and Linda M. Curtis and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Name: William M. Welch
Notary Public/Attorney At Law

BK 5699PG027

EXHIBIT A
TO QUITCLAIM DEED WITH COVENANT

A certain lot or parcel of land with the buildings thereon, situated on the southwesterly side of Brookside Road, in the City of Portland, County of Cumberland and State of Maine, being lot No. 9 as shown on Plan of Brookside recorded in Cumberland County Registry of Deeds in Plan Book 38, Page 53, to which Plan reference is hereby made for a more particular description.

Also another lot or parcel of land in the City of Portland lying southwesterly of Lot No. 9 on Plan of Brookside in the City of Portland by H.I. & E.C. Jordan for Benson & Grant dated February 1950 and bounded and described as follows: On the southeast by the southwesterly sideline of said Lot No. 9 on the northwest by the northwesterly sideline of said Lot No. 9 extended to the center line of the brook shown on said Plan; on the southeast by the southeasterly sideline of said Lot No. 9 extended to the center line of the brook shown on said Plan and on the southwest by the center line of the brook shown on said Plan. Being a part of the same premises conveyed to Eugene A. Boone and Viola A. Boone by QuitClaim deed from Clinton W. Bernsten and Sterling Grant on December 23, 1957 and recorded in the Cumberland County Registry of Deeds in Book 2389, Page 437 on December 27, 1957.

Meaning and intending to convey the same premises as described in a deed from The Rae S. Levine Trust to Richard P. Curtis and Linda M. Curtis dated June 10, 1999 and recorded in said Registry of Deeds in Book 14826, Page 334.

This conveyance is made subject to all utility easements which serve the premises, zoning and building restrictions, other easements and restrictions of record, and real estate taxes, which Grantee by acceptance of this deed assumes and agrees to pay.

RECEIVED
RECORDED REGISTRY OF DEEDS

2000 AUG 31 PM 3: 58

CUMBERLAND COUNTY

John B. O'Brien



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

KO SARIBEKIAN
31 BROOKSIDE ROAD
PORTLAND, MAINE 04103

CORPS PERMIT # NAE-2014-0172
CORPS PGP ID# 14-329
STATE ID# EXEMPT

DESCRIPTION OF WORK:

Install and maintain an 4'x 8' pile and timber seasonal pier with a 4'x 5'ramp leading to a 4'x 10' float in Fall Brook at Portland, Maine. This work is shown on the attached plans entitled "Saribekian, Corps" in three sheets dated "8/19/2014".

LAT/LONG COORDINATES : 43.6811229° N -70.2731579° W USGS QUAD: PORTLAND WEST, ME

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 [], ISSUED [], DENIED [] DATE _____

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 9/11/14 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

Jay L. Clement
JAY L. CLEMENT
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION
DATE 10-31-2014

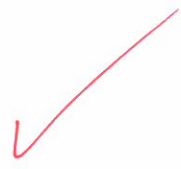


**US Army Corps
of Engineers** ®
New England District

**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2014-01725**

1. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).
2. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
3. This permit does not eliminate the need to obtain local harbormaster approval or conform to local harbor management plans.
4. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. Any pier or ramp that extends across tidal marsh shall be elevated above the marsh by 1' in height for each foot in width. Example: A 3' wide ramp shall be elevated 3' above the marsh. Note that the height shall be measured from the marsh to the bottom of the pier or ramp (e.g. the bottom of the stringer) and not to the top of the deck.
6. Any float(s) that do not extend beyond mean low water shall be constructed in such a way as to keep them elevated above the tidal bottom. Techniques include but are not limited to float stops, skids, blocks, or other practicable means.
7. Seasonal coastal structures such as ramps and floats that are removed from the waterway for a portion of the year shall be stored in an upland location above mean high water and not on tidal marsh.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NRPA PERMIT BY RULE NOTIFICATION FORM
 (For use with DEP Regulation, Natural Resources Protection Act-Permit by Rule Standards, Chapter 305)



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

Name of Applicant: (owner)	Ko Saribekian	Name of Agent:	ECO-ANALYSTS, Inc.		
Applicant Mailing Address:	31 Brookside Road	Agent Phone # (include area code):	(207) 615 - 1527		
Town/City:	Portland	PROJECT Information Name of Town/City:	Portland		
State and Zip code:	ME, 04103	Name of Wetland or Waterbody:	Fall Brook		
Daytime Phone # (include area code):	(207) 776 - 3281	Map #:	158	Lot #:	26
Detailed Directions to Site:	Turn left onto Read St. from Canco Rd. At light, turn left onto Ocean Ave.				
Travel 0.3 miles, turn right onto Brookside Rd. Project is located behind #39 Brookside Road.					
Access to the site is from #31 Brookside Road.	UTM Northing: (if known)	4837216.8	UTM Easting: (if known)	397418.7	
Description of Project:	Applicant proposes to construct a four foot wide x twelve foot long (4 ft. x 12 ft.) set of access stairs within 75 feet of Fall Brook.				
Part of a larger project? (check one)→	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the Fact? (check one)→	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check one→ This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).	

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

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities located in/on/over high or moderate value inland water-fowl & wading bird habitat or shore-bird feeding & roosting areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- **Attach** a check for the correct fee, payable to: "Treasurer, State of Maine". The current fee for NRPA PBR Notifications can be found at the Department's website: <http://www.maine.gov/dep/feesched.pdf>
- **Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- **Attach** Proof of Legal Name if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are **not** required to provide any proof of identity.
- **Attach** photos of the proposed site where activity will take place as required in PBR Sections checked above.
- **Attach** all other required submissions as outlined in the PBR Sections checked above.

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

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

Signature of Agent or Applicant:		Date:	8/20/2014
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901

PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300

BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570

PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477

OFFICE USE ONLY	Ck.# 9850	Date 8/22/2014	Staff	Staff	
PBR # 58595	FP 7200	Acc. Date 8-28-2014	Def. Date	After Photos	

City of Portland
Chapter 14 – Land Use Ordinance
Division 26 – Shoreland Regulations
Sec. 14-449. Land Use Standards

(a) Principal and Accessory Structures:

1. Section 14-449(a)(1) states that no setback shall be required for piers, docks, retaining walls, or any other structures which require direct access to the water as an operational necessity. The proposed structures are to provide access to Fall Brook and will be located approximately five feet from the easterly abutting property line.

(b) Piers, docks, wharves, bridges and other structures and uses extending over or below the normal high water line of a water body or within a wetland:

1. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion. The proposed access stairs will be located over appropriate soils and the applicant will maintain erosion and sedimentation control measures throughout construction that meet the requirements of the Department of Environmental Protection.

2. The location shall not interfere with existing developed or natural beach areas. There are no existing developed or natural beach areas in the area proposed for the structures. The area consists of ledge.

3. The facility shall be located so as to minimize adverse effects on fisheries. The proposed structures have been designed to be located as close to the shoreline as possible and will be located on ledge. In addition, the Army Corps of Engineers did not express any concerns regarding fisheries during its review of the project.

4. The facility shall be no larger in dimension than necessary to carry on the activity and shall be consistent with surrounding character and uses. The applicant has proposed the minimum width and length to provide partial tidal access to Fall Brook. In addition, the pier, ramp, and float will only be in place on a seasonal basis. The surrounding area is developed with residential structures and the proposed development is consistent with those uses.

5. New permanent structures, and expansions thereof, projecting into or over water bodies shall require a permit from the Department of Environmental Protection pursuant to the national Resources Protection Act, 38 M.R.S.A. § 480-C. Permits may also be required from the Army Corps of Engineers if located in navigable waters. No new permanent structure will project into or over any waterbody. All structures within the waterbody will be in place on a seasonal/temporary basis. Permits have been acquired from both the DEP and ACOE and are attached with the application submissions.

6. Except in the W-C, EWP, W-PD, W-SU, and I-B zones, no new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high water line of a water body or within a wetland unless the structure requires direct access to the water as an operational necessity. Not Applicable

7. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high water line of a water body or within a wetland shall be converted to residential dwelling units in any zone. No Structures are proposed.

(c) Clearing or removal of vegetation: The proposed project does not involve clearing or removal of vegetation.

(d) Erosion and Sediment Control: The project does not involve any excavation or earth moving. The proposed activity will generate minimal sedimentation if any and any areas of disturbance will be stabilized in accordance with Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, published by the Cumberland County Soil and Water Conservation District and the Maine Department of Environmental Protection. The stabilization measures may include but not be limited to the use of silt fence, erosion control mulch, hay bales, and revegetation of disturbed soil. Any areas of exposed soil that may result from the construction of the access stairs will be stabilized within one (1) week following completion of construction.

(e) Soils: The access stairs will be the only component of the proposed project that is located over soils. The temporary/seasonal pier, ramp, and float will be located over areas of exposed ledge. The construction of the stairs will involve minimal ground disturbance that will be a result of the support posts.

(f) Water Quality: The proposed activity will not discharge any pollutant that has the potential to impair waters of the state.

(g) Archaeological Sites: The Maine Historic Preservation Commission and all Maine Tribal Historic Preservation Officers were notified of the proposed project in accordance with the ACOE review process. There were no objections to the proposed project.

(h) Installation of public utility service: Not Applicable

(i) Essential Services: Not Applicable

(j) Roads and Driveways: Not Applicable

(k) Parking Areas: Not Applicable

(l) Septic Waste Disposal: Not Applicable

(m) Stormwater Runoff: Not Applicable, The proposed project does not involve the construction of additional impervious area.

(n) Agriculture: Not Applicable

(o) General Site Plan Features:

1. The proposal will maintain safe and healthful conditions. The proposed set of access stairs and seasonal pier, ramp, and float will not result in unsafe or unhealthy conditions. The purpose of the proposed project is to provide safe access to Fall Brook for recreational pursuits.

2. The proposal will not result in water pollution, erosion, or sedimentation to surface waters. The proposed set of access stairs will begin in the upland, in an existing developed area. The project does not involve excavation or earth moving and the applicant does not anticipate any cause of erosion or sediment. Erosion control measures will be in place during construction and any areas of soil disturbance will be stabilized at the completion of construction.

3. The proposal will adequately provide for the disposal of all wastewater. The proposed project does not involve the need for disposal of wastewater.

4. The proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat. The proposed structures have been positioned to provide reasonable access to Fall Brook for recreational pursuits and have been designed with the minimal width and length necessary to meet project goals and minimize any potential impacts to the brook. During the DEP review for the access stairs and the ACOE review for the pier, ramp, and float, there were no issues identified regarding bird or wildlife habitat, fisheries, aquatic life, or spawning grounds.

5. The proposal will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters. The proposed set of access stairs and seasonal/temporary pier, ramp, and float is minimal in width and length and, as previously stated, the pier, ramp, and float will only be in place on a temporary basis.

6. The proposal will protect archaeological and historic resources. There were no concerns regarding archaeological or historic resources during the ACOE review process. The proposal was reviewed by the Maine Historic Preservation Commission and five Indian tribes.

7. The proposal will not adversely affect existing commercial fishing or maritime activities. The proposed project is not located in an area of commercial fishing or maritime activities and will not adversely affect these activities.

8. The proposal will avoid problems associated with flood plain development and use. The proposed project will provide a formal means of access to Fall Brook, negating trampling various areas along the shoreline to access the brook. This will minimize impacts to the shoreline that may result from foot traffic and recreational watercraft access over time.

9. The proposal is in conformance with the standards set forth in this section. The proposed project meets the standards set forth in this section.

Summary of Existing Easements for 31 Brookside Road

Based on the Boundary Survey for Ko Saribekian, there is a sixty (60) foot wide sewer easement located on her property. In addition, there is a five (5) foot wide pedestrian easement along the easterly property line. The proposed set of access stairs, pier, ramp, and float will begin outside of the sewer easement and the pedestrian easement.

Construction Management Plan

During construction, the site will be accessed from the upland. Prior to any soil disturbance, a silt fence will be placed at the toe of the slope. In addition, the applicant will follow the erosion and sedimentation control practices outlined in the most recent version of the Department of Environmental Protection's Maine Erosion and Sediment Control BMPs manual. At the completion of construction, any areas of soil disturbance will be stabilized with vegetation and mulch in accordance within the guidelines of that manual.

The construction of the pier does not involve any excavation or earth moving and it is not anticipated that the proposed activity will generate any sedimentation however BMPs will be followed as previously stated.

City of Portland

Land Use Ordinance

Chapter 14-526(b) - Environmental Quality Standards, Preservation of Significant Natural Features:

a. The site plan shall preserve and protect significant natural features by incorporating them into site design. Significant natural features shall be defined as:

(i) Populations of trees and plants listed on the Official List of Endangered and Threatened Plants in Maine, published by the Maine Natural Areas Program.

There are no populations of trees or plants that are listed as Endangered or Threatened as published by the Maine Natural Areas Program in the vicinity of the project site.

(ii) Habitat for species appearing on the official state of federal list of endangered or threatened animal species;

During the Army Corps of Engineers (ACOE) review, there were no concerns identified regarding federally listed endangered or threatened animal species.

(iii) High and moderate value waterfowl and wading bird habitat including nesting and feeding areas, as defined by the Department of Inland Fisheries and Wildlife;

The project site is not located in an area identified as high or moderate value waterfowl and wading bird habitat as defined by the Department of Inland Fisheries and Wildlife.

(iv) Aquifers on islands in Casco Bay, as identified in the City of Portland Island Groundwater Management Study and/or by the Maine Geological Survey;

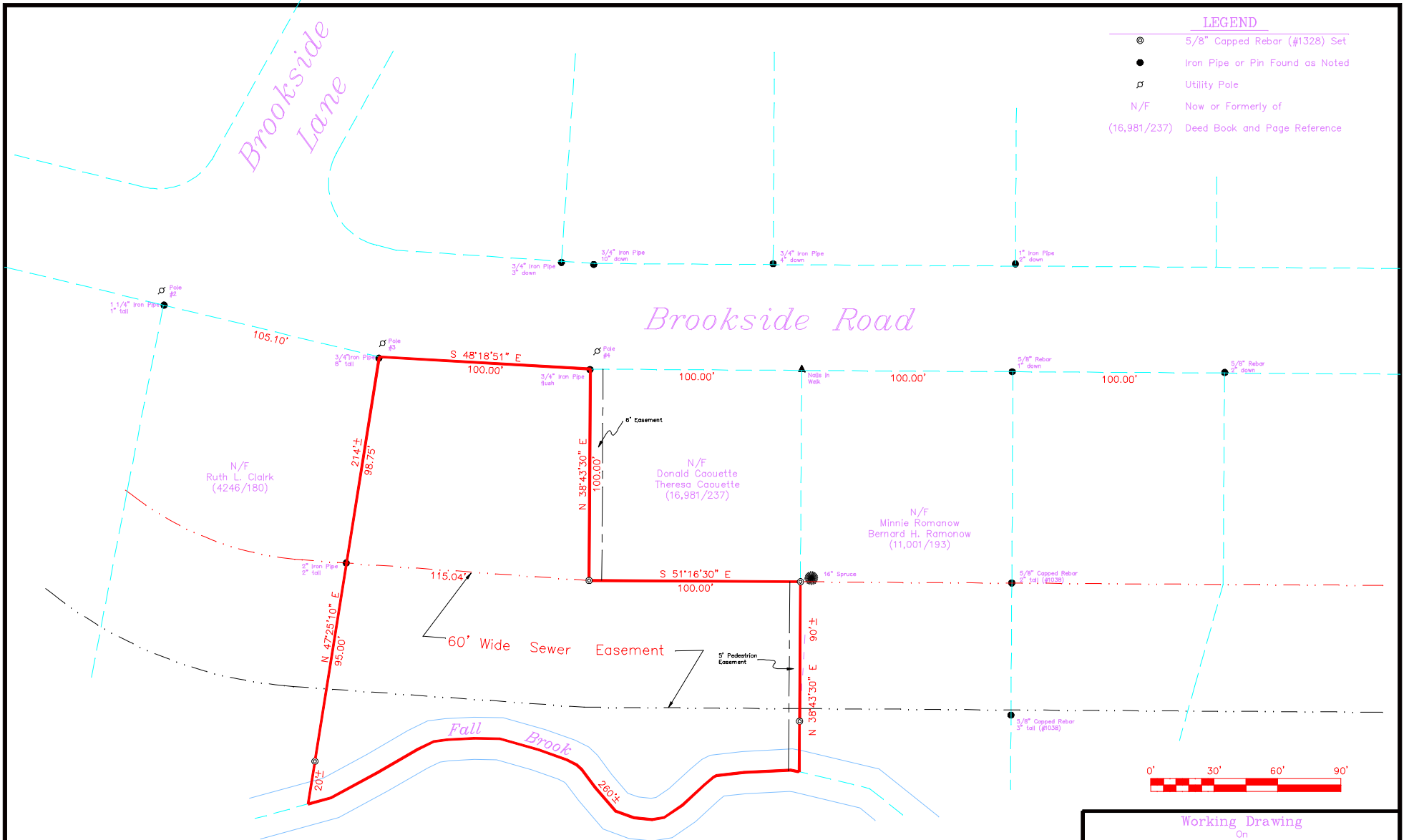
N/A

(V) Waterbodies, including wetlands, watercourses, significant vernal pools and floodplains. These features may also be regulated by Division 26, Shoreland Regulations, Division 26.5, Flood Plain Management Regulations and Division 26.7, Stream Protection Ordinance of the City Code, along with Sections 5 and 8 of the Technical Manual or other State regulations.

All components of the pier, ramp, and float will be seasonal. The support pipes will be located on ledge and the system will be elevated, allowing for free movement of the watercourse.

LEGEND

- ⊙ 5/8" Capped Rebar (#1328) Set
- Iron Pipe or Pin Found as Noted
- ⊘ Utility Pole
- N/F Now or Formerly of
- (16,981/237) Deed Book and Page Reference



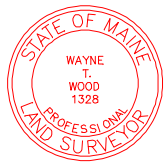
PLAN REFERENCES

1. "Brookside ~ Portland, Maine ~ Plan for Benson & Grant" dated February 1950 by H.I. & E.C. Jordan, recorded in the Cumberland County Registry of Deeds in Plan Book 38 on Page 53.
2. "Condominium Plat Back Cove Estates Condominium ~ 610 Baxter Boulevard, Portland, Maine for Back Cove Estates, LLC." dated September 2004 by Owen Haskel, Inc. recorded in the Cumberland County Registry of Deeds in Plan Book 204 on Page 874.

"Back Cove Estates"
Plan Book 38 Page 53

NOTES

1. Owner of record is Koharig Saribekian by deeds recorded in the Cumberland County Registry of Deeds in Book 8721 on Page 214 and in Book 15,699 on Page 26.
2. The subject parcels are shown on the City of Portland Tax Map 158 as Lots A006, A010 and A026.
3. All bearings are Magnetic of the Year 1917 per the plan in Plan Reference 1 and are calculated from angles of an actual on the ground survey.



Working Drawing
On
Brookside Road
in
Portland, Maine
For
Ko Saribekian
31 Brookside Rd., Portland, ME 04103

WAYNE

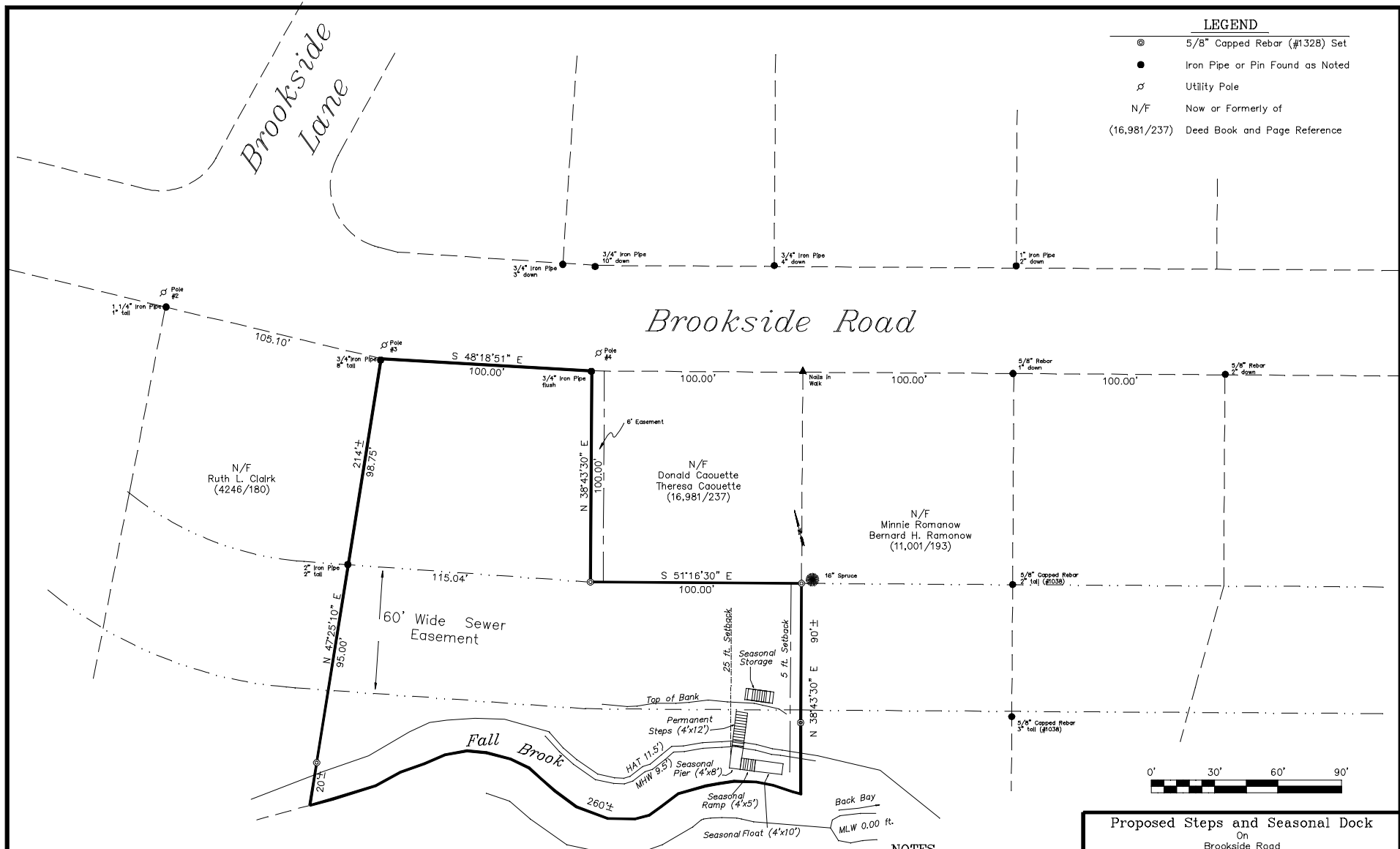
Gray, Maine 04039

Drwn. By:	KLW/WTW
Scale:	1" = 30'
Chkd. By:	WTW
Bk.No.	134

WOOD & CO.

(207)657-3330

Date:	August 2013
Job No.:	211041



LEGEND

⊙	5/8" Capped Rebar (#1328) Set
●	Iron Pipe or Pin Found as Noted
⊘	Utility Pole
N/F	Now or Formerly of
(16,981/237)	Deed Book and Page Reference



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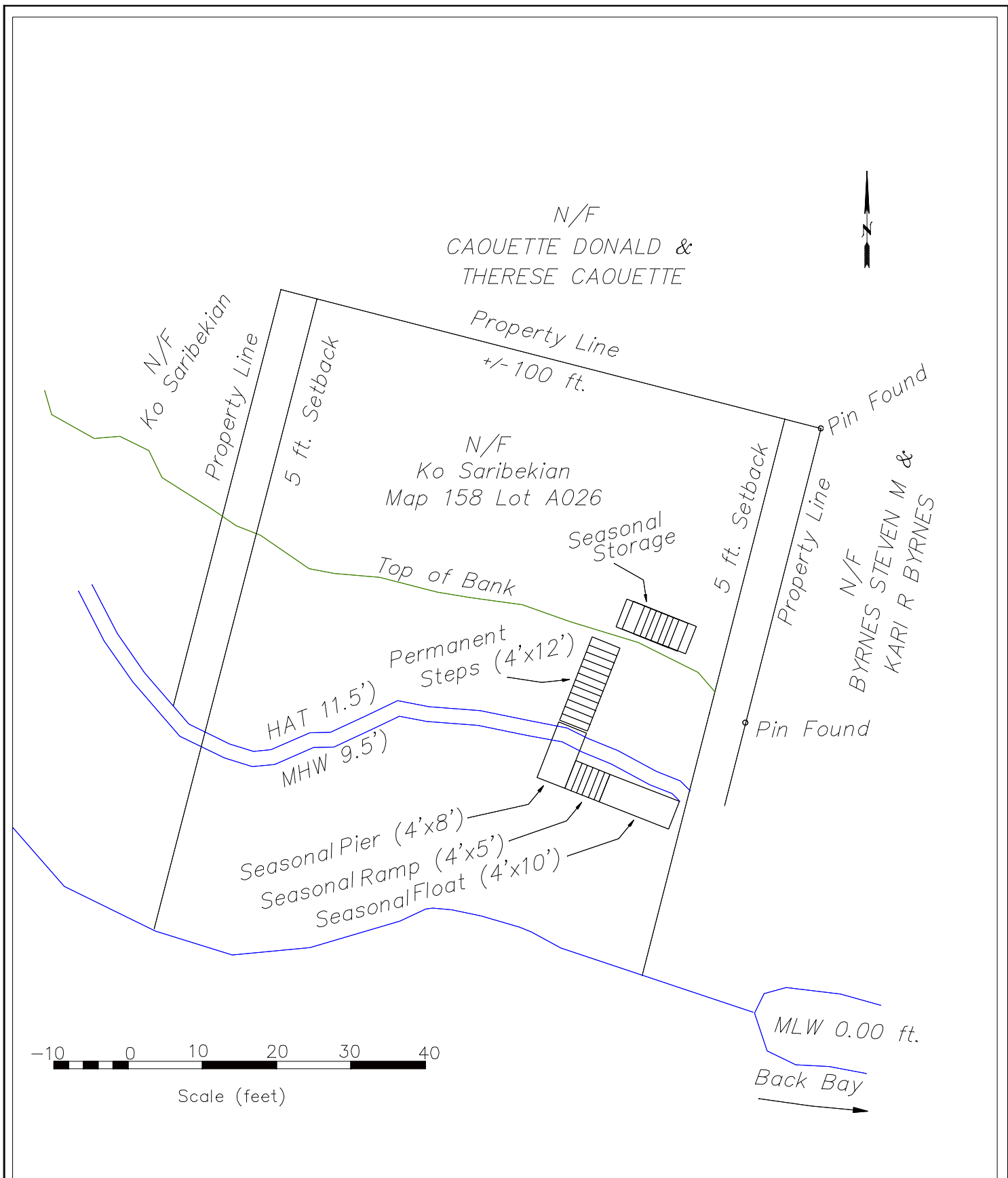
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- All bearings are Magnetic of the Year 1917 per the plan in Plan Reference 1 and are calculated from angles of an actual on the ground survey.

Proposed Steps and Seasonal Dock
On
Brookside Road
In
Portland, Maine
For
Ko Saribekian
31 Brookside Rd. ~ Portland, ME 04103

Drwn. By:
Scale: 1" = 30'
Chkd. By:
Bk.No.

Date
November 2014
Job No.

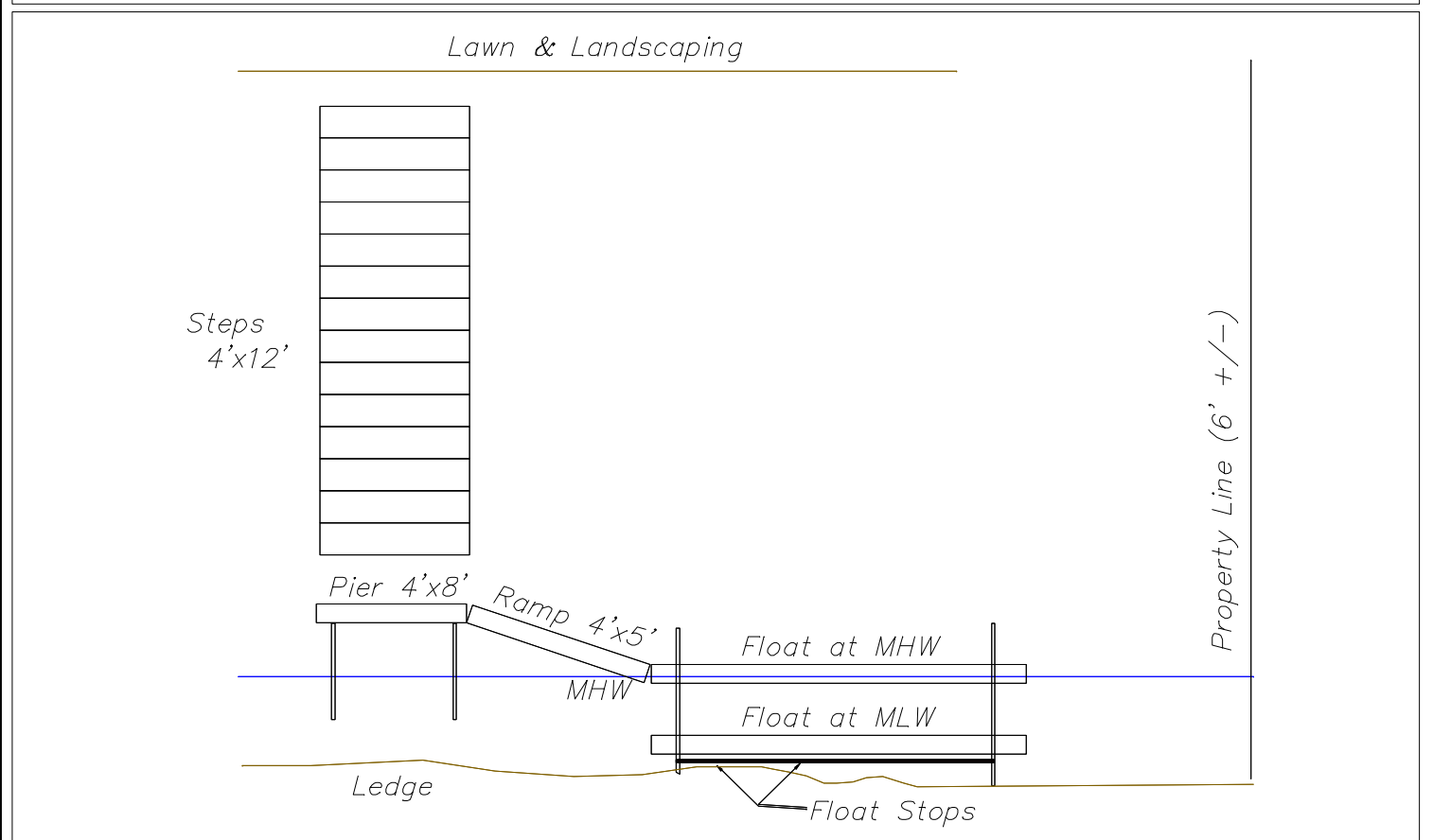
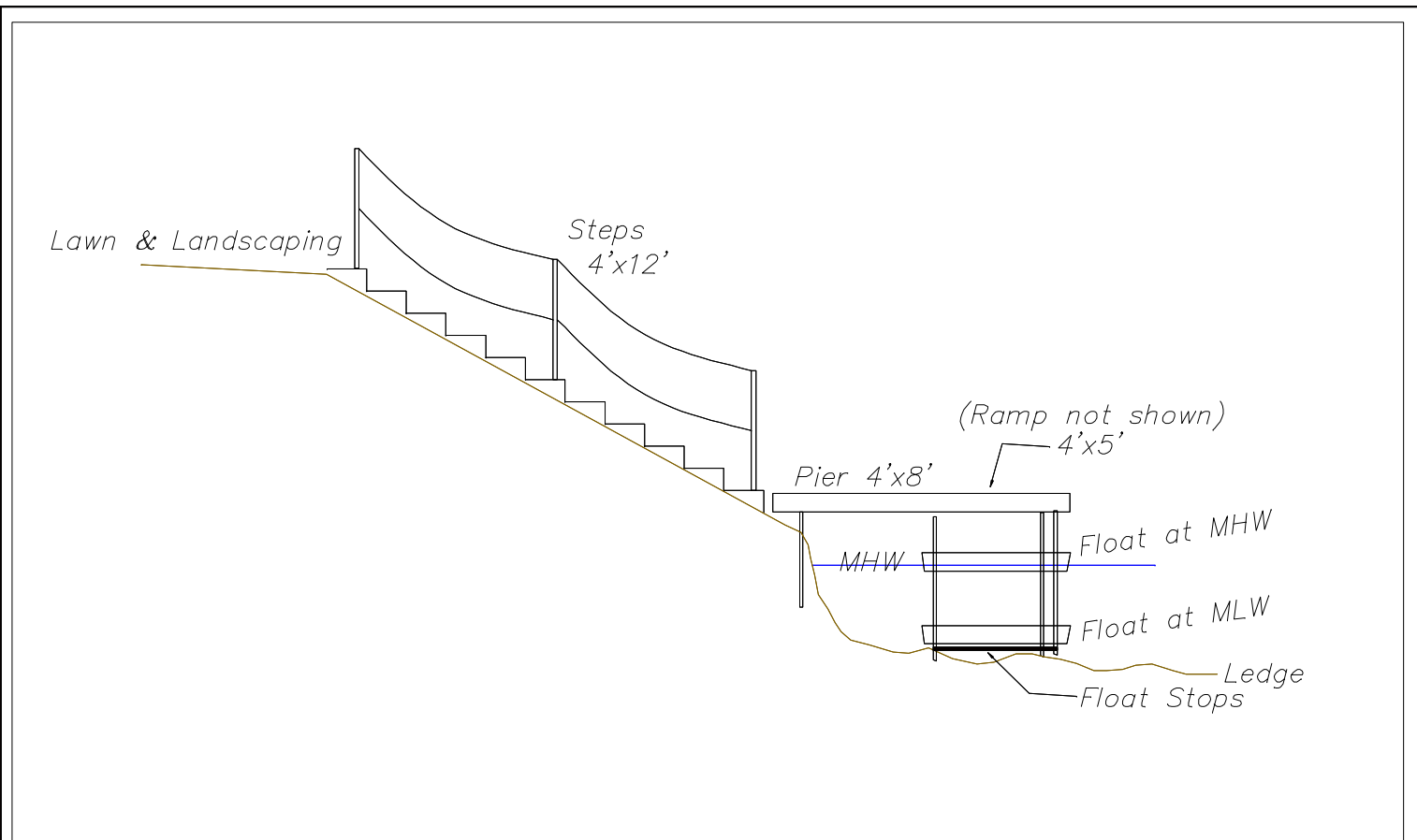



ECO-ANALYSTS, INC.
 Environmental Consultants
 P.O. Box 224 Bath, Maine 04530
 (207) 386-0450
 Fax (207) 386-0451
 timforrester@comcast.net

Date: 08/19/2014
Project: Saribekian, Corps
Drafted By: TAF

Plan View of the Proposed Steps and Seasonal Pier, Ramp and Float for Ko Saribekian at 31 Brookside Road in Portland, Maine.

Sheet One of One



 <p>ECO-ANALYSTS, INC. Environmental Consultants P.O. Box 224 Bath, Maine 04530 (207) 386-0450 Fax (207) 386-0451 timforrester@comcast.net</p>	<p>Date: 08/19/2014 Project: Saribekian, Corps Drafted By: TAF</p>	<p>Cross Section of the Proposed Steps and Seasonal Pier, Ramp and Float for Ko Saribekian at 31 Brookside Road in Portland, Maine.</p>	<p>Sheet One of One</p>
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4.0 PHOTOGRAPHS

The following photographs are taken from the site of the proposed project and represent the surrounding adjacent upland and intertidal area.



Photograph One. Facing south from the top of the bank, view of Fall Brook and adjacent upland. Phippsburg, Maine Photographer: Lisa Vickers, ECO-ANALYSTS, Inc. Date: August 18, 2014.



Photograph Two. Facing east from the top of the bank, view of Fall Brook. Portland, Maine. Photographer: Lisa Vickers, ECO-ANALYSTS, Inc. Date: July 14, 2014.



Photograph Three. View of Fall Brook from top of upland. Showing approximate location of proposed seasonal pier system. Portland, Maine. Photographer: Lisa Vickers, ECO-ANALYSTS, Inc. Date: July 14, 2014.



Photograph Four. Facing easterly, view of Fall Brook at low tide. Portland, Maine. Photographer: Lisa Vickers, ECO-ANALYSTS, Inc. Date: July 14, 2014.