

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)	Elizabeth McCandless	Name of Agent:	Shaw Earthworks Inc.
Applicant Mailing Address:	1247 Westbrook St.	Agent Phone # (include area code):	207-615-6896
Town/City:	Portland, ME	PROJECT information Name of Town/City:	Portland, ME
State and Zip code:	Maine 04102	Name of Wetland or Waterbody:	Fore River
Daytime Phone # (include area code):	1-207-415-7573	Map #:	213
Detailed Directions to Site:		Lot #:	EO12
Take Rte. 22 west from 295 on R. Turn left on to Waldo St. Turn left onto Westbrook St. towards PWMold entrance. 1247 Westbrook St. is the first house on left			
Description of Project:		UTM Northing: (if known)	UTM Easting: (if known)
<input checked="" type="checkbox"/> Terracing lot to promote drainage away from dwelling and soil erosion using retaining walls and patios. Between 25' and 100' of High tide.			
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  |
| <input type="checkbox"/> Sec. (5) REPEALED                                       | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input checked="" 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 checked="" 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:	2/29/2016
----------------------------------	--	-------	-----------

*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<br>17 STATE HOUSE STATION<br>AUGUSTA, ME 04333-0017<br>(207)287-3901 | PORTLAND DEP<br>312 CANCO ROAD<br>PORTLAND, ME 04103<br>(207)822-6300 | BANGOR DEP<br>106 HOGAN ROAD<br>BANGOR, ME 04401<br>(207)941-4570 | PRESQUE ISLE DEP<br>1235 CENTRAL DRIVE<br>PRESQUE ISLE, ME 04769<br>(207)764-0477 |
|--|---|---|---|

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
PBR #	FP	Date	Acc. Date	Def. Date	
61257	7400	3/2/2016	SH	JH	
		3/16/16	3/16/16	3/15/16	

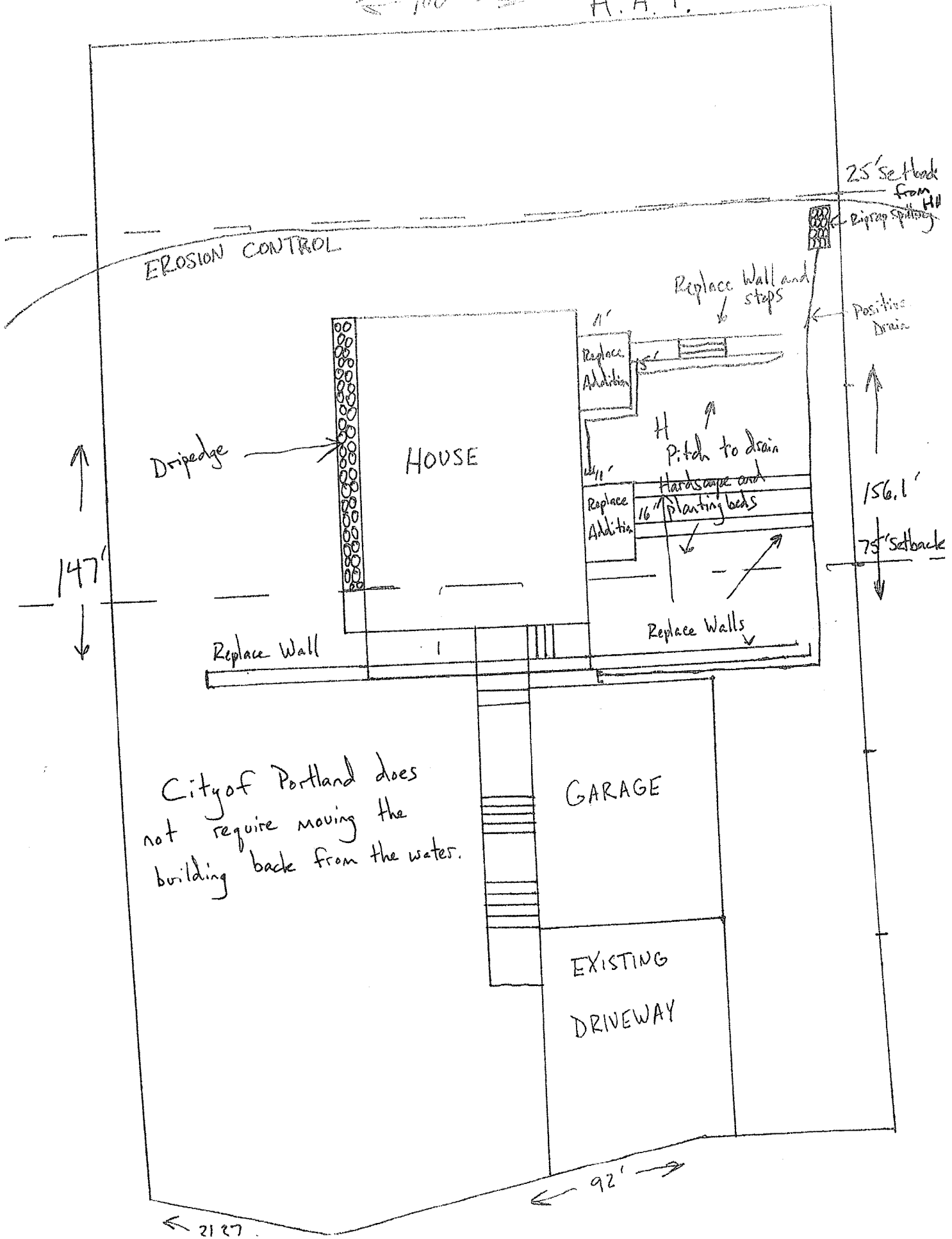
DEPLW0311-02013

3/16/16

Dugged pt.

← 100' →

H. A. T.



EROSION CONTROL

25' Setback from HW

Biprap Spillway

Positive Drain

Dripedge

HOUSE

Replace Wall and steps

Replace Addition

Pitch to drain

Replace Addition

Hardscape and planting beds

156.1'

75' Setback

Replace Wall

Replace Walls

City of Portland does not require moving the building back from the water.

GARAGE

EXISTING DRIVEWAY

← 92' →

← 2127



P.O. Box 314 | 11 Cyr Drive, Gorham, Maine 04038 Phone: (207) 839-7955 · Fax: (207) 839-7956 shaw@shawearthworks.com

### **Brief Narrative for 1247 Westbrook St. Permit by Rule**

There is no practicable alternative to the location of the activity proposed at 1247 Westbrook Street in Portland. There is currently an existing dwelling inside the 75' setback on the lot. The proposed work is landscaping and regrading directly adjacent to the sides of the existing dwelling to promote drainage away from the house. The dwelling has water problems in the basement apparently due to water pooling against the foundation walls and possibly a failed perimeter drain. The dwelling currently has two additions on sonotubes that are rotting due to water damage as well. It is proposed that these additions are to be removed and replaced with additions like in size and layout with frostwalls. Existing disheveled timber retaining walls will be replaced by new concrete gravity walls and a couple new walls will be added to help terrace the lot and slow runoff. Stone and drains will be used under hardscapes and behind retaining walls in an attempt to send surface water into the ground so that migration of sediment is lessened. Also, a dripedge will be added to help keep water out of the basement. This work will be completed before July of 2016.

Brian Shaw has the authority to act as my agent to apply for this D.E.P. Permit by Rule.

Elizabeth McCandless \_\_\_\_\_