

City of Portland
 Development Review Application
 Planning Division Transmittal Form

Application Number: 2015-037 **Application Date:** 03/06/2015
CBL: 158 A026001 **Application Type:** Level II Site Plan
Applicant: /KOHARIG SARIBEKIAN
Project Name: Seasonal Pier Ramp and Float
Address: 35 BROOKSIDE RD
Project Description: Install a set of access stairs and a temporary (seasonal) pier, ramp and float in order to access Fall Brook.
Zoning: R3 Shorelan

Other Required Reviews:

<input type="checkbox"/> Traffic Movement	<input type="checkbox"/> 14-403 Streets	<input type="checkbox"/> Housing Replacement
<input type="checkbox"/> Storm Water	# Units _____	<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Other:
# Lots _____	<input checked="" type="checkbox"/> Shoreland	
<input type="checkbox"/> Site Location	<input type="checkbox"/> Design Review	
# Unit _____		

Distribution List:

Planner	Barbara Barhydt	Parking	John Peverada
Zoning	Ann Machado	Design Review	Caitlin Cameron
Traffic Engineer	Tom Errico	Corporation Counsel	Jennifer Thompson
Civil Engineer	David Senus	Sanitary Sewer	John Emerson
Fire Department	Keith Gautreau	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

Comments needed by 3/16/2015



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.



Lisa Vickers
Biologist

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 #: (207) 776 - 3281 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: 3/6/2015
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PROJECT DATA

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

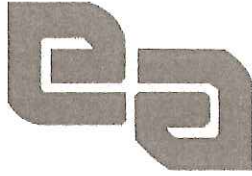
Total Area of Site	10454.4	sq. ft.
Proposed Total Disturbed Area of the Site	140	sq. ft.
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland		
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.



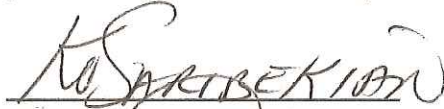
ECO-ANALYSTS, INC.
Environmental Consultants

P.O. Box 224 Bath, Maine 04530
(207) 837 - 2199 • (207) 386-0451 (Fax) • timforrester@comcast.net

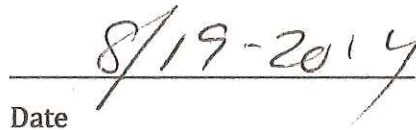
August 19, 2014

To Whom It May Concern:

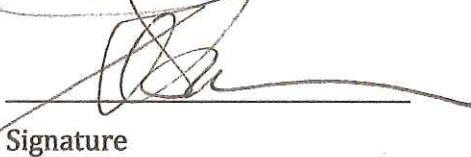
By this letter, I authorize ECO-ANALYSTS, Inc., to act as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence to construct an access staircase and seasonal ramp and float on my property located on Brookside 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

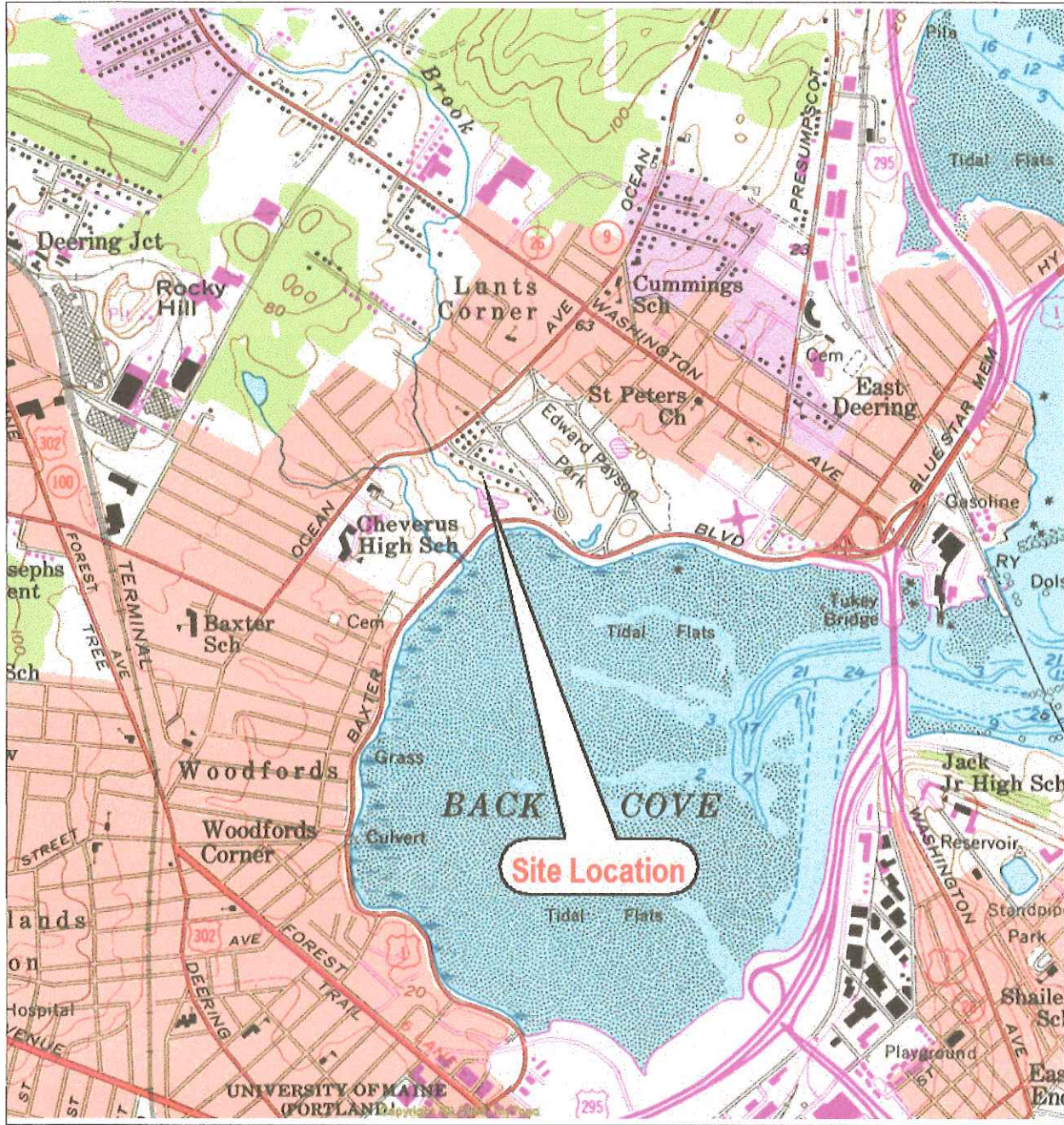
Thank you for the opportunity to work on this project. Should you have any additional questions, please do not hesitate to contact me at 207-615-1527 or via email at lvickers7@gmail.com

Sincerely,

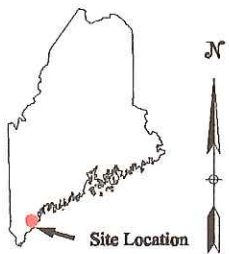



Lisa Vickers
Biologist

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	

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 15699PG026

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 15699PG027

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

118 10-31-2014
FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



**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.

11/14/2013

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

DEPLW0311-02013

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

- 3/8" Capable Feeder (#1238) Set
 - 1/2" Pipe of Pkts Found as Noted
 - Utility Pole
 - N/F (Noted or Formerly of)
- (16,351/237) Field Book and Page References

Brookside Road



NOTES

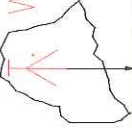
1. Owner of record in County Register of Deeds records in the Cumberland County Register of Deeds in Book 9721 on Page 214 and in Book 15,665 on Page 25.
2. The subject parcels are shown on the City of Portland Top Map 159 of Lots 4006, 4010 and 4022.
3. All bearings are Magsell's of the Year 1917 as they appear on Plans 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PLAN REFERENCES

1. Brookside Lane Plan for Section 2 Grant dated February 1959 by R. J. E.L. Jochen, recorded in the Cumberland County Registry of Deeds in Plan Book 55 on Page 53.
2. Condominium Plan, Brook Cove Estates Condominium -- 810 Baxter Boulevard, Portland, Maine, for Brook Cove Estates, LLC, dated September 2004 by Olan Hobbs, Inc. recorded in the Cumberland County Registry of Deeds in Plan Book 504 on Page 674.

Working Drawing

Brookside Road
 in
 Portland, Maine
 for
 Ko Serbiekian
(16,351/237) Field Book

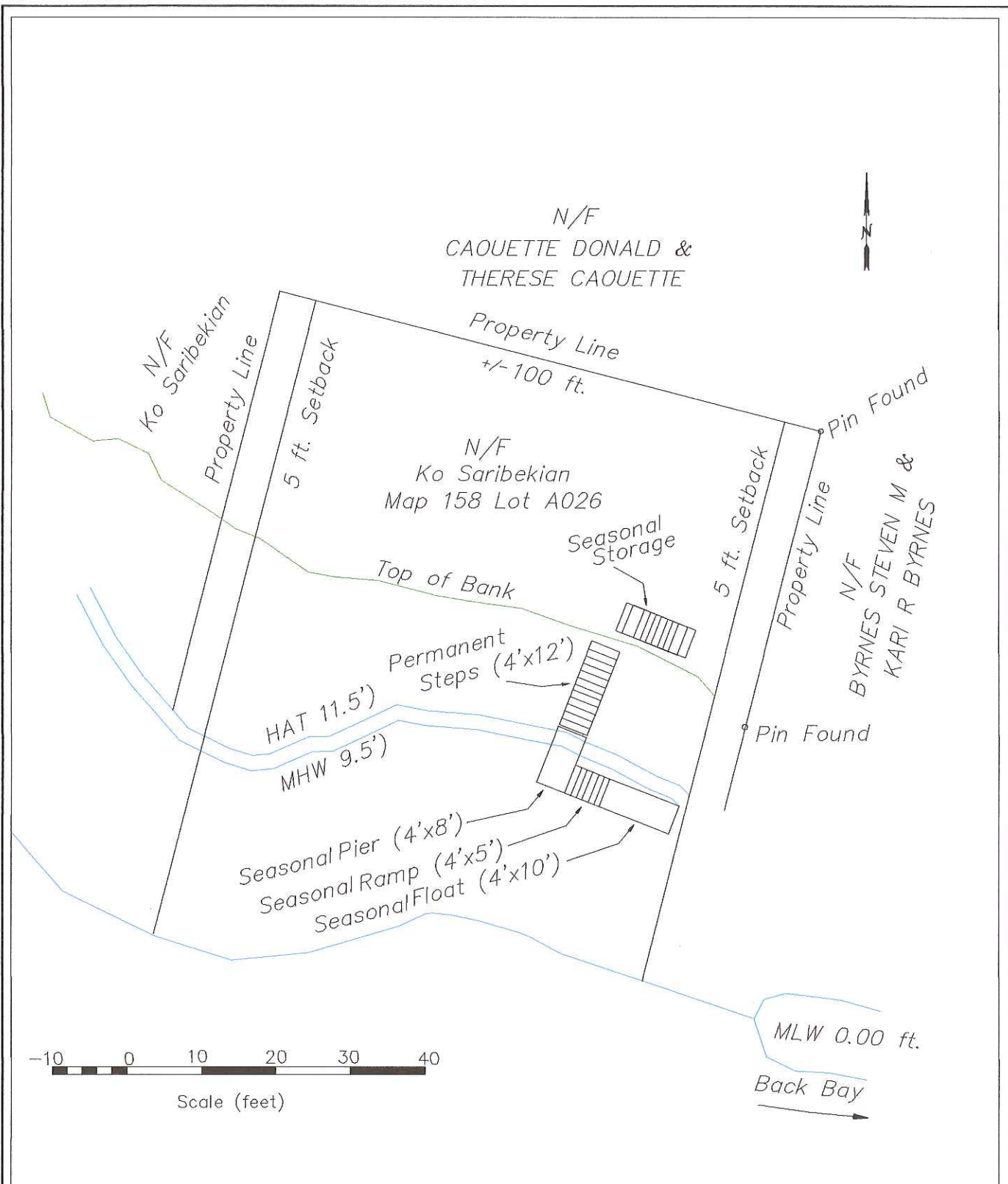



WAYNE
 WOOD & CO.

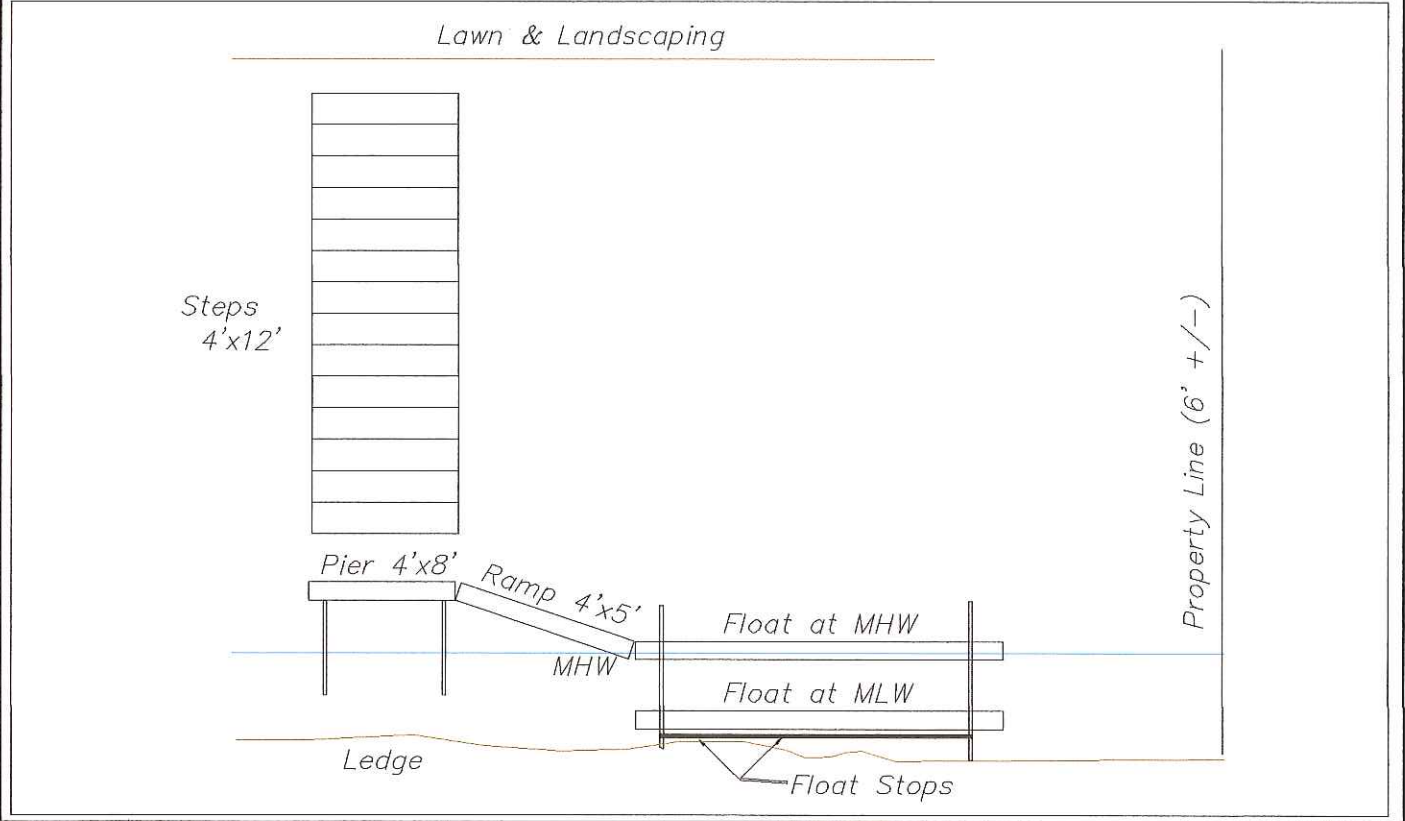
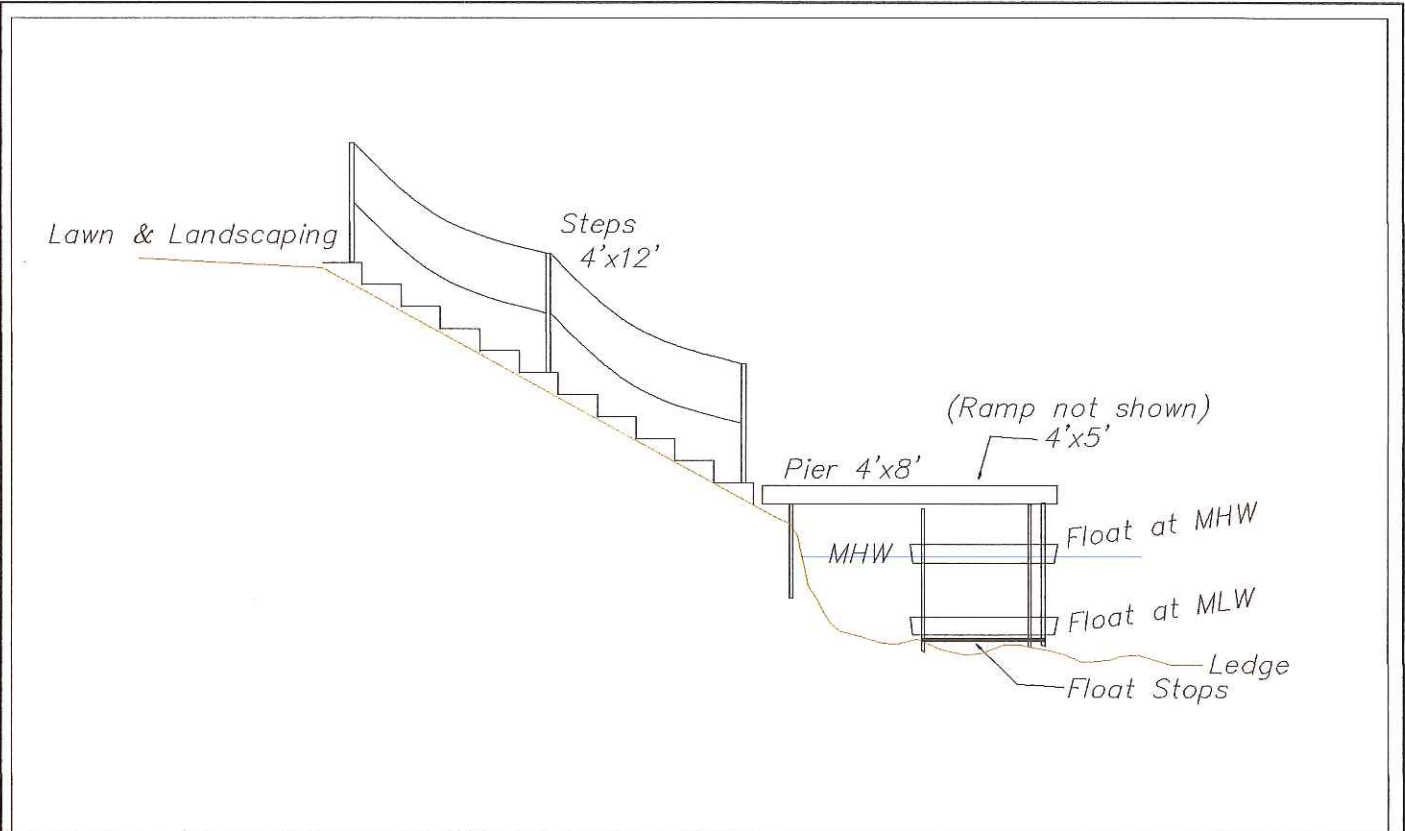
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 Scaled: 1" = 30'
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 Bk. No. [Signature]

(207)657-5350
 Date
 Job No.





 <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>Plan View 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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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

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

Sheet
One
of
One

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.

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
156 E009001	MURPHY PAULINE M	1 BAYVIEW TER PORTLAND, ME 04103	1 BAYVIEW TER UNIT 1	1
156 E009002	LOWE SUSAN E	2 BAYVIEW TER PORTLAND, ME 04103	2 BAYVIEW TER UNIT 2	1
156 E009003	GREENE JOANNE H	3 BAYVIEW TER PORTLAND, ME 04103	3 BAYVIEW TER UNIT 3	1
156 E009004	COTE SUSAN E	4 BAYVIEW TER PORTLAND, ME 04103	4 BAYVIEW TER UNIT 4	1
156 E009005	GERVAIS ROBERT A & SHARON M GERVAIS JTS	5 BAYVIEW TER PORTLAND, ME 04103	5 BAYVIEW TER UNIT 5	1
156 E009006	MASON JOHN M	6 BAYVIEW TER PORTLAND, ME 04103	6 BAYVIEW TER UNIT 6	1
156 E009007	DRABIK BETHANY K & MARC E DRABIK JTS	7 BAYVIEW TER PORTLAND, ME 04103	7 BAYVIEW TER UNIT 7	1
156 E009008	ACCARDI SUSAN A	PO BOX 928 RAYMOND, ME 04071	8 BAYVIEW TER UNIT 8	1
156 E009009	REYNOLDS DARCY COPPONI & ERIK REYNOLDS JTS	1591 ALVARADO AVE # 4 WALNUT CREEK, CA 94597	9 BAYVIEW TER UNIT 9	1
156 E009010	MARSHALL CHRISTOPHER P	10 BAYVIEW TER PORTLAND, ME 04103	10 BAYVIEW TER UNIT 10	1
156 E009011	GRECO-POULIN LESLIE	20 VISTA DR SOUTH PORTLAND, ME 04106	11 BAYVIEW TER UNIT 11	1
156 E009012	LOBB GEORGE A JR VN VET & CHRISTINE E LOBB JTS	12 BAY VIEW TERR PORTLAND, ME 04103	12 BAYVIEW TER UNIT 12	1
156 E009013	LOTT VIRGINIA H WWII VET	13 BAYVIEW TER PORTLAND, ME 04103	13 BAYVIEW TER UNIT 13	1
156 E009014	DEERING JOHN W & ANN B DEERING JTS	14 BAYVIEW TER PORTLAND, ME 04103	14 BAYVIEW TER UNIT 14	1
156 E009015	CORONA ALFONSO	1012 FITZSIMMONS DR BROCKVILLE, ON K6V 7E9	15 BAYVIEW TER UNIT 15	1
156 E009016	DEGUZMAN CHRIS	16 BAYVIEW TER PORTLAND, ME 04103	16 BAYVIEW TER UNIT 16	1
156 E009017	DUCHESNE PAUL B & MICHAEL A LAFLAMME JTS	17 BAYVIEW TER PORTLAND, ME 04101	17 BAYVIEW TER UNIT 17	1
156 E009018	ROBINSON HOWARD J	18 BAYVIEW TER PORTLAND, ME 04103	18 BAYVIEW TER UNIT 18	1
156 E009019	GOREY OLIVA G	19 BAYVIEW TER PORTLAND, ME 04103	19 BAYVIEW TER UNIT 19	1
156 E009020	DAVIS SYLVIA A	20 BAYVIEW TER PORTLAND, ME 04103	20 BAYVIEW TER UNIT 20	1
156 E009021	NESTOR BETH C	21 BAYVIEW TER PORTLAND, ME 04103	21 BAYVIEW TER UNIT 21	1
156 E009022	BROWN KIMBERLEY G	22 BAYVIEW TER PORTLAND, ME 04103	22 BAYVIEW TER UNIT 22	1
156 E009023	PICHE SUE ANN	23 BAYVIEW TER PORTLAND, ME 04103	23 BAYVIEW TER UNIT 23	1
156 F001001	ST IGNATIUS RESIDENCE THE SOCIETY OF JESUS	271 OCEAN AVE PORTLAND, ME 04103	267 OCEAN AVE	1
156 F002001	CHEVERUS HIGH SCHOOL A CORPORATION	267 OCEAN AVE PORTLAND, ME 04103	311 OCEAN AVE	1
156 F006001	BERGSON STEPHEN B	43 DEAN'S WAY CUMBERLAND FORESIDE, ME	1 BACK COVE ESTATES	1
156 F006002	GOLAS STEPHEN J & MARIA C GOLAS JTS	1488 SILVER RD GUILDERLAND, NY 12084	2 BACK COVE ESTATES	1
156 F006003	MACDONALD JEFFREY	3 BACK COVE ESTATES PORTLAND, ME 04103	3 BACK COVE ESTATES	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
156 F006004	HAGGERTYFRENCH INC	13 PENNELL RD HARPSWELL, ME 04079	4 BACK COVE ESTATES	1
156 F006005	CLARK ROSALIE A	10 FIELDSTONE CT PORTLAND, ME 04103	5 BACK COVE ESTATES	1
156 F006006	HOBBINS BARRY J & DONNA M HOBBINS JTS	74 BEACH ST SACO, ME 04072	6 BACK COVE ESTATES	1
156 F006007	PARSONS ELIZABETH A	280 WARREN AVE PORTLAND, ME 04103	7 BACK COVE ESTATES	1
156 F006008	CHRISOS JONATHAN D	8 BACK COVE ESTATES PORTLAND, ME 04103	8 BACK COVE ESTATES	1
156 F006009	JACOB LOURDES	17045 WALNUT ST YORBA LINDA, CA 92886	9 BACK COVE ESTATES	1
156 F006010	THIBODEAU OMER A & MAXINE D THIBODEAU	15 FAIRFIELD DR KENNEBUNK, ME 04043	10 BACK COVE ESTATES	1
156 F006011	SMITH MICHAEL B	11 BACK COVE ESTATES PORTLAND, ME 04103	11 BACK COVE ESTATES	1
156 F006012	LANDROCHE THEODORE C	12 BACK COVE ESTATES PORTLAND, ME 04103	12 BACK COVE ESTATES	1
156 F006013	HERLIHY ALEECE L TRUSTEE	13 PAYSON RD FALMOUTH, ME 04105	13 BACK COVE ESTATES	1
156 F006014	STONE SHARON L	14 BACK COVE ESTATES PORTLAND, ME 04103	14 BACK COVE ESTATES	1
156 F006015	JANUMS PATRICIA	139 SIMPSON RD BUXTON, ME 04093	15 BACK COVE ESTATES	1
156 F006016	FOX DEREK	10 CEDARWOOD DR FALMOUTH, ME 04105	16 BACK COVE ESTATES	1
156 F006017	BOSE ABHIJIT & CHITRA BOSE JTS	17 BACK COVE ESTATES PORTLAND, ME 04103	17 BACK COVE ESTATES	1
156 F006018	BRYANT PETER G VN VET & AUDREY E BRYANT JTS	18 BACK COVE ESTATES PORTLAND, ME 04103	18 BACK COVE ESTATES	1
156 F006019	HAZARD JAMES A & KARYL A HAZARD JTS	8 QUAKER LN FALMOUTH, ME 04105	19 BACK COVE ESTATES	1
156 F006020	BOSE ABHIJIT & CHITRA BOSE JTS	20 BACK COVE ESTATES PORTLAND, ME 04103	20 BACK COVE ESTATES	1
156 F006021	COOK DOUGLAS R	21 BACK COVES ESTATES PORTLAND, ME 04103	21 BACK COVE ESTATES	1
156 F006022	CARR TYLER J & REBECCA K CARR JTS	22 BACK COVE ESTATES PORTLAND, ME 04103	22 BACK COVE ESTATES	1
156 F006023	MACQUEEN DOUGLAS D & AMY E SUCHESKI JTS	1391 ELLIS HOLLOW RD ITHACA, NY 14850	23 BACK COVE ESTATES	1
156 F006024	POWERS KATHLEEN M	24 BACK COVE EST PORTLAND, ME 04103	24 BACK COVE ESTATES	1
156 F006025	POWERS SUSAN L & JAMES W SNIPES JTS	389 BINSARTH RD LOS OSOS, CA 93402	25 BACK COVE ESTATES	1
156 F006026	WESTERN MAINE HOSPITALITY	PO BOX 349 NORWAY, ME 04268	26 BACK COVE ESTATES	1
156 F006027	GREEN MARIKA KUZMA	27 BACK COVE ESTATES PORTLAND, ME 04103	27 BACK COVE ESTATES	1
156 F006028	DOW CATHERINE M	PO BOX 349 NORWAY, ME 04268	28 BACK COVE ESTATES	1
156 F006029	PALMERI DEBERA & RICK PALMERI JTS	96 BROOK ST ROCKY HILL, CT 06067	29 BACK COVE ESTATES	1
156 F006030	WESTERN MAINE HOSPITALITY	PO BOX 349 NORWAY, ME 04268	30 BACK COVE ESTATES	1
156 F006031	KILBRIDE KAREN ELISE	31 BACK COVE ESTATES PORTLAND, ME 04103	31 BACK COVE ESTATES	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
156 F006032	BEAUDOIN MICHAEL F & MOLLY A MORELL JTS	15 WILDWOOD DR CAPE ELIZABETH, ME 04107	32 BACK COVE ESTATES	1
156 F006033	WESTERN MAINE HOSPITALITY	PO BOX 349 NORWAY, ME 04268	33 BACK COVE ESTATES	1
156 F006034	R & M ASSOCIATES LLC	415-B MAIN ST WESTBROOK, ME 04092	34 BACK COVE ESTATES	1
156 F006035	FERRIS GERALDINE G TRUSTEE	35 BACK COVE ESTATES PORTLAND, ME 04103	35 BACK COVE ESTATES	1
156 F006036	CIANCHETTE FAMILY LLC	42 MARKET ST PORTLAND, ME 04101	36 BACK COVE ESTATES	1
156 F006037	DOUCETTE JILL M TRUSTEE	4317 DAMASCUS TR COTTAGE GROVE, WI 53527	37 BACK COVE ESTATES	1
156 F006038	DAWSON HUGH J	800 TWENTY-SIXTH AVE # 11 SAN FRANCISCO, CA 94121	38 BACK COVE ESTATES	1
156 F006039	PATHWICK-PASZYC DEBORAH L PATHWICK-PASZYC	39 BACK COVE ESTATES PORTLAND, ME 04103	39 BACK COVE ESTATES	1
156 F006040	SMITH ROBERT H & MARTHA B SMITH JTS	166 ALLEN AVE PORTLAND, ME 04103	40 BACK COVE ESTATES	1
156 F006041	SMITH ROBERT H & MARTHA B SMITH JTS	166 ALLEN AVE PORTLAND, ME 04103	41 BACK COVE ESTATES	1
156 F006042	BUNKER RENEE M	42 BACK COVE EST PORTLAND, ME 04103	42 BACK COVE ESTATES	1
156 F006043	WILHELMOSEN BETSY A	43 BACK COVE ESTATES PORTLAND, ME 04103	43 BACK COVE ESTATES	1
156 F006044	GOLDSMITH JEROME B & TAMI B GOLDSMITH JTS	44 BACK COVE EST PORTLAND, ME 04101	44 BACK COVE ESTATES	1
156 F006045	DAVIS MARGARET H & ANNE D BLAIR JTS	12 DONSEN LN SCOTCH PLAINS, NJ 07076	45 BACK COVE ESTATES	1
156 F006046	KONSTANTIN MARY K	46 BACK COVE ESTATES PORTLAND, ME 04103	46 BACK COVE ESTATES	1
156 F006047	BALLIGAN LISBETH L	47 BACK COVE ESTATES PORTLAND, ME 04101	47 BACK COVE ESTATES	1
156 F006048	SHEA PRISCILLA	521 SLIGO RD NORTH YARMOUTH, ME 04097	48 BACK COVE ESTATES	1
156 F006049	FERNANDEZ LUCIA V	49 BACK COVE ESTATES PORTLAND, ME 04103	49 BACK COVE ESTATES	1
156 F006050	HASTRY ROBERT T & LORAIN M HASTRY JTS	50 BACK COVE ESTATE PORTLAND, ME 04103	50 BACK COVE ESTATES	1
156 F006051	MARTIN PATRICK M	51 BACK COVE ESTATES PORTLAND, ME 04103	51 BACK COVE ESTATES	1
156 F006052	WOOTEN CATHERINE L	52 BACK COVE ESTATES PORTLAND, ME 04103	52 BACK COVE ESTATES	1
156 F006053	IRISH LISA M	53 BACK COVE ESTATES PORTLAND, ME 04103	53 BACK COVE ESTATES	1
156 F006054	FEDERAL NATIONAL MORTGAGE ASSOCIATION	3900 WINSCONSIN AVE NW WASHINGTON, DC 20016	54 BACK COVE ESTATES	1
156 F006055	ATWOOD KERRY	55 BACK COVE ESTATES PORTLAND, ME 04103	55 BACK COVE ESTATES	1
156 F006056	LAWTON DIANE S	56 BACK COVE ESTATES PORTLAND, ME 04103	56 BACK COVE ESTATES	1
156 F006057	NISTANE SHRIKANT R & VRUSHALI S NISTANE JTS	33 TOWER RD EDISON, NJ 08820	57 BACK COVE ESTATES	1
156 F006058	NISTANE VRUSHALI S & SHRIKANT R NISTANE JTS	33 TOWER RD EDISON, NJ 08820	58 BACK COVE ESTATES	1
156 F006059	YAQUB EZATULLAH	41548 GOSHEN RIDGE PL ALDIE, VA 20105	59 BACK COVE ESTATES	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
156 F006060	BUITENHUYA ARIELLE	60 BACK COVE ESTATES PORTLAND, ME 04103	60 BACK COVE ESTATES	1
156 F006061	HAGERTY THOMAS A	61 BACK COVE ESTATES PORTLAND, ME 04103	61 BACK COVE ESTATES	1
156 F006062	CHO BRYAN T	62 BACK COVE ESTATES PORTLAND, ME 04103	62 BACK COVE ESTATES	1
156 F006063	LOMBARD ROBERT M & ANN K LOMBARD JTS	63 BACK COVE ESTATES PORTLAND, ME 04103	63 BACK COVE ESTATES	1
156 F006064	ALLEN PETER F	64 BACK COVE ESTATES PORTLAND, ME 04103	64 BACK COVE ESTATES	1
156 F006065	CAPOZZA KATIE	1380 WESTBROOK ST PORTLAND, ME 04102	65 BACK COVE ESTATES	1
156 F006066	ZILLMAN DONALD N & LINDA G ZILLMAN JTS	246 DEERING AVE PORTLAND, ME 04102	66 BACK COVE ESTATES	1
157 D003001	ST IGNATIUS RESIDENCE OF THE SOCIETY OF JESUS	271 OCEAN AVE PORTLAND, ME 04103	552 BAXTER BLVD	1
158 A006001	SARIBEKIAN KOHARIG	31 BROOKSIDE RD PORTLAND, ME 04103	31 BROOKSIDE RD	1
158 A008001	WELTON KENNETH W JR	83 BROOKSIDE RD PORTLAND, ME 04103	83 BROOKSIDE RD	1
158 A009001	DOYON JOEL S & JEANNE E JTS	91 BROOKSIDE RD PORTLAND, ME 04103	91 BROOKSIDE RD	1
158 A010001	SARIBEKIAN KOHARIG	31 BROOKSIDE RD PORTLAND, ME 04103	31 BROOKSIDE RD	1
158 A011001	CAOUCETTE DONALD & THERESE CAOUCETTE JTS	39 BROOKSIDE RD PORTLAND, ME 04103	39 BROOKSIDE RD	1
158 A012001	BYRNES STEVEN M & KARI R BYRNES JTS	45 BROOKSIDE RD PORTLAND, ME 04103	45 BROOKSIDE RD	1
158 A013001	SCHILLING KAREN D & RICHARD D JTS	55 BROOKSIDE RD PORTLAND, ME 04103	55 BROOKSIDE RD	1
158 A014001	SANDERS JEFFREY D & MONICA L SANDERS JTS	65 BROOKSIDE RD PORTLAND, ME 04103	65 BROOKSIDE RD	1
158 A015001	SIGFRIDSON ANDREW C & APRIL L WERNIG JTS	69 BROOKSIDE RD PORTLAND, ME 04103	69 BROOKSIDE RD	1
158 A016001	FARD CHANGIZ S	684 BAXTER BLVD PORTLAND, ME 04103	684 BAXTER BLVD	1
158 A018001	SIGFRIDSON ANDREW C & APRIL L WERNIG JTS	69 BROOKSIDE RD PORTLAND, ME 04103	69 BROOKSIDE RD	1
158 A020001	SANDERS JEFFREY D & MONICA L SANDERS JTS	65 BROOKSIDE RD PORTLAND, ME 04103	BROOKSIDE RD	1
158 A021001	SCHILLING KAREN D & RICHARD JTS	55 BROOKSIDE RD PORTLAND, ME 04103	BROOKSIDE RD	1
158 A022001	BYRNES STEVEN M & KARI R BYRNES JTS	45 BROOKSIDE RD PORTLAND, ME 04103	43 BROOKSIDE RD	1
158 A025001	CHANDLER JEFFREY C	23 BROOKSIDE RD PORTLAND, ME 04103	23 BROOKSIDE RD	1
158 A026001	SARIBEKIAN KOHARIG	31 BROOKSIDE RD PORTLAND, ME 04103	35 BROOKSIDE RD	1
158 A027001	CLARK RUTH L	23 BROOKSIDE RD PORTLAND, ME 04103	23 BROOKSIDE RD	1
158 B005001	BOUCHER STEPHEN P & NANCY K BOUCHER TRUSTEES	64 BROOKSIDE RD PORTLAND, ME 04103	64 BROOKSIDE RD	1
158 B006001	GREENBERG ROBERT A VN VET & VALERIE D GREENBERG JTS	56 BROOKSIDE RD PORTLAND, ME 04103	56 BROOKSIDE RD	1
158 B007001	SPECTOR ELIZABETH Y	46 BROOKSIDE RD PORTLAND, ME 04103	46 BROOKSIDE RD	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
158 B009001	FREEMAN LEONARD S & TERRY S FREEMAN JTS	36 BROOKSIDE RD PORTLAND, ME 04103	36 BROOKSIDE RD	1
158 B010001	ROBBINS SHARON K	24 BROOKSIDE RD PORTLAND, ME 04103	24 BROOKSIDE RD	1
158 B011001	NGUYEN SONKA	15 BROOKSIDE LN PORTLAND, ME 04103	15 BROOKSIDE LN	1
158 B012001	BRAASCH BENJAMIN B JR & CYNTHIA L JTS	31 BROOKSIDE LN PORTLAND, ME 04103	31 BROOKSIDE LN	1
158 B013001	MARTIN BERNARD L & PATRICIA A JTS	33 BROOKSIDE LN PORTLAND, ME 04103	33 BROOKSIDE LN	1
159 A009001	NGUYEN STEPHANIE A	396 OCEAN AVE PORTLAND, ME 04103	396 OCEAN AVE	1
159 A011001	DEBARTOLO JOHN M JR	400 OCEAN AVE PORTLAND, ME 04103	400 OCEAN AVE	1
159 B017001	SOULE JOHN & JULIA SOULE JTS	18 ROSEDALE ST PORTLAND, ME 04103	18 ROSEDALE ST	1
159 B018001	REYNOLDS JASON C	417 E 89TH ST # 3D NEW YORK, NY 10128	412 OCEAN AVE	1
159 B020001	COLLETTE RICHARD G & JEFFREY J BASSETT JTS	420 OCEAN AVE PORTLAND, ME 04103	420 OCEAN AVE	1
159 B022001	CUDDY WILLIAM A IV	422 OCEAN AVE PORTLAND, ME 04103	422 OCEAN AVE	1
159 E004001	RHODA WILLIAM F VN VET & PAMILA E DEHART JTS	415 OCEAN AVE PORTLAND, ME 04103	415 OCEAN AVE	1
159 E005001	SABATINE CATHY D	421 OCEAN AVE PORTLAND, ME 04103	421 OCEAN AVE	1
159 E006001	ALLEN KENNETH J	409 OCEAN AVE PORTLAND, ME 04103	409 OCEAN AVE	1
159 E007001	COHEN MARLENE	194 CRAIGIE ST PORTLAND, ME 04102	16 BROOKSIDE RD	1
159 E008001	YOUNG RICHARD A & PETER H YOUNG	99 LESTER DR PORTLAND, ME 04103	24 BROOKSIDE LN	1
159 E009001	LAWRENCE LINDA G	18 BROOKSIDE LN PORTLAND, ME 04103	18 BROOKSIDE LN	1
159 E010001	FOX WHITNEY J	12 BROOKSIDE LN PORTLAND, ME 04103	12 BROOKSIDE LN	1
159 E011001	MATHEWS RAYE S KW VET & NANCY R MATHEWS JTS	6 BROOKSIDE RD PORTLAND, ME 04103	6 BROOKSIDE RD	1
159 J001001	WILLIAMSON MICHAEL MASON & MARTHA WILLIAMSON JTS	66 DANIEL CATER RD BARRINGTON, NH 03825	5 BROOKSIDE RD	1
159 J002001	NEWTON SUSAN C & WILLIAM G NEWTON JTS	13 BROOKSIDE RD PORTLAND, ME 04103	13 BROOKSIDE RD	1
159 J005001	NEWTON SUSAN C & WILLIAM G NEWTON JTS	13 BROOKSIDE RD PORTLAND, ME 04103	13 BROOKSIDE RD	1
165 A002001	MOYNIHAN KAREN S & PETER J MOYNIHAN TRUSTEES	103 BROOKSIDE RD PORTLAND, ME 04103	700 BAXTER BLVD	1
165 A003001	MOYNIHAN KAREN S & PETER J MOYNIHAN TRUSTEES	103 BROOKSIDE RD PORTLAND, ME 04103	103 BROOKSIDE RD	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
Total Listed	136	UNITS	136	

From: Lisa Vickers <livickers7@gmail.com>
To: <hcd@portlandmaine.gov>
CC: Tim Forrester <timforrester@comcast.net>
Date: 4/3/2015 11:05 AM
Subject: Sarabekian float, pier, stairs
Attachments: 04_Photosgraphs_Kimmel_ADDITIONAL.pdf

Hi Nell,

Thank you for getting in touch regarding the proposal. Please see a response below to your questions.

Thank you for your efforts reviewing this project and please let me know if you need additional clarification or have further questions.

Lisa

On Tue, Mar 31, 2015 at 4:24 PM, Helen Donaldson <HCD@portlandmaine.gov> wrote:

- > Lisa,
- >
- > I wanted to get in touch as I'm the planner who's been assigned to review
- > the proposal for the seasonal stairs, ramp, and float on the Sarabekian
- > property. I realize you submitted the application several weeks back.
- >
- > We've been looking at it carefully in our office and I have a couple of
- > questions:
- > - Can you clarify what the 'seasonal storage' on the plan denotes? It
- > appears that this is simply the placement of the float in the off-season,
- > but I want to confirm that. Is it a shed? The seasonal storage on the
- > plan is to depict the approximate location where the dock components will
- > be stored in the off-season. There is no formal structure proposed for the
- > storage nor will there be a need to cut vegetation.

- > - Can you send the supporting materials that you submitted with the DEP
- > PBR application? I noticed that the description of the project on the PBR
- > does not mention the float or the pier. I just want to make sure that they
- > were looking at the same plan that we are. I spoke with Jen Harris from
- > the Department about the pier, ramp, and float and how they will be
- > fastened to the existing ledge. She stated she did not need additional
- > information from us but will be doing a compliance check on the property to
- > ensure that all components (support pipes, pier, ramp, and float) will be
- > removed each year. For your knowledge, we did not include the pier, ramp,
- > and float on the plans to DEP since they are temporary structures and
- > exempt from DEP review.

- > - The section notes 'lawn and landscaping' at the top of the proposed
- > steps. Is this new landscaping? I have attached existing condition
- > photographs of the upland that were taken in the Summer of 2014. As you
- > will note, there is existing lawn and landscaping at the top of the bank.
- > The Applicant does not propose to modify this area as part of this permit
- > application.

- > - There are some concerns about alteration of the stream and how much of
- > the streambed will be occupied by this installation. Can you provide any
- > documentation as to the amount of water in that streambed at high tide and
- > how much of that surface area will essentially be occupied? I intend to
- > take photographs of the site at high tide today to document the amount of
- > water in the brook at high tide; however, I have included an aerial of the
- > site taken from Bing and what appears to be at high tide. The system has
- > been designed to hug the shoreline. The only direct impacts to the
- > streambed will be the placement of the pins that will support the 2"
- > pipes. The float has been designed with integrated float stops to elevate
- > the float off the ledge during periods of lower tides and allow for water
- > to flow. The proposed float measures four feet by ten feet so there will
- > be approximately forty square feet of surface area occupied. Based on the
- > scale of the aerial photograph, the brook is approximately 25 - 30 feet
- > wide at this location. Given that the proposed float is four feet in
- > width, there is approximately 13% - 16% of the width of the stream occupied
- > by the float. This is a rough estimate based on the aerial photography. I

ADDITIONAL PHOTOGRAPHS

The following photographs were taken from the site of the proposed project on March 3, 2015 and are meant to represent the existing conditions of the site around high tide. The tidal elevation on March 3, 2015 was approximately 9.5 feet.



Photograph One. Looking southwesterly toward Back Cove, showing Fall Brook near high tide from approximate location of access stairs.



Photograph Two. View of Fall Brook near high tide. Red square represents approximate location where float will land. (Note: Not to scale)

ADDITIONAL PHOTOGRAPHS

The following photographs are taken from the site of the proposed project and are meant to represent the existing conditions of the adjacent upland.



Photograph One. Looking toward Applicant's residence from approximate site of access stairs.



Photograph Two. View of Shoreline showing approximate location of access stairs.

Barbara Barhydt - 31 Brookside - Saribekian

From: Lisa Vickers <livickers7@gmail.com>
To: <bab@portlandmaine.gov>
Date: Thursday, November 06, 2014 11:38 AM
Subject: 31 Brookside - Saribekian
Attachments: Corps Approval_Saribekian.pdf; Saribekian PBR.pdf

Hi Barbara,

Please see the attached approved Permit-by-Rule from the DEP for the access stairs to the resource. In addition, I have attached the ACOE permit for the seasonal ramp and float. The ramp and float will not be attached to the stairs.

In response to your inquiries from yesterday, the Applicant, Ms. Saribekian, intends to use the ramp and float for kayak access along Fall Brook and adjacent coastal waters for less than seven months a year. There is limited tidal range at her property so access will be on a partial tide basis. While the access stairs will be there on a permanent basis, the ramp and float will only be in place for less than seven months a year, making them a temporary structure.

With regards to how the ramp and float will be set in place - they will be constructed with a pipe system. Where there is ledge present, piles with a bottom plate will be bolted to ledge. Where ledge is not present, the piles will be driven into place with a flange at the ground surface.

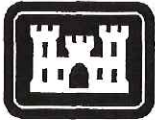
Please let me know if you need additional information to complete your review.

Thank you,
Lisa

--

Lisa Vickers, Biologist
ECO-ANALYSTS, Inc.
P.O. Box 224
Bath, ME 04530
(207) 615 - 1527

*left message - Level II review
11/10/14*



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

**GENERAL PERMIT
WORK-START NOTIFICATION FORM**
(Minimum Notice: Two weeks before work begins)

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Corps of Engineers Permit No. NAE-2014-01725 was issued to Ko Saribekian on _____ . This work is located in Fall Brook at Portland, Maine. The permit authorized the permittee to 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.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Telephone Numbers: () _____ () _____

Proposed Work Dates: Start: _____ Finish: _____

Permittee/Agent Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

Date Permit Issued: _____ **Date Permit Expires:** _____

FOR USE BY THE CORPS OF ENGINEERS

PM: Clement **Submittals Required:** No

Inspection Recommendation: Inspect as convenient



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

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2014-01725

Project Manager Clement

Name of Permittee: Ko Saribekian

Permit Issuance Date: _____

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

 * MAIL TO: U.S. Army Corps of Engineers, New England District *
 * Permits and Enforcement Branch C *
 * Regulatory Division *
 * 696 Virginia Road *
 * Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number



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.htm

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

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

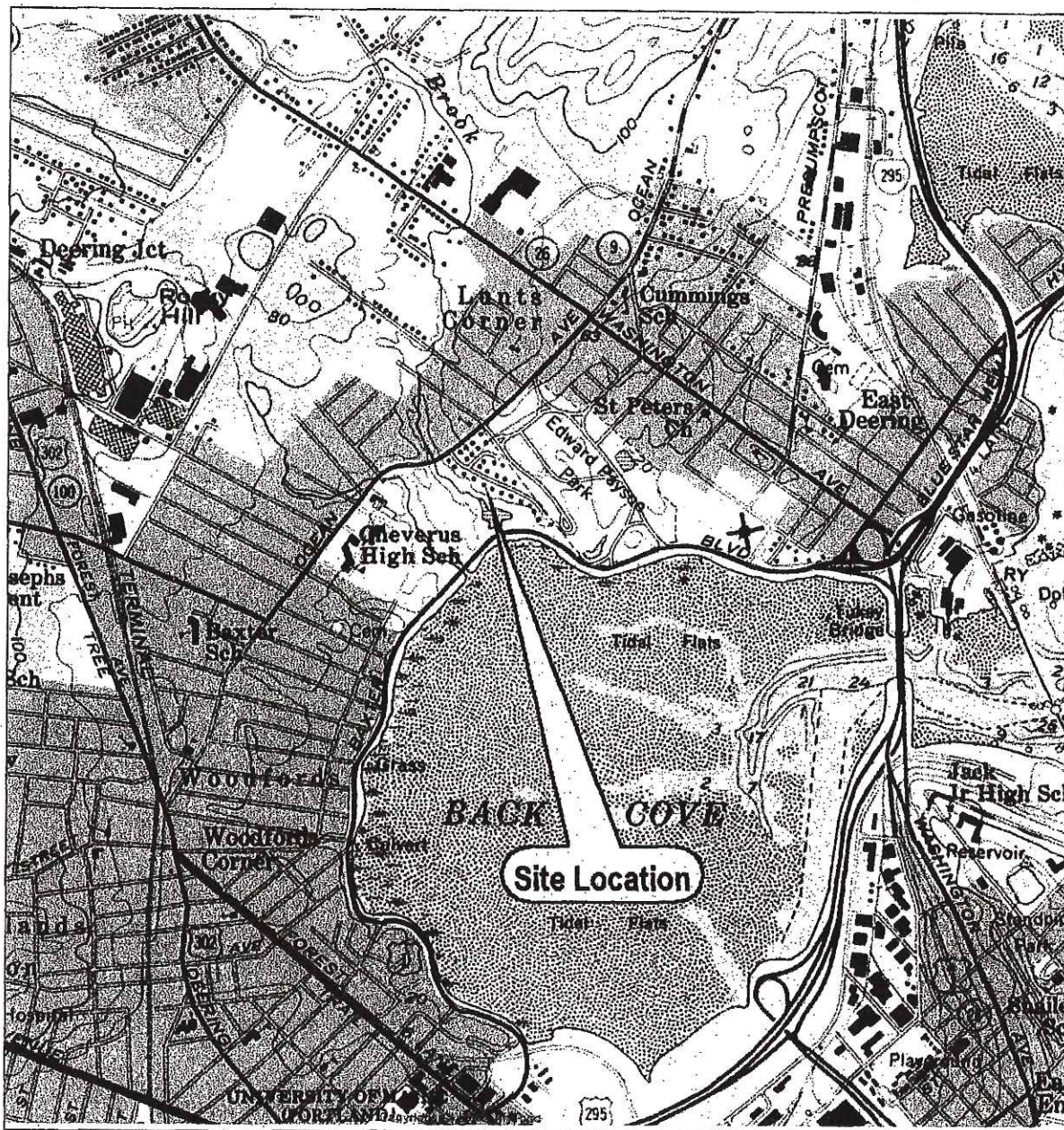


**US Army Corps
of Engineers**®
New England District

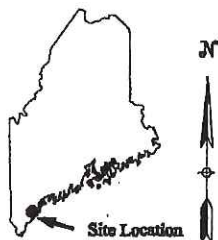
**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2014-01725**


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.

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.

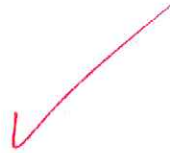


Notes:	
Maine Atlas & Gazetteer Map 5 (Section E-4) 43.6811459N 70.2725160W	
 ECO-ANALYSTS, INC. ENVIRONMENTAL CONSULTANTS	
P.O. BOX 224 BATH, MAINE 04530 (207) 837-2199 Fax (207) 386-0451 timforrester@comcast.net	
Date: 8/19/2014	DWG Name: Saribekian Site Location

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

11/14/2013

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.**

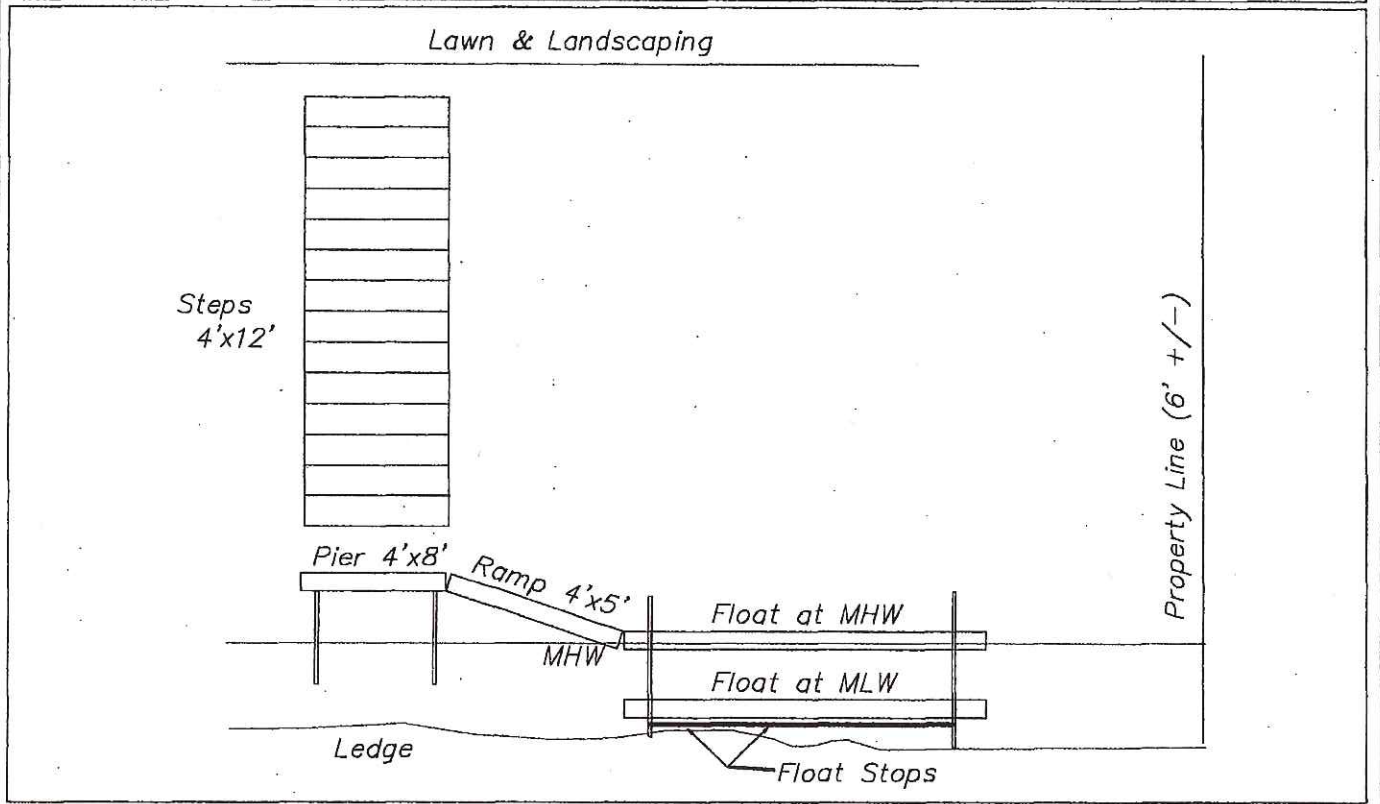
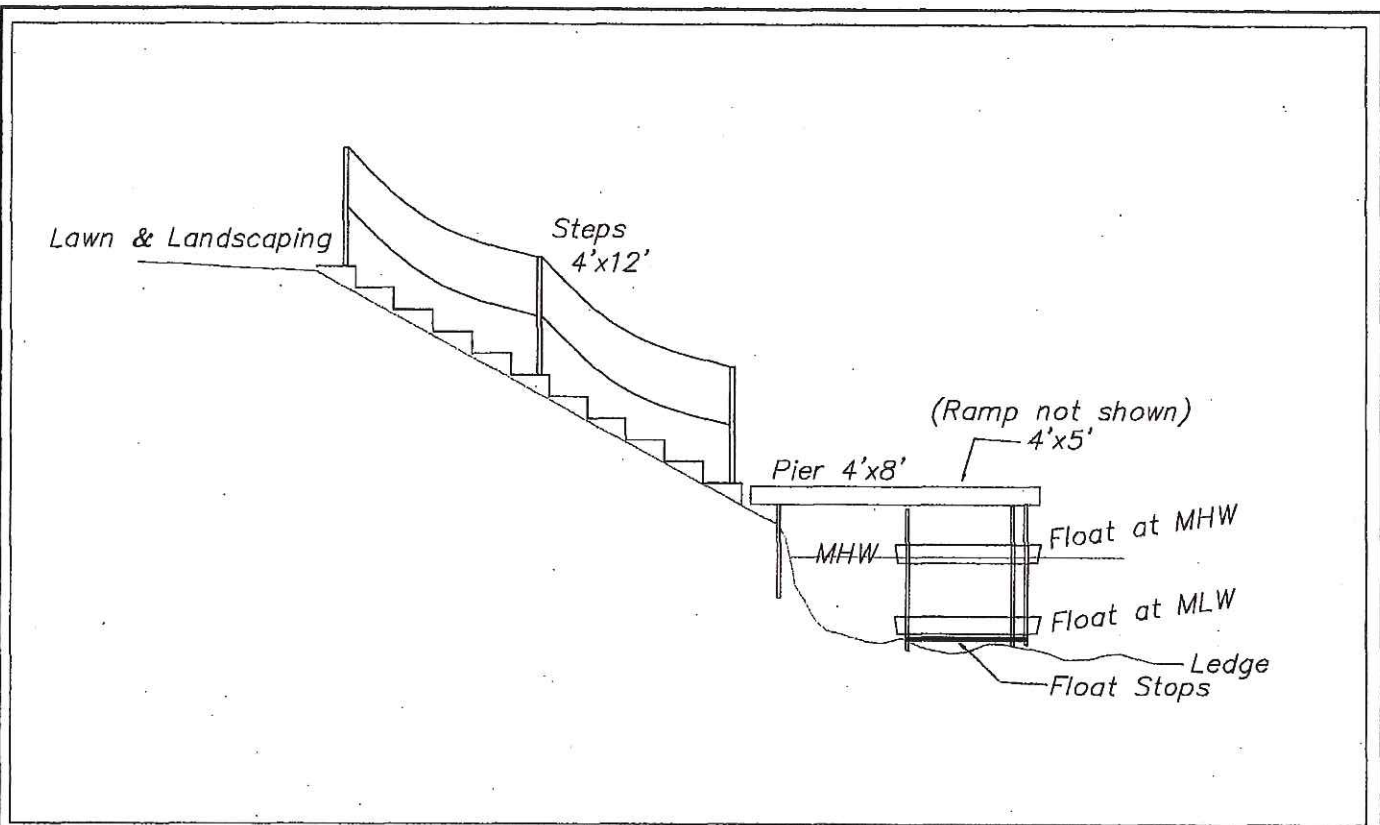
AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901


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

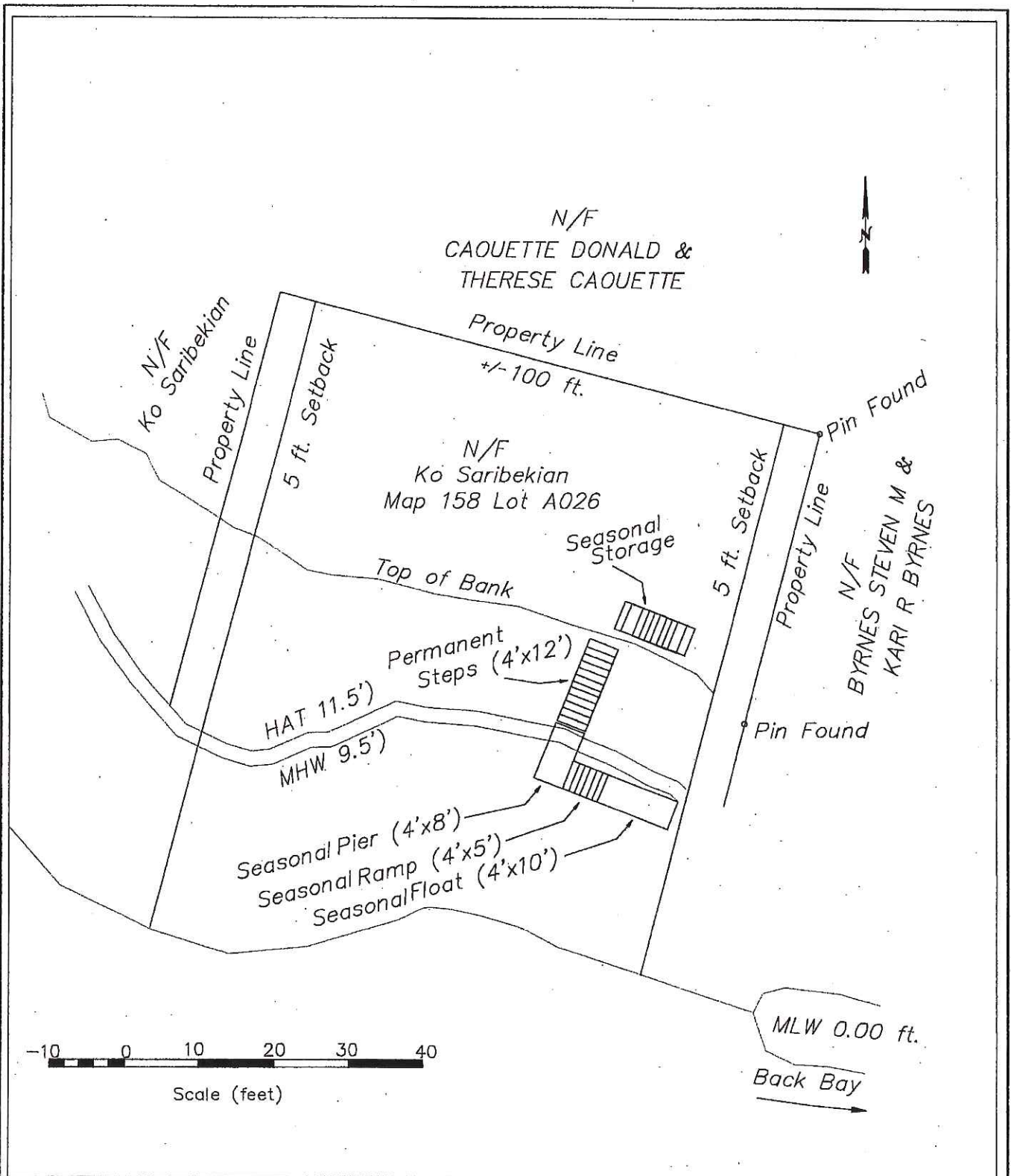
BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570

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

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



 <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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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

Attachment A

City of Portland
Code of Ordinances
Sec. 14-439

Land Use
Chapter 14
Rev. 3-17-1997

to record such instrument within the required time period shall render the reduction null and void.
(Ord. No. 227-97, 3-17-97)

Sec. 14-440. Exterior egress.

Notwithstanding any other provision of this Code, the building authority may permit the installation of an exterior egress stair or an upgrade of an existing exterior fire escape for a conforming or lawfully nonconforming dwelling unit existing as of January 5, 1998, if such egress is required to meet current fire or other life safety codes, provided that the owner demonstrates to the building authority that:

- (a) There is no practical and economically reasonable way to provide such egress within the interior of the building, as demonstrated by the submission of detailed floor plans showing the projected cost of and the impact on the existing dwelling from an interior stair;
- (b) The stairway and associated landings and other building fixtures are designed and will be constructed to have a minimal visual impact upon the building, especially as viewed from any public way or public open space, as demonstrated by photographs of the front and any other affected facades of the building and plans or drawings of the proposed egress stairs;
- (c) Reductions to setbacks granted under this section shall be the least amount required to meet life safety code requirements; and
- (d) Exterior stairways on buildings subject to regulation under article IX of this chapter shall require review and approval under the provisions of that article.

(Ord. No. 181-98, 1-5-98)

Sec. 14-441. - Sec. 445. Reserved.

DIVISION 26. SHORELAND REGULATIONS

Sec. 14-446. Purposes.

The purposes of this division are to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect fish spawning grounds, aquatic life, bird and other wildlife habitat; protect buildings and lands from flooding and accelerated erosion; protect archaeological and historic

resources; protect commercial fishing and maritime industries; protect freshwater and coastal wetlands; control building sites, placement of structures and land uses; conserve shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty, as appropriate in an urbanized environment; and to anticipate and respond to the impact of development in shoreland areas.

(Code 1968, § 602.19A.A; Ord. No. 499-74, § 10, 8-19-74; Ord. No. 15-92, § 27, 6-15-92)

Sec. 14-447. Applicability.

This division applies to all land areas, uses, structures and land use activities within two hundred fifty (250) feet, horizontal distance, of the normal high water line of any river; within two hundred fifty (250) feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal actions within two hundred fifty (250) feet, horizontal distances, of the upland edge of a freshwater wetland; and within seventy-five (75) feet, horizontal distance, of the normal high water line of a stream. This division also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending beyond the normal high water line of a water body or within a wetland.

(Code 1968, § 602.19A.B; Ord. No. 499-74, § 10, 8-19-74; Ord. No. 15-92, § 28, 6-15-92; Ord. No. 296-08/09, 6-15-09)

Sec. 14-448. Zoning districts and shoreland regulations.

The regulations and controls of this division apply to all land areas, uses, structures and land use activities cited in section 14-447, in all zones of the city.

(Code 1968, § 602.19A.C; Ord. No. 499-74, § 10, 8-19-74)

Sec. 14-449. Land use standards.

All land uses and land use activities subject to this division shall conform to the following standards and regulations, as applicable:

(a) *Principal and accessory structures:*

1. All principal and accessory structures shall be set back at least seventy-five (75) feet horizontal distance, from the normal high water line of water bodies, the upland edge of a wetland or associated tributary streams within a shoreland zone, except that in the following zones the setback shall be as

indicated below:

- a. B-3, B-5, B-5b, I-L (south and east of I-295), and I-M (south and east of I-295): Twenty-five (25) feet.
- b. W-C, W-PD, W-SU, I-B, EWP: No setback required. Pier edge setbacks apply in EWP (Sec. 14-303(c)(4), W-C (Sec. 14-310(d)(4), W-PD (Sec. 320.2(c)), and W-SU (Sec. 320.9(c)).

For the principle structures, setback measurements shall be taken from the top of a coastal bluff that has been identified on Coastal Bluff maps as being "highly unstable" or "unstable" by the Maine Geological Survey pursuant "Classification of Coastal Bluffs", and published in the most recent Coastal Bluff Map as further referenced on the Zoning Map.

Notwithstanding this requirement, when a lot is a lot of record as defined in section 14-433 or cannot otherwise meet the setback requirement of this section due to physical limitations of the site, the Planning Board may approve a reduction of the setback requirement for a principal structure to the least amount necessary to achieve a building dimension of twenty-eight (28) feet, provided that the setback is not reduced to less than forty (40) feet. Structures in existence on June 15, 1992, may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a freshwater wetland, stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent. In no event shall the setback from a coastal wetland be reduced to less than seventy-five (75) feet, except in the B-3, B-5, B-5b, EWP, W-C, W-PD, W-SU, I-B, I-L and I-M zones, where setbacks shall be as set forth above in this subsection.

In all cases, accessory detached structures of less than one hundred (100) square feet of floor area shall be permitted with no setback, provided that such structures shall be used only for the storage of fish, bait, and related equipment. 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.

2. Development activities within the shoreland zone are reviewed by the Zoning Administrator for compliance with required setbacks of this Division. Submission of plans for such development activity shall be prepared by competent professionals, based upon a boundary survey.
 3. The lowest floor elevation or openings of all buildings and structures including basements shall be elevated at least one (1) foot above the elevation of the one hundred (100) year flood, the flood of record, or in the absence of these, the flood as defined by soil types identified as recent flood plain soils.
 4. Notwithstanding the requirements of this section, stairways or similar structures may be allowed with a permit from the building authority to provide shoreline access in areas of steep slopes or unstable soils, provided that:
 - a. The structure is limited to a maximum of four (4) feet in width;
 - b. The structure does not extend below or over the normal high water line of a water body or upland edge of a wetland, unless permitted by the department of environmental protection pursuant to 38 M.R.S.A. Section 480-C; and
 - c. The applicant demonstrates that no reasonable access alternative exists on the property.
- (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;
 2. The location shall not interfere with existing developed or natural beach areas;

3. The facility shall be located so as to minimize adverse effects on fisheries;
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;
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.
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;
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.

(c) *Clearing or removal of vegetation:*

1. In all shoreland areas in resource protection zones, the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that zone.
2. The clearing or removal of vegetation standards of this section shall not apply to the following zones: EWP, WCZ, WPD, WSU, B-3, B-5, B-5b, B-6, B-7, I-L (south and east of I-295) and I-M zones (south and east of I-295).
3. Other than cutting or removal of vegetation as provided for in this section, timber harvesting shall not be permitted. For purposes of this section, timber harvesting is defined as the

cutting and removal of timber for the primary purpose of selling or processing forest products. The cutting or removal of trees in the shoreland zone on a lot that has less than (2) acres within the shoreland zone shall not be considered timber harvesting. Cutting or removal of such trees shall be regulated pursuant to this section.

4. For purposes of this section, vegetation is defined as all live trees, shrubs and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 ½ feet above ground level.
 - a. In all areas other than resource protection zones, a buffer strip of vegetation shall be preserved, except where clearance is required for development of permitted uses, within a strip of land extending seventy-five (75) feet, horizontal distance, from the normal high-water or upland edge of a coastal wetland, river, stream or tributary stream within a shoreland zone, in accordance with the following:
 - i. There shall be no cleared opening greater than two hundred fifty (250) square feet in the forest canopy or other existing vegetation if a forested canopy is not presented as measured from the outer limits of the tree or shrub crown. Notwithstanding this limitation, a footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed provided that a cleared line of sight to the water through the buffer strip is not created.
 - ii. Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other vegetation is maintained. For the purposes of this section, a "well-distributed stand of trees" adjacent to a water body, tributary stream or wetland shall be defined as maintaining a minimum rating score of

sixteen (16) or more in any twenty-five-foot by fifty-foot rectangle area as determined by the following rating system:

Diameter of tree at four and one-half (4 ½) feet above ground level

<i>(Inches)</i>	<i>Points</i>
2 ≤ 4	1
4 ≤ 8	2
8 - 12	4
12 in. or greater	8

The following shall govern in applying this point system:

- a. The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;
- b. Each successive plot must be adjacent to, but not overlap a previous plot;
- c. Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this ordinance;
- d. Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by this ordinance;
- e. Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of this section, "other natural vegetation" is defined as retaining existing vegetation under three (3) feet in height and other ground cover and retaining at least five (5) saplings less than two (2) inches in diameter at four and one-half (4 ½) feet above ground level for each 25-foot by 50-foot rectangular area. If five samplings do not exist, no woody stems less than two (2) inches in diameter can be removed until 5 samplings have been recruited into the plot.

Notwithstanding the above provisions, no more than forty (40%) percent of the total volume of trees four (4) inches or more in diameter, measured at four and one-half (4 ½) feet above ground level may be removed in any ten-year period.

- iii. In order to protect water quality and wildlife habitat, existing vegetation under three (3) feet in height and other groundcover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide a footpath or other permitted uses as described in this section.
- iv. Pruning of tree branches on the bottom one-third of the tree is allowed.
- v. In order to maintain a buffer strip of vegetation when the removal of storm-damaged, diseased, unsafe or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present.

The provisions contained in subsection b. of this section shall not apply to those portions of public recreational facilities adjacent to public swimming areas. Cleared areas in these locations shall be limited to the minimum amount necessary.

- 2. Selective cutting of not more than forty' (40%) percent of the volume of trees four (4) inches or

more in diameter, measured four and one-half (4 1/2) feet above ground level, shall be allowed within any ten-year period at distances greater than seventy-five (75) feet, horizontal distance, from the normal high water line of any other water body, tributary stream, or the upland edge of a wetland, except to allow for the development of permitted uses. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards, volume may be considered to be equivalent to basal area. In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways, lawns and sewage disposal areas, exceed in the aggregate twenty-five (25%) percent of the lot area within the shoreland zone, including land previously cleared.

3. Legally existing nonconforming cleared openings may be maintained but shall not be enlarged, except as allowed by this division.
4. Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of this section.

(d) *Erosion and sedimentation control:*

1. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall require a written soil erosion and sedimentation control plan 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 and the City of Portland Technical Manual. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:
 - a. Mulching and revegetation of disturbed soil.
 - b. Temporary runoff control features such as hay

bales, silt fencing or diversion ditches.

- c. Permanent stabilization structures such as retaining walls or riprap.
2. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
3. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed ground area at every phase of construction shall be minimized to reduce the potential for erosion.
4. Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases, permanent stabilization shall occur within nine (9) months of initial exposure. The following standards shall also be met:
 - a. Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established.
 - b. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.
 - c. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.
5. Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainage ways shall be designed and constructed in accordance with the City of Portland Technical Manual.

- (e) *Soils*: All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, improper drainage, and water pollution, either during or after construction. Proposed uses requiring subsurface wastewater disposal and commercial or industrial development or other similar intensive land uses shall require a soils report based on an on-site investigation and prepared by state-certified professionals. Certified persons may include Maine Certified Soil Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists and other persons who have training and experience in the recognition and evaluation of soil properties. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas, maximum ground water elevation, presence of ledge, drainage conditions, and other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.
- (f) *Water quality*: No activity shall deposit on or into the ground or discharge to the waters of the state any pollutant that by itself or in combination with other activities or substances will impair designated uses or the water classification of the water body, tributary stream or wetland.
- (g) *Archaeological sites*: Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on, the National Register of Historic Places, as determined by the department of planning and urban development, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment at least twenty (20) days prior to action being taken by the building authority. The building authority shall consider comments received from the commission prior to rendering a decision on the application. Such sites shall also comply with all applicable provisions of article IX of this chapter.
- (h) *Installation of public utility service*: No public utility of any kind shall install services to any new structure located in the shoreland zone unless written

authorization attesting to the validity and currency of all local permits required under this Code has been issued by the appropriate municipal authorities. Following installation of service, the public utility shall forward the written authorization to the appropriate municipal authorities, indicating that installation has been completed.

(i) *Essential services:*

1. Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.
2. The installation of essential services, other than road-side distribution lines and within existing service corridors, is not allowed in a Resource Protection or Stream Protection District, except where the applicant demonstrates that no reasonable alternative exists.
3. Damaged or destroyed public utility transmission and distribution lines, towers and related equipment may be replaced or reconstructed without a permit.

(j) *Roads and driveways:*

1. Roads and driveways shall be setback a minimum of seventy-five (75) feet from the normal high-water or upland edge of a coastal wetland, freshwater wetland, river or tributary stream within a shoreland zone, except:
 - a. In the EWP, WC, WPD, WSU, B-3, B-5, B-5b, I-L (south and east of I-295) and I-M (south and east of I-295) roads and driveways shall be setback as established for structures in those zones; as specified in Sec. 14-449(a)1.
 - b. Where the planning board determines that no other reasonable alternative exists. If no other reasonable alternative exists, the planning board may reduce the road and/or driveway setback requirement to no less than fifty (50) feet, horizontal distance, upon clear showing by the applicant that

appropriate techniques will be used to prevent sedimentation of the water body, tributary stream or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream or wetland.

2. Existing public roads may be expanded within the legal road right of way regardless of their setback from a waterbody, tributary stream or wetland.
3. New roads and driveways are prohibited in a Resource Protection Zone except that the planning board may grant a permit to construct a road or driveway to provide access to permitted uses within the district. A road or driveway may also be approved by the planning board in a Resource Protection Zone, upon a finding that no reasonable alternative route or location is available outside the district. When a roadway or driveway is permitted in a Resource Protection District the road and/or driveway shall be setback as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of wetland.
4. Road and driveway banks shall be no steeper than slope of two (2) horizontal to one (1) vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained in sec. 14-449(d).
5. Road and driveway grades shall be no greater than ten (10%) percent except segments of less than two hundred (200) feet.
6. In order to prevent road and driveway surface drainage from directly entering water bodies, tributary streams or wetlands, roads and driveways shall be designed, constructed, and maintained to empty onto an unscarified buffer strip at least (50) feet plus two times the average slope, in width between the outflow point of the ditch or culver and the normal high-water line of a water

body, tributary stream or upland edge of a wetland. Surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.

7. Ditch relief (cross drainage) culverts, drainage dips and water turnout shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow gains sufficient volume or head to erode the road, driveway, or ditch. To accomplish this, the following shall apply:

- a. Ditch relief culverts, drainage dips and associated water turnouts shall be spaced along the road, or driveway at intervals no greater than indicated in the following table:

<u>Grade (percent)</u>	<u>Spacing (feet)</u>
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21+	40

- b. Drainage dips may be used in place of ditch relief culverts only where the grade is ten (10%) percent or less.
- c. On sections having slopes greater than ten (10%) percent, ditch relief culverts shall be placed at approximately a thirty (30) degree angle downslope from a line perpendicular to the centerline of the road or driveway.
- d. Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.

8. Ditches, culverts, bridges, dips, water turnouts and other storm water runoff control installations associated with roads and driveways shall be maintained on a regular basis to assure effective functioning.
- (k) *Parking areas:* Parking areas shall be set back a minimum of seventy-five (75) feet from the normal high-water or upland edge of a coastal wetland, freshwater wetland, river or tributary stream within a shoreland zone except:
1. In the EWP, WC, WPD WSU, B-3, B-5, B-5b, I-L and I-M zones, parking setbacks shall be as established for structures in those zones; as specified in Sec. 14-449(a)1.
 2. Parking setbacks in the S-P (stream protection) zones are as established in Division 26.7.
 3. Where the Planning Board finds that no other reasonable alternative exists further from the shoreline or tributary stream, the board may reduce the parking setback requirement to no less than fifty (50) feet in the R-OS, and I-B zones to the least amount necessary for construction, provided that the applicant proves by a preponderance of the evidence that appropriate techniques will be used to prevent sedimentation of the water body.
- (l) *Septic waste disposal:*
- All subsurface sewage disposal system shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules and the following:
- a. Clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than seventy-five (75) feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland;
 - b. A holding tank is not allowed for a first-time residential use in the shoreland zone.
- (m) *Stormwater runoff:*

1. All new construction and development shall be designed to be in compliance with the City of Portland Technical Manual to minimize stormwater runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas shall be retained in order to reduce runoff and encourage infiltration of stormwater.
2. Stormwater runoff control systems shall be maintained as necessary to ensure proper functioning.

(n) *Agriculture:*

1. All spreading or disposal of manure shall be accomplished in conformance with the *Manure Utilization Guidelines* published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. §§ 4201-4209).
2. Manure shall not be stored or stockpiled within seventy-five (75) feet, horizontal distance, of water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated stormwater.
3. Agricultural activities involving tillage of soil greater than forty thousand (40,000) square feet in surface area within the shoreland zone shall require a conservation plan to be filed with the building authority.
4. There shall be no new tilling of soil within seventy-five (75) feet, horizontal distance, from water bodies and coastal wetlands or within twenty-five (25) feet, horizontal distance, of tributary streams and freshwater wetlands when such new tilling, by itself or combined with all other contiguous tillage, shall exceed forty thousand (40,000) square feet in surface area. Operations in existence on the effective date of this section and not in conformance with these provisions may be

maintained but shall not be expanded. When the new tilling, by itself or combined with all other contiguous tillage, shall total forty thousand (40,000) square feet or less, the tillage shall be set back a minimum of twenty-five (25) feet from all water bodies, tributary streams or wetlands.

5. Newly established livestock grazing areas shall not be permitted within seventy-five (75) feet, horizontal distance, of water bodies and coastal wetlands or within twenty-five (25) feet, horizontal distance, of tributary streams and wetlands. Livestock grazing associated with ongoing farm activities and which are not in conformance with the above setback provisions may continue, provided such grazing is conducted in accordance with a soil and water conservation plan filed with the building authority.

(o) *General site plan features:* The Planning Board or planning authority shall approve a site plan located within a shoreland zone if it finds that the following standards, in addition to the standards set forth in section 14-526, are met:

1. The proposal will maintain safe and healthful conditions;
2. The proposal will not result in water pollution, erosion, or sedimentation to surface waters;
3. The proposal will adequately provide for the disposal of all wastewater;
4. The proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
5. The proposal will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
6. The proposal will protect archaeological and historic resources;
7. The proposal will not adversely affect existing commercial fishing or maritime activities;

8. The proposal will avoid problems associated with flood plain development and use; and

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

(Code 1968, § 602.19A.D; Ord. No. 499-74, § 10, 8-19-74; Ord. No. 38-85, § 1, 7-15-85; Ord. No. 15-92, § 29, 6-15-92; Ord. No. 164-97, § 12, 1-6-97; Ord. No. 296-08/09, 6-15-09; Ord. No. 278-09/10, 7-19-10; Ord. No. 27-11/12, 8-15-11)

Sec. 14-450. Reserved.

DIVISION 26.5. FLOOD PLAIN MANAGEMENT REGULATIONS*

*Editor's note-Ord. No. 660-86, adopted July 7, 1986, amended Ch. 14, Art. III, by the addition of Div. 26A, §§ 14-450.1-14-450.8, which provisions have been included herein as Div. 26.5 at the discretion of the editor in order to conform with the existing numbering of divisions contained in this article.

Sec. 14-450.1. Establishment.

The City of Portland, Maine, elects to comply with the 42 USC Section 4001 et seq. requirements of the National Flood Insurance Act of 1968, as amended from time to time. The National Flood Insurance Program, established in the aforesaid act, provides that areas of the city having a special flood hazard be identified by the Federal Emergency Management Agency and that flood plain management measures be applied in such flood hazard areas. This division establishes a flood hazard development permit system and review procedure for development activities in the designated flood hazard areas of the city.

(Ord. No. 660-86, 7-7-86; Ord. No. 579-87, 6-15-87; Ord. No. 156-98, 11-16-98)

Sec. 14-450.2. Purposes.

The purposes of this division are to reduce future flood risks and losses, protect against financial and human loss resulting from flood disasters, and to control the placement of structures, construction materials, and methods used to minimize potential property damage due to flooding.

(Ord. No. 660-86, 7-7-86; Ord. No. 579-87, 6-15-87; Ord. No. 156-98, 11-16-98)

Sec. 14-450.3. Applicability.

This division applies to all land areas, uses, structures, and land use activities lying in the special flood hazard areas as identified by the Federal Emergency Management Agency in a report



ECO-ANALYSTS, INC.
Environmental Consultants

P.O. Box 224 Bath, Maine 04530
(207) 615 - 1527 • (207) 386-0451 (Fax) • lvickers7@gmail.com

June 2, 2015

Nell Donaldson
Planning Division
City of Portland
389 Congress Street
Portland, ME 04101

Re: Modifications to Level II Site Plan, Project ID 2015-037

Dear Ms. Donaldson,

ECO-ANALYSTS, INC. (EA) is pleased to submit a revised proposal to the City of Portland in reference to Project ID 2015-037, located at 35 Brookside Road. The revised plan modifies the previous proposal that included the construction of a set of access stairs and the placement of a seasonal pier, ramp, and float. The Applicant proposes to construct a set of access stairs to Fall Brook; however, has removed the proposed placement of the pier, ramp, and float. In response to the staff review comments, dated April 13, 2015, the Applicant offers the following responses to relevant comments regarding the construction of the access stairs.

The Applicant analyzed her entire shoreline at various tidal cycles to determine the most suitable location for the proposed access stairs. The proposed location was selected because it was determined this area would provided the greatest period of access to Fall Brook and would provide safe, reasonable access for recreational pursuits. Staff suggested an area to the northwest as an alternative route. However, in the attached **Exhibit 1.0**, this area is shown during low tide and a higher tide. There is limited depth of water at the alternative location and, in order to access Fall Brook, the Applicant would need to maneuver over ledge and rock outcrops and it was determined this was unsafe. **Photograph Three** provides a view of Fall Brook above the proposed set of access stairs. Rock outcrops are visible and would result in unreasonable access given the difficulty in transversing these outcrops either by kayak or other low impact recreational watercraft. For this reason, this alternative was rejected.

At the request of the City, the Applicant proposes to place three (3) Bayberry (*Myrica pensylvanica*) plants on each side of the top of the access stairs to prevent the potential movement over the slope. There is no additional landscaping proposed as part of this application. The contractor that will construct the stairs is Custom Floats located at 38 Union Wharf in Portland. The estimated cost of construction is approximately \$2,000 and construction

materials are listed on the attached plan.

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.



Lisa Vickers
Biologist

Barbara - Look at the waiver language? I'm not sure if it will cause problems down the line?

quantity
photos

Portland, Maine



Yes. Life's good here.

Alex Jaegerman, FAICP
Division Director, Planning Division

Nell - if you can't read my scrawl let me know -

problems down the line? Well

June 10, 2015

Ko Saribekian
31 Brookside Road
Portland, ME 04103

Lisa Vickers, Eco-Analysts, Inc. I have questions below
PO Box 224
Bath, ME 04530

Project Name: Seasonal Pier, Ramp, and Float
Address: 35 Brookside Road
Applicant: Ko Saribekian
Planner: Nell Donaldson

Project ID: 2015-037
CBL: 158-A-026

Dear Ms. Saribekian:

On June 10, 2015 the Planning Authority approved a Level II site plan for the construction of a set of stairs to access Fall Brook at the property at 35 Brookside Road. The decision is based upon the application, documents and plans as prepared by Eco-Analysts, Inc., and most recently revised on June 2, 2015. The proposal was reviewed for conformance with the standards of Portland's land use code, including the site plan and shoreland zoning ordinances (Article V and Division 26, respectively)

WAIVER

The Planning Authority found that, given the estimated cost of the proposed project, extraordinary conditions exist and undue hardship may result from strict compliance with the site plan submittal requirement involving a professional engineer's stamp; that substantial justice may be done and the public interest may be secured with a variation in this requirement; and that the variation is consistent with the intent of the ordinance. The Planning Authority waives the requirement for an engineer's stamp on the final plan set.

SITE PLAN REVIEW

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code. The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

STANDARD CONDITIONS OF APPROVAL

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

- Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
- Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.

... review... liability offset... [applies rec guidelines] PPTL CHANGE

application

[length of time]

~~stairs shall be installed~~ main contractor

less than \$2,000 and the proposed stairs are pre-engineered

stairs shall be installed + anchored in the proposed structure. The submittal requirement for an engineer's stamp on the plan is waived subject to...

subject to the condition...

Didn't add David's caveat... Custom

Floats will do construction; I'm not sure it's pre-fabricated

Do they need a building permit? Let's say that delete my second line.

building permit for site work only (\$3000) is required.

And because as an engineered plan not req'd

3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.

4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.

5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. 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.

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

8. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Also note that, as stated in Section 14-529 of the site plan ordinance, any person aggrieved may appeal this decision to the planning board within thirty (30) days of the date of the written decision of the planning authority. Upon the taking of such an appeal, the application shall be reviewed as a new application.

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

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,

Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

PHL
City of
and date
\$300 m.n
inspection
fee
substitute

\$300...

Do we
need?

NA

NA

1. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Nell Donaldson, Planner/Senior Planner
Philip DiPierro, Development Review Coordinator/Planning
Ann Machado, Acting Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Lannie Dobson, Administration, Inspections Division
Brad Saucier, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David MargolisPineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Keith Gautreau, Fire Department
Jennifer Thompson, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File



Planning & Urban Development Department

Planning & Urban Development Department
 Jeff Levine, Director

Planning Division
 Alexander Jaegerman, Director

April 13, 2015

Ko Saribekian
 31 Brookside Road
 Portland, ME 04103

Lisa Vickers, Eco-Analysts, Inc.
 PO Box 224
 Bath, ME 04530

RE: Staff Review Comments for Preliminary Level II Site Plan

Project Name: Seasonal Pier, Ramp, and Float
 Address: 35 Brookside Road
 Applicant: Ko Saribekian
 Planner: Nell Donaldson

Project ID: 2015-037
 CBL: 158-A-026

Dear Ms. Saribekian:

Thank you for submitting an application for the construction of stairs and a seasonal pier, ramp, and float to access Fall Brook at the property at 35 Brookside Road. This proposal is being reviewed as a preliminary plan subject to the city's shoreland zoning regulations, Division 26 of the land use code, and the standards of the site plan ordinance, Article V of the land use code. This letter outlines preliminary staff comments.

Shoreland Zoning (Section 14-446-14-450)

1. Per Section 14-449(a) of the city's land use ordinance, "[a]ll principal and accessory structures shall be set back at least 75 feet horizontal distance from the normal high water line of waterbodies, the upland edge of a wetland or associated tributary streams within the shoreland zone." On revised plans, please denote this 75' setback as well as all structures within it. It appears that the pergola structure and associated decking on the property may be in violation of this provision of the shoreland zoning. Note that further action from the city's zoning administrator may be required. In addition, pending a response to the review comments below, please clarify that "seasonal storage" denotes the off-season location of the float, ramp, and pier. This location should be outside the 75' setback. ↗

2. Per Section 14-449(a)4c, an applicant who proposes stairways in the shoreland zone "may be allowed with a permit from the building authority to provide shoreline access in areas of steep slopes or unstable soils, provided that...c. The applicant demonstrates that no reasonable access alternative exists on the property." In staff's assessment, it appears that an alternative route to the water is possible over the shallower grades to the northwest just up the Fall Brook from the proposed stairway location. Please provide evidence that no reasonable access alternative exists. ↗

3. According to Section 14-449(b), in the case of 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, "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 application states that the purpose of the proposed stair, pier, ramp, and float assembly is to "provide partial tide access to Fall Brook" and "adjacent coastal waters," and includes information related to the size of the proposed installation. ↗

relative to the context of Fall Brook. Our understanding is that, due to the tidal cycle, the utility of the float is limited to an approximately 3 hour window around high tide. Otherwise, the float will sit on stops above the ledge that forms the bed of Fall Brook. At high tide, the stairs alone (or some alternative means as noted above) will functionally provide access to the mean high water mark. Thus the stairs themselves appear to be sufficient to "provide partial tide access." It should also be noted that, given the width of the proposed ramp and float and their offset from the mean high water mark (approximately 7'), the installation will assume approximately 23% to 28% of the width of the watercourse at high tide. This proportion is significant. Also note that no other stair and float assemblies of this type exist on this part of Fall Brook or Back Cove. Particularly in this stretch of Fall Brook, the stream banks have generally been maintained in a natural state. In light of this standard, please consider modifying the design by eliminating the pier, ramp, and float elements altogether.

4. With respect to vegetation and landscaping in the shoreland zone, *Section 14-449(c)* generally calls for native landscaping where and if restoration is required within the 75' shoreland buffer strip. The submittal includes drawings which note "lawn and landscaping" at the top of the proposed steps. In correspondence, it has been noted that no new landscaping is proposed. Please modify the plan to clarify this. In addition, note that the existing treatment of vegetation at the top of the bank as well as along the bank does not appear to meet shoreland zoning standards. A copy of the city's shoreland zoning ordinance has been included as *Attachment A*. Sections related to clearing should be reviewed. Jeff Tarling, the city's arborist, has offered to meet to discuss relevant landscape standards and possible restoration options. Mr. Tarling can be reached at 874-8820.

5. The shoreland zoning also includes "general site plan" standards under *14-449(o)*. These include a provision requiring that the "4. [t]he proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat." The MDIFW's High Value Plant and Animal Habitat map for Portland shows the estuaries around Back Cove as significant tidal waterfowl/wading bird habitat. Based on MDIFW data, the Maine Coastal Atlas also shows the Fall Brook/Back Cove area as high or moderate value tidal waterfowl and wading bird habitat. Given Portland's urban character, the value of these limited habitat resources is arguably heightened. Again, please consider modifying the design by eliminating the pier, ramp, and float elements in order to mitigate negative impacts to wildlife habitat.

Preliminary Staff Comments on Level II Site Plan (*Section 14-526*)

A. Transportation Standards

No comments.

B. Environmental Quality Standards

1. 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:

...

(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;

Please see comments above relating to high and moderate value tidal waterfowl and wading bird habitat.

2. Landscaping and Landscape Preservation

Please see comments above regarding restoration.

3. Water Quality, Storm Water Management and Erosion Control

b. All development, except Level I minor residential development, shall comply with the standards of Section 5 of the Technical Manual including basic, general and flooding standards, as applicable, to prevent and control the release of pollutants to waterbodies, watercourses, wetlands and groundwater, and reduce adverse impacts associated with increases or changes in flow, soil erosion and sedimentation.

David Senus, the city's consulting civil engineer, has reviewed the site plan and section and notes, "[t]he City of Portland requires that all Level II site plan applications submit an erosion control plan pursuant to the regulations of MaineDEP Chapter 500 Basic Standard (Technical Manual, Section 5. II. Applicability in

WJK
2/27
Dew
RW

Portland, C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.). Plans, notes, and details should be provided to address erosion and sediment control requirements in general accordance with Appendix A, B, & C of MaineDEP Chapter 500. The plan should address stabilization of the slope and Shoreland Zone area upon completion of the work." He adds that "[t]he applicant should clarify the design details for the proposed stairs; are they set into the ground or are they on sonotubes with stringers spanning the slope?"

C. Public Infrastructure and Community Safety Standards

No comments.

D. Site Design Standards

No comments.

pen BR 9/16/15
may pmf written band on
project cost → Δ?
→ who contractor

Additional Submittals Required

Please note that final plans must be stamped by a professional engineer (*Section 14-527(f)*). The revised plans should also identify the proposed materials for the stair/ramp/float assembly. Note that the Planning Authority may request additional information during the continued review of the proposal according to applicable laws, ordinances and regulations.

Planning Staff Recommendation

Based on the standards of both the shoreland zone and site plan ordinance, planning staff recommends that the applicant revise the application as noted above and resubmit the plans for further review. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made.

If you have any questions or wish to schedule a meeting to further discuss these review comments, feel free to contact me at 874-8723 or by email at hcd@portlandmaine.gov.

Sincerely,



Neil Donaldson
Planner

Electronic Distribution

- Alexander Jaegerman, Planning Division Director
- Barbara Barhydt, Development Review Services Manager
- Jennifer Thompson, Associate Corporation Counsel
- Ann Machado, Zoning Administrator
- Katherine Earley, City Engineer, Public Services
- David Margolis-Pinco, Deputy City Engineer
- Captain Keith Gautreau, Fire
- Jeff Tarling, City Arborist
- Tom Errico, P.E., TY Lin Associates
- David Senus, P.E., Woodard & Curran



Planning & Urban Development Department

Planning & Urban Development Department
Jeff Levine, Director

Planning Division
Alexander Jaegerman, Director

April 9, 2015

Ko Saribekian
31 Brookside Road
Portland, ME 04103

Lisa Vickers, Eco-Analysts, Inc.
PO Box 224
Bath, ME 04530

Please make the
minor edits +
see my question -
- Then let's review
w/ Jeff on Mon.
Thanks,

RE: Staff Review Comments for Preliminary Level II Site Plan

Project Name: Seasonal Pier, Ramp, and Float
Address: 31 Brookside Road
Applicant: Ko Saribekian
Planner: Nell Donaldson

Project ID: 2015-037
CBL: 158-A-026

Dear Ms. Saribekian:

Thank you for submitting an application for the construction of stairs and a seasonal pier, ramp, and float to access Fall Brook at the property at 31 Brookside Road. This proposal is being reviewed as a preliminary plan subject to the city's shoreland zoning regulations, Division 26 of the land use code, and the standards of the site plan ordinance, Article V of the land use code. This letter outlines preliminary staff comments.

Shoreland Zoning (Section 14-446-14-450)

1. Per Section 14-449(a) of the city's land use ordinance, "[a]ll principal and accessory structures shall be set back at least 75 feet horizontal distance from the normal high water line of waterbodies, the upland edge of a wetland or associated tributary streams within the shoreland zone." On revised plans, please denote this 75' setback as well as all structures within it. It appears that the pergola structure and associated decking on the property may be in violation of this provision of the shoreland zoning. Note that further action from the city's zoning administrator may be required. In addition, pending a response to the review comments below, please clarify that "seasonal storage" denotes the off-season location of the float, ramp, and pier. This location should be outside the 75' setback.

2. Per Section 14-449(a)4c, an applicant who proposes stairways in the shoreland zone "may be allowed with a permit from the building authority to provide shoreline access in areas of steep slopes or unstable soils, provided that...c. The applicant demonstrates that no reasonable access alternative exists on the property." In staff's assessment, it appears that an alternative route to the water is possible over the shallower grades to the northwest just up the Fall Brook from the proposed stairway location. Please provide evidence that no reasonable access alternative exists.

3. According to Section 14-449(b), in the case of 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, "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 application states that the purpose of the proposed stair, pier, ramp, and float assembly is to "provide partial tide access to Fall Brook" and "adjacent coastal waters," and includes information related to the size of the proposed installation

relative to the context of Fall Brook. Our understanding is that, due to the tidal cycle, the utility of the float is limited to an approximately 3 hour window around high tide. Otherwise, the float will sit on stops above the ledge that forms the bed of Fall Brook. At high tide, the stairs alone (or some alternative means as noted above) will functionally provide access to the mean high water mark. Thus the stairs themselves appear to be sufficient to “provide partial tide access.” It should also be noted that, given the width of the proposed ramp and float and their offset from the mean high water mark (approximately 7’), the installation will assume approximately 23% to 28% of the width of the watercourse at high tide. This proportion is significant. Also note that no other stair and float assemblies of this type exist on this part of Fall Brook or Back Cove. Particularly in this stretch of Fall Brook, the stream banks have generally been maintained in a natural state. In light of this standard, please consider modifying the design by eliminating the pier, ramp, and float elements altogether.

4. With respect to vegetation and landscaping in the shoreland zone, *Section 14-449(c)* generally calls for native landscaping where and if restoration is required within the 75’ shoreland buffer strip. The submittal includes drawings which note “lawn and landscaping” at the top of the proposed steps. In correspondence, it has been noted that no new landscaping is proposed. Please modify the plan to clarify this. In addition, note that the existing treatment of vegetation at the top of the bank as well as along the bank does not appear to meet shoreland zoning standards. A copy of the city’s shoreland zoning ordinance has been included as *Attachment A*. Sections related to clearing should be reviewed. Jeff Tarling, the city’s arborist, has offered to meet to discuss relevant landscape standards and possible restoration options. Mr. Tarling can be reached at 874-8820.

5. The shoreland zoning also includes “general site plan” standards under *14-449(o)*. These include a provision requiring that the “4. [t]he proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.” The MDIFW’s High Value Plant and Animal Habitat map for Portland shows the estuaries around Back Cove as significant tidal waterfowl/wading bird habitat. Based on MDIFW data, the Maine Coastal Atlas also shows the Fall Brook/Back Cove area as high or moderate value tidal waterfowl and wading bird habitat. Given Portland’s urban character, the value of these limited habitat resources is arguably heightened. Again, please consider modifying the design by eliminating the pier, ramp, and float elements in order to mitigate negative impacts to wildlife habitat.

Preliminary Staff Comments on Level II Site Plan (Section 14-526)

A. Transportation Standards

No comments.

B. Environmental Quality Standards

1. 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:*

...

(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;*

Please see comments above relating to high and moderate value tidal waterfowl and wading bird habitat.

2. Landscaping and Landscape Preservation

~~No comments.~~

See comments above regarding restoration

3. Water Quality, Storm Water Management and Erosion Control

b. *All development, except Level I minor residential development, shall comply with the standards of Section 5 of the Technical Manual including basic, general and flooding standards, as applicable, to prevent and control the release of pollutants to waterbodies, watercourses, wetlands and groundwater, and reduce adverse impacts associated with increases or changes in flow, soil erosion and sedimentation.*

David Senus, the city’s consulting civil engineer, has reviewed the site plan and section and notes, “[t]he City of Portland requires that all Level II site plan applications submit an erosion control plan pursuant to the regulations of MaineDEP Chapter 500 Basic Standard (Technical Manual, Section 5. II. Applicability in

Portland. C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.). Plans, notes, and details should be provided to address erosion and sediment control requirements in general accordance with Appendix A, B, & C of MaineDEP Chapter 500. The plan should address stabilization of the slope and Shoreland Zone area upon completion of the work." He adds that "[t]he applicant should clarify the design details for the proposed stairs; are they set into the ground or are they on sonotubes with stringers spanning the slope?"

C. Public Infrastructure and Community Safety Standards

No comments.

D. Site Design Standards

No comments.

Additional Submittals Required

Please note that final plans must be stamped by a professional engineer (*Section 14-527(f)*). The revised plans should also identify the proposed materials for the stair/ramp/float assembly. Note that the Planning Authority may request additional information during the continued review of the proposal according to applicable laws, ordinances and regulations.

if engineering not req - could we consider waiving?

Planning Staff Recommendation

Based on the standards of both the shoreland zone and site plan ordinance, planning staff recommends that the applicant revise the application as noted above and resubmit the plans for further review. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made.

If you have any questions or wish to schedule a meeting to further discuss these review comments, feel free to contact me at 874-8723 or by email at hcd@portlandmaine.gov.

Sincerely,

Nell Donaldson
Planner

Still level if not stairs?

Electronic Distribution

- Alexander Jaegerman, Planning Division Director
- Barbara Barhydt, Development Review Services Manager
- Jennifer Thompson, Associate Corporation Counsel
- Ann Machado, Zoning Administrator
- Katherine Earley, City Engineer, Public Services
- David Margolis-Pineo, Deputy City Engineer
- Captain Keith Gautreau, Fire
- Jeff Tarling, City Arborist
- Tom Errico, P.E., TY Lin Associates
- David Senus, P.E., Woodard & Curran



35 Brookside Rd

Google earth

Google earth





Google earth



35 BROOKSIDE - R-3 / SHORELAND - LEVEL II

19-449

* check on P&P - include float

* clarify 'seawall storage' = temp location

work below mean low water

(b) 1 - stairs - access from shore on 'appropriate soils' - constructed to control erosion.

* fence of in 50 zone

(b) 2 - ~~no larger than necessary~~ no larger than necessary. shall be consistent w/ surrounding character + uses

too big for brook prohibit others. will flow

* CLEARING

(c) 1. In shoreland areas, 'buffer strip shall be preserved w/in 75 feet'

stake it for clearing

may have 'well-distributed stand of trees'

(d) erosion not below 75' from HAT

Mike Morse - DEP restore up to 75'

PROVE THIS

guidelines for clearing

(e) SOILS - what type? Will they hold? No info in app.

(f) GEN SITE PLAN FEATURES

* 4

proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat

* minimize resources look at this

5. proposal will 'conserve shore care + visual, as well as actual, parts of access to inland + coastal thos.'

* landscaping? - NO

beginning w/
habitat maps

17-526

(b)1a. preserve + protect signif. natural features

(i) trees (ii) habitat for endangered or threatened species

* (iii) high + mod value waterfowl + wading bird habitat (DIFW)

(v) waterbodies, wetlands, watercourses

↓ Jeff has seen
ejects,
nest in trees

2a. limit disturbance to existing trees

⊛ b. any landscaping?

↓ look at manne resources.

beginning w/
habitat map L

17-526

(b) 1a. preserve + protect signif. natural features

(i) trees (ii) habitat for endangered or threatened species

* (iii) high + mod value waterfowl + wading bird habitat (DITW)

(v) waterbodies, wetlands, watercourses

↓ Jeff has some
equest, nest in trees

2a. limit disturbance to existing trees

↓

(*) b. any landscaping?

look at manne resources.

Theresa - Coquette - 3/29

⊛ existing wall - w/ 75' shareland zone
w/o permit.

⊛ fence

① 5' easement in Coquette to Scribe/Jan?

⊛ sprinkler system.

② planing.

③ lighting

* VIEWS.

* CEILING.

③ easement over Scribe/Jan to Coquette

⊛

⊛ SEND app.

⊛ previous structures.
remove

⊛ SEND letter

tancoquette@gmail.com

3/25 Paul Cornell 800-89160

- neighbor got postcard.
- did not receive

~~~~~  
 application...  
 ~~~~~

paulcornell3@gmail.com.....

Back Cove Estates 3/24

- opposed... habitat implications
- ② stairs + dock - noise concern
- 500' w/in subject property.

↓
 → Back Cove Estates
 HAZ → all owners should be notified.

~~Peter
Marty Konstantin - 46~~

Mike Morse.
permanent - would require
PB permit.

address cutting.

would only approve w/
DEP permit.

~~~~~~~~~  
 state guidelines don't  
 say no  
 pipes in ledge - are these  
 permanent? Not  
 a big deal??  
 make all temporary.

3/25 Don Couette - 749-9351

- natural resources
- abiding by state
- 100 sf area - at low tide,  
will this change  
flow?

- constructability + kayak  
 access.  
 \* dcaouette@gmail.com

↓  
 how do they  
 get  
 down there?

3/25 Kari Byrnes. kari.byrnes@gmail.com.

interested in ramp.

Mike Morse - 2014 - 4x12 stairs.  
over steep slope.  
822-6328

- \* no larger than necessary. consistent in character
- maine coastal Act
- \* high + med value waterfront + wading hole.

Jan Hamise - field staff # 58995  
 @151  
 2875

jennifer.h.hamise  
maine.gov



Paul Cornell - 800-8960 5/28

✓ \* documentation re alternative  
access

\* natural environment.  
keep naturalized

\* public access rights. H<sub>2</sub>O.

\* DEP erosion control

807-4800

~~807-4800~~ Terri Cavette - 5/27/15

- is there other access?

- launch platform -  
stagnant

- builds w/o permit -  
decking on property?

- if KO did simple steps, of  
paint color  
naturalized.

Don Cavette - 5/27/15

- problem understanding dept.

proposal - submittals - public violations  
↓  
in addressed

- permanent structure -

- steps to water - will people come?

- violations

- app

- DEP

- BUE

- dust

BAB

- include in weekly  
report?

- email Costa

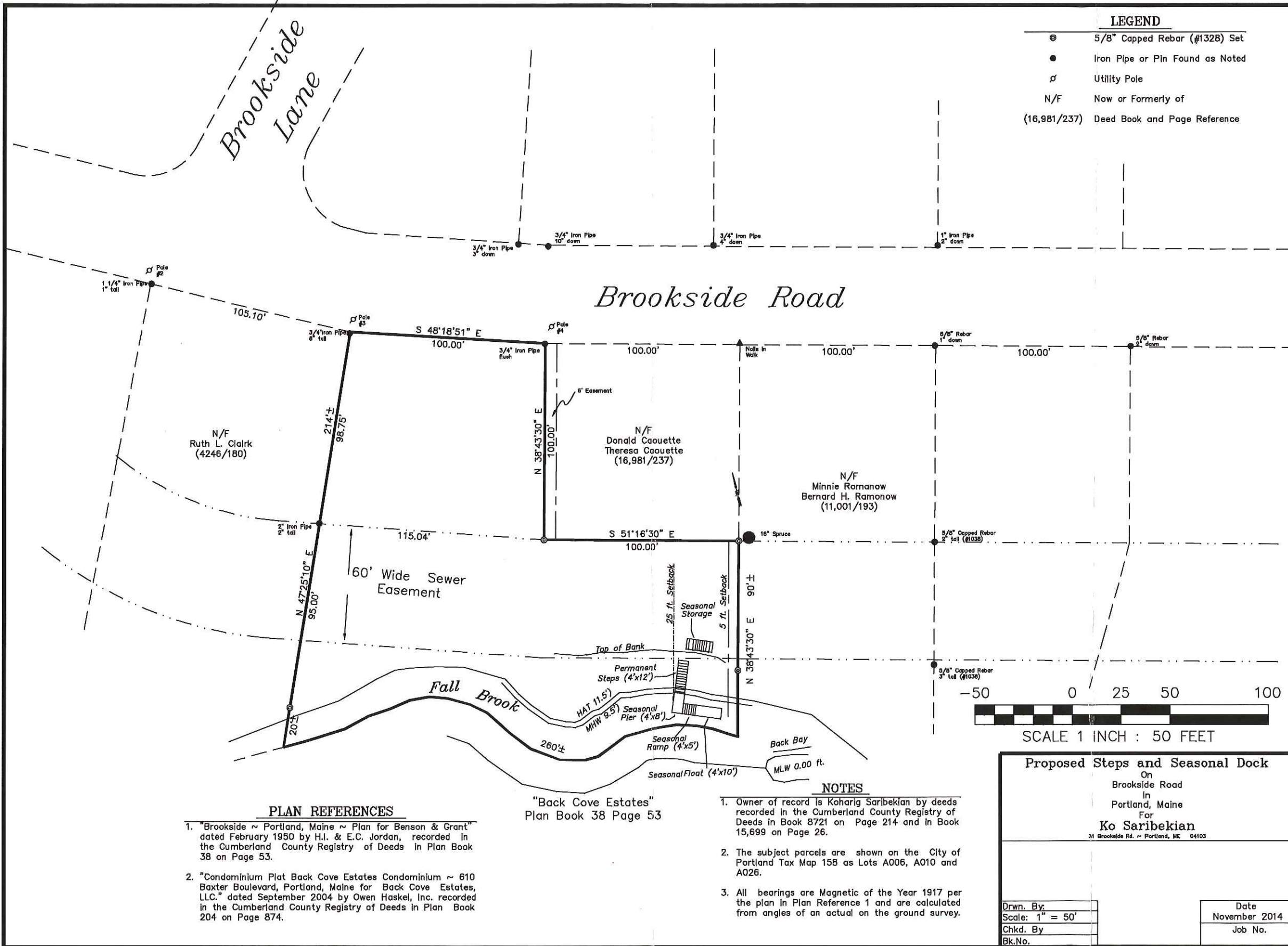
Sam Katy - Brookside

756-4208

samcady@hotmail.com







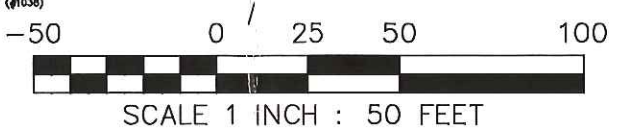
**LEGEND**

- ⊙ 5/8" Capped Rebar (#132B) 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**
- "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.
  - "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

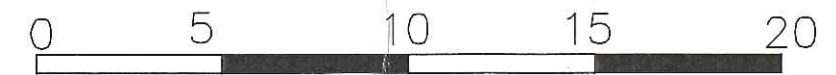
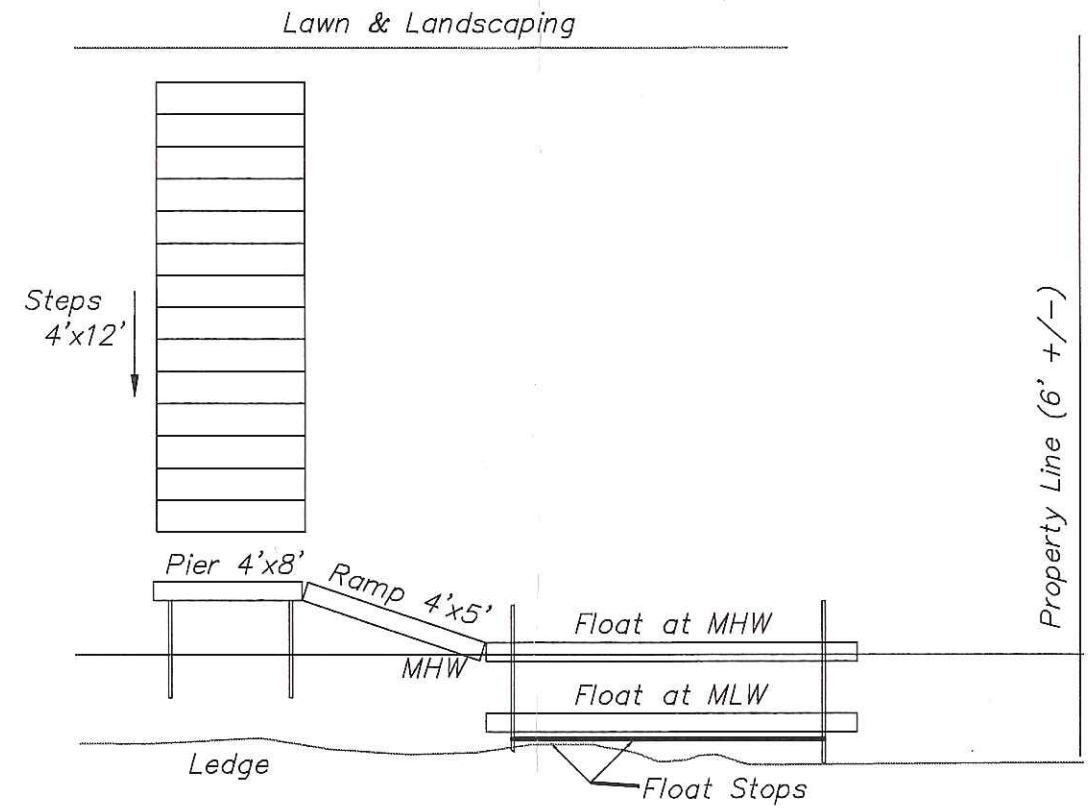
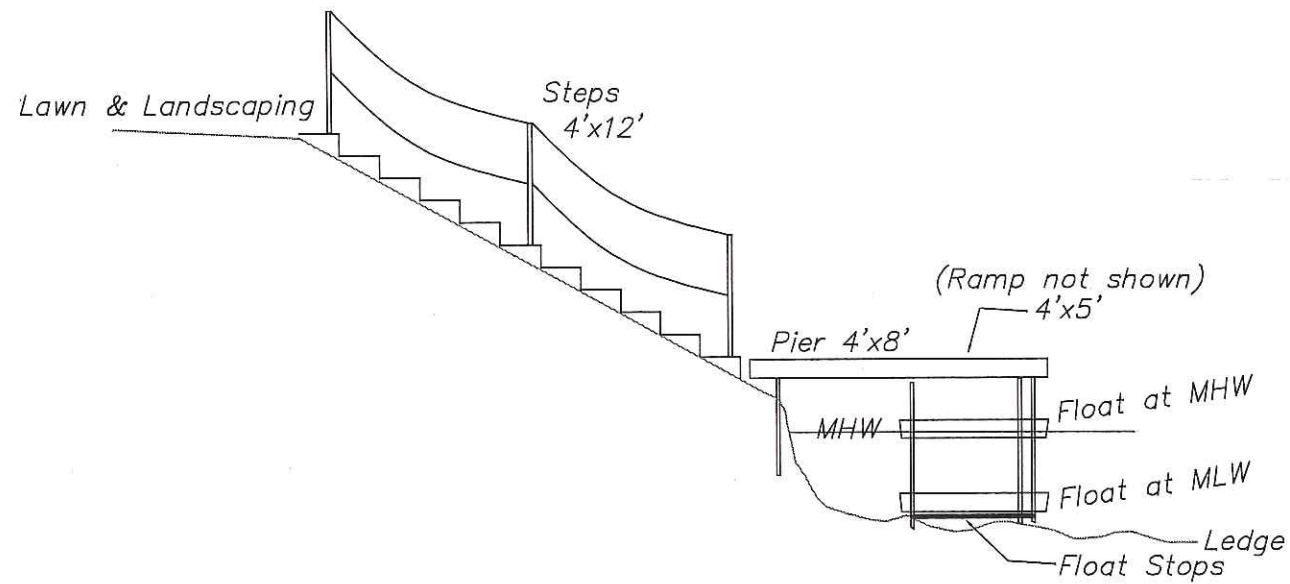
- NOTES**
- Owner of record is Koharig Saribekian by deeds recorded in the Cumberland County Registry of Deeds in Book 8721 on Page 214 and in Book 15,699 on Page 26.
  - The subject parcels are shown on the City of Portland Tax Map 158 as Lots A006, A010 and A026.
  - All bearings are Magnetic of the 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" = 50'  
Chkd. By:  
Bk.No.

Date  
November 2014  
Job No.



Scale (feet)  
1 Inch : 5 Feet



ECO-ANALYSTS, INC.  
ENVIRONMENTAL CONSULTANTS  
P.O. BOX 224 BATH, MAINE 04530  
(207) 837-2199 Fax (207) 386-0451  
timforrester@comcast.net

Date: 1/16/2015  
Drafted By: TF

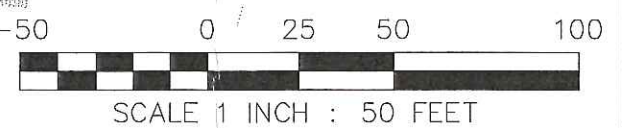
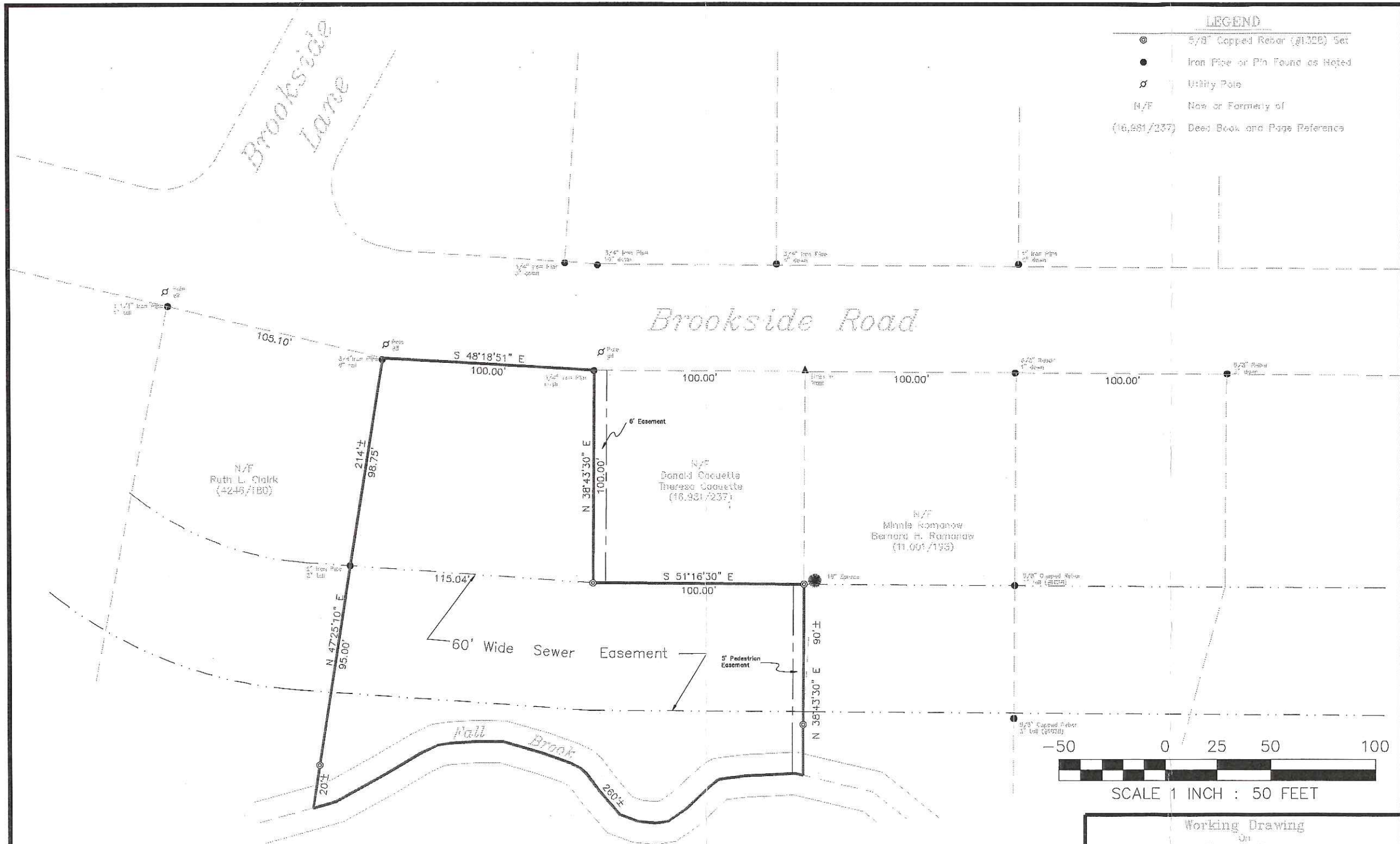
Cross Section of the  
Proposed Steps and Seasonal  
Dock for Ko Saribekian at 31  
Brookside Rd. Portland, ME.

Sheet  
2  
of  
2



**LEGEND**

- ⊙ 5/8" Capped Rebar (#1322) Set
- Iron Pipe or Pin Found as Noted
- ⊘ Utility Pole
- N/F Now or Formerly of
- (16,881/237) Deed Book and Page Reference



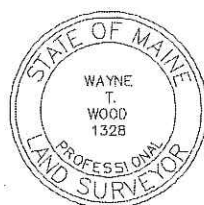
**PLAN REFERENCES**

1. "Brookside - Portland, Maine - Plan for Easement & Grant" dated February 1950 by L.L. & F.C. Jordan, recorded in the Cumberland County Registry of Deeds in Plan Book 38 on Page 53.
2. "Condominium Plat Brook Cove Estates Condominium - #10 Baxter Boulevard, Portland, Maine for Brook Cove Estates, LLC" dated September 2004 by Owen Haskel, Inc. recorded in the Cumberland County Registry of Deeds in Plan Book 204 on Page 374.

"Brook Cove Estates"  
Plan Book 38 Page 53

**NOTES**

1. Owner of record is Kohang 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 155 as Lots A006, A010 and A025.
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<br>On<br>Brookside Road<br>in<br>Portland, Maine<br>For<br>Ko Saribekian |                                                                                                                 |
|                                                                                          | WAYNE T. WOOD & CO.<br>Gray, Maine 04039<br>Drwn. By: KIW/WTW<br>Scale: 1" = 50'<br>Chkd. By: WTW<br>Bk.No. 134 |
| (207)657-3330<br>Date<br>August 2013<br>Job No.<br>211341                                |                                                                                                                 |

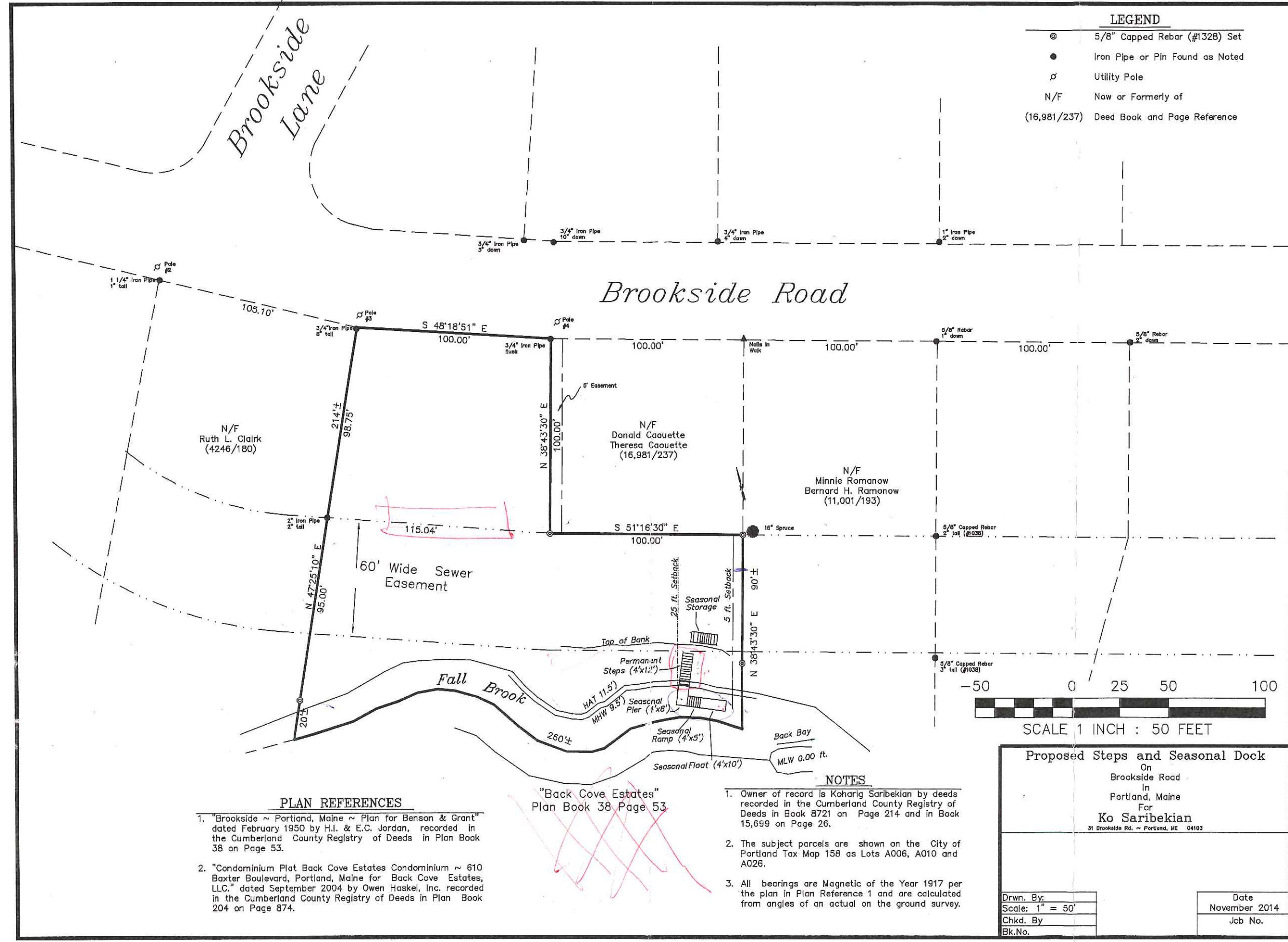
MRPA permit

steps, lot  
ingate  
planning  
paving  
lane bank

no float  
- aesthetic  
~~interior~~  
- size  
- DIFW/maune  
resumes

permits

revise plans to:  
show 75'  
w/ structures



**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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"Back Cove Estates"  
Plan Book 38 Page 53

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|                 |               |
|-----------------|---------------|
| Drwn. By:       | Date          |
| Scale: 1" = 50' | November 2014 |
| Chkd. By:       | Job No.       |
| Bk.No.          |               |



