

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

RECEIVED

This is to certify that NINA A& MILLER

Located At 76 WATSON

Job ID: 2011-02-481-ADDR

CBL: 431 - - B - 005 - 001 - - - -

MAR 18 2011

Dept. of Building Inspection
City of Portland Maine

has permission to Sea Wall Repair

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Jon Rioux
Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY.

PENALTY FOR REMOVING THIS CAR

City of Portland, Maine - Building or Use Permit Application

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

RECEIVED

MAR 18 2011

Dept. of Building Inspections
City of Portland Maine

| | | | |
|---|--|---|---|
| Job No: 2011-02-481-ADDR | Date Applied: 2/24/2011 | CBL: 431 - - B - 005 - 001 - - - - - | |
| Location of Construction: 76 WATSON STREET | Owner Name: NINA A & MILLER | Owner Address: 76 WATSON ST PORTLAND, ME - MAINE 04103 | Phone: 774-0717 |
| Business Name: | Contractor Name: Anderson, Robert | Contractor Address: 352 Memorial Highway NORTH YARMOUTH MAINE 04097 | Phone: 415-3919 |
| Lessee/Buyer's Name: | Phone: | Permit Type: BLDG - Building | Zone: R-3 |
| Past Use: Single Family | Proposed Use: Single Family - repair existing sea wall, remove and replace existing deck and wooden walkway, build steps to water | Cost of Work: 83000.00 | CEO District: |
| | | Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input checked="" type="checkbox"/> N/A | Inspection: Use Group: Type: 1842009 Signature: <i>AR</i> |
| Proposed Project Description: 76 Watson - repair seawall | | Pedestrian Activities District (P.A.D.) | |
| Permit Taken By: | Zoning Approval | | |

| | Special Zone or Reviews | Zoning Appeal | Historic Preservation |
|--|---|--|---|
| 1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. | <input checked="" type="checkbox"/> Shoreland <i>DEP permit non new construction</i> | <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Not in Dist or Landmark |
| 2. Building Permits do not include plumbing, septic or electrical work. | <input type="checkbox"/> Wetlands | <input type="checkbox"/> Miscellaneous | <input type="checkbox"/> Does not Require Review |
| 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work. | <input type="checkbox"/> Flood Zone | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Requires Review |
| | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Interpretation | <input type="checkbox"/> Approved |
| | <input checked="" type="checkbox"/> Site Plan - minor 10-7990027 | <input type="checkbox"/> Approved | <input type="checkbox"/> Approved w/Conditions |
| | <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM | <input type="checkbox"/> Denied | <input type="checkbox"/> Denied |
| | Date: <i>OK w/ condition</i> 2/25/11 <i>AR</i> | Date: | Date: <i>AR</i> |

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

| | | | |
|---|---------|------|-------|
| SIGNATURE OF APPLICANT | ADDRESS | DATE | PHONE |
| RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE | | DATE | PHON |

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
 - **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
 - **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**
1. Footing/ Setbacks
 2. Rebar
 3. Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-02-481-ADDR

Located At: 76 WATSON

CBL: 431 - - B - 005 - 001 - - - -

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
3. This permit is being issued with the condition that the existing wooden deck and wooden walk are nonconforming and if are removed during the sea wall repair, the footprint and the height of the replacement deck and wooden walk must be exactly the same as the existing conditions.
4. The conditions of the easement deed between the City of Portland and Michael and Nina Miller regarding the "current deck" located in the easement area must be maintained.

Building

1. Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
2. This permit is approved under repair of an Existing Structures. Guardrails and handrails, stair rise/run profile and continuity shall comply with new codes to the fullest extent possible. Fall protection, and further review may be required if the grade deviates from the proposed plan.
3. Prior to the final inspection a sealed letter from your Engineer shall be submitted to this office confirming that based on inspections performed all discrepancies have been corrected and the structural work is in substantial compliance with the approved plans.



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

| | | |
|---|---|--|
| Location/Address of Construction: <u>76 Watson St., Portland, ME 04103</u> | | |
| Total Square Footage of Proposed Structure/Area | Square Footage of Lot | Number of Stories |
| Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>431 B S</u> | Applicant * must be owner, Lessee or Buyer* Name <u>Ninat Michael Miller</u> Address <u>76 Watson St.</u> City, State & Zip <u>Portland, ME 04103</u> | Telephone: <u>207-774-0717</u> |
| Lessee/DBA (If Applicable) | Owner (if different from Applicant) Name Address City, State & Zip | Cost of Work: \$ <u>83,000</u> C of O Fee: \$ _____ Total Fee: \$ <u>850</u> |
| Current legal use (i.e. single family) <u>Single use</u> Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? <u>φ</u> If yes, please name _____ Project description: <u>Sea Wall repair</u> | | |
| Contractor's name: <u>Robert Anderson Landscaping</u> Address: <u>352 Memorial Highway</u> City, State & Zip <u>North Yarmouth, ME 04097</u> | | Telephone: <u>735-3919</u> <u>774-0717</u> |
| Who should we contact when the permit is ready: <u>Ninat+Mike Miller</u> Mailing address: <u>76 Watson St Portland, ME 04103</u> | | |

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FEB 24 2011
Dept of Building Inspections
City of Portland Maine

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Ninat Miller Date: 2/24/11

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

Shardland
R-3

Job Summary Report
Job ID: 2011-02-481-ADDR

Report generated on Feb 25, 2011 8:35:32 AM

| | | | | | |
|----------------------------------|-------------------------|---|-----------|---------------------------|------|
| Job Type: | Addition Residential SF | Job Description: | 76 Watson | Job Year: | 2011 |
| Building Job Status Code: | In Review | Pin Value: | 729 | Tenant Name: | |
| Job Application Date: | | Public Building Flag: | N | Tenant Number: | |
| Estimated Value: | 83,000 | Square Footage: | | | |
| Related Parties: | | NINA A MILLER | | <i>Property Owner</i> | |
| | | Robert Anderson Landscaping - Robert Anderson | | <i>GENERAL CONTRACTOR</i> | |

Job Charges

| Fee Code Description | Charge Amount | Permit Charge Adjustment | Net Charge Amount | Payment Date | Receipt Number | Payment Amount | Payment Adjustment Amount | Net Payment Amount | Outstanding Balance |
|----------------------|---------------|--------------------------|-------------------|--------------|----------------|----------------|---------------------------|--------------------|---------------------|
|----------------------|---------------|--------------------------|-------------------|--------------|----------------|----------------|---------------------------|--------------------|---------------------|

Location ID: 43834

Location Details

| Alternate Id | Parcel Number | Census Tract | GIS X | GIS Y | GIS Z | GIS Reference | Longitude | Latitude |
|--------------|---------------|--------------|-------|-------|-------|---------------|------------|-----------|
| D34664 | 431 B 005 001 | | M | | | | -70.251115 | 43.682415 |

| Location Type | Subdivision Code | Subdivision Sub Code | Related Persons | Address(es) |
|---------------|------------------|----------------------|-----------------|-----------------------|
| 1 | | | | 76 WATSON STREET WEST |

| Location Use Code | Variance Code | Use Zone Code | Fire Zone Code | Inside Outside Code | District Code | General Location Code | Inspection Area Code | Jurisdiction Code |
|-------------------|---------------|----------------|----------------|---------------------|---------------|-----------------------|----------------------|-------------------|
| SINGLE FAMILY | | NOT APPLICABLE | R-3 | | | | DISTRICT 5 | EAST DEERING |

Structure Details

Structure: Single Family Home

Occupancy Type Code:

| Structure Type Code | Structure Status Type | Square Footage | Estimated Value | Address |
|---------------------|-----------------------|----------------|-----------------|-----------------------|
| Single Family | 0 | | | 76 WATSON STREET WEST |

| Longitude | Latitude | GIS X | GIS Y | GIS Z | GIS Reference | User Defined Property Value |
|-----------|----------|-------|-------|-------|---------------|-----------------------------|
|-----------|----------|-------|-------|-------|---------------|-----------------------------|

Permit #: 20111530

Permit Data

| Location Id | Structure Description | Permit Status | Permit Description | Issue Date | Reissue Date | Expiration Date |
|-------------|-----------------------|---------------|--------------------|------------|--------------|-----------------|
| 43834 | Single Family Home | Initialized | Sea Wall Repair | | | |

Job Summary Report
Job ID: 2011-02-481-ADDR

Report generated on Feb 25, 2011 8:35:32 AM

Inspection Details

| Inspection Id | Inspection Type | Inspection Result Status | Inspection Status Date | Scheduled Start Timestamp | Result Status Date | Final Inspection Flag |
|---------------|-----------------|--------------------------|------------------------|---------------------------|--------------------|-----------------------|
|---------------|-----------------|--------------------------|------------------------|---------------------------|--------------------|-----------------------|

Fees Details

| Fee Code Description | Charge Amount | Permit Charge Adjustment | Permit Charge Adj Remark | Payment Date | Receipt Number | Payment Amount | Payment Adjustment Amount | Payment Adj Comment |
|----------------------|---------------|--------------------------|--------------------------|--------------|----------------|----------------|---------------------------|---------------------|
| Job Valuation Fees | \$850.00 | | | | | | | |



STATE OF MAINE
Department of Environmental Protection

JOHN ELIAS BALDACCI
GOVERNOR

Beth A. Nagusky
COMMISSIONER

September, 2010

Mike and Nina Miller
4 Catherine Drive
Scarborough, ME 04074

RE: Natural Resources Protection Act Application, Portland, DEP#L-24886-4D-A-N

Dear Mr. and Mrs. Miller:

Please find enclosed a signed copy of your Department of Environmental Protection land use permit. You will note that the permit includes a description of your project, findings of fact that relate to the approval criteria the Department used in evaluating your project, and conditions that are based on those findings and the particulars of your project. Please take several moments to read your permit carefully, paying particular attention to the conditions of the approval. The Department reviews every application thoroughly and strives to formulate reasonable conditions of approval within the context of the Department's environmental laws. You will also find attached some materials that describe the Department's appeal procedures for your information.

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at 207- 822-6300 or at robert.green@maine.gov

Yours sincerely,

A handwritten signature in blue ink that reads "Robert L. Green, Jr.".

Robert L. Green, Jr., Project Manager
Division of Land Resource Regulation
Bureau of Land & Water Quality

pc: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST

BANGOR
106 HOGAN ROAD
BANGOR ME 04401
(207-941-4570 FAX 207-941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-3143

WEB SITE: WWW.MAINE.GOV/DEP



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, ME 04333

DEPARTMENT ORDER

IN THE MATTER OF

MIKE AND NINA MILLER) NATURAL RESOURCES PROTECTION
Portland, Cumberland County) COASTAL WETLAND ALTERATION
SHORELINE STABILIZATION) WATER QUALITY CERTIFICATION
L-24886-4D-A-N (approval, after-the-fact)) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A *et seq.* and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of MIKE AND NINA MILLER with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: On August 21, 2009, Department staff conducted a field determination regarding shoreline stabilization of a property at 76 Watson Street in the City of Portland. The inspection documented that the property owner placed rock filled lobster traps as make-shift gabions up the bank in a stepped fashion. This gabion wall runs along the entire width of the property, approximately 45 feet, and extends approximately 20 feet from the highest annual tide line up the bank to the foot of the existing house. This action was taken because the lower retaining wall had failed.

On August 24, 2009, the Department issued a Notice of Violation which required, in part, that the property owner submit an after-the-fact Natural Resources Protection Act (NRPA) permit application for the actions taken within 75 feet of a coastal wetland.

On September 28, 2009, the applicants purchased the property and on March 11, 2009 submitted the NRPA permit application.

B. Summary: The applicants propose to remove the lobster trap gabions and failed concrete retaining wall and to stabilize approximately 64 linear feet of shoreline along Casco Bay, south of Martin's Point in the City of Portland. The proposed project is designed to prevent additional erosion caused by storm wave action and the freeze/thaw cycle within the saturated soils on the slope.

Stabilization measures will include removing one large unstable boulder, pinning a sloped (1:4) granite wall to existing ledge, regrading existing banks, placing a geotextile mat, and overlaying the mat with approximately 1.5 feet of riprap. The granite wall will extend from the highest annual tide line, from elevation 7.2 feet to elevation 15.0. The granite wall will be capped with a

1-foot thick, 2-foot wide capstone. A set of three-foot wide granite stairs will lead from a new retaining wall adjacent to the building down to the granite wall with an approximately 14-square foot landing mid-way down the slope, which would anchor the two stair runs. Steps down to the beach will be provided using existing stones or cut into existing ledge.

The riprap slope reinforcement will extend from elevation 15.0 feet to within five feet of the building with a 1.5:1 slope. In addition, the applicants propose to remove the existing transfer slab and deck adjacent to the building and replace it with well-drained compacted gravel and a new retaining wall and deck. Approximately six inches of loam will be placed over the riprap from the transfer slab down the slope to within 3.5 feet of the granite wall. The loam will be seeded with conservation mix and shrubs will be planted on a four foot, staggered grid.

The proposed project is shown on a set of plans entitled, "Miller Seawall Repair" drawn by Baker Design Consultants and dated October 7, 2009, with the latest revision date on any of the sheets being February 28, 2010. The project site is located on the north side of Watson Street in the City of Portland.

C. Current Use of the Site: The applicants' 0.09-acre parcel contains a house with a driveway and deck. The site is located on the eastern shore of Casco Bay. The supratidal zone consists of a vegetated bank approximately 8-10 feet in height. The bank is undergoing moderate erosion. Watson Street dead ends in front of the property, but the street right-of-way extends to the shoreline.

2. EXISTING SCENIC, AESTHETIC, RECREATIONAL OR NAVIGATIONAL USES:

In accordance with Chapter 315, Assessing and Mitigating Impacts to Scenic and Aesthetic Uses, the applicants submitted a copy of the Department's Visual Evaluation Field Survey Checklist as Appendix A to the application along with a description of the property and the proposed project. The applicants also submitted several photographs of the proposed project site including an aerial photograph of the project site.

The proposed project is located in Casco Bay, which is a scenic resource visited by the general public, in part, for the use, observation, enjoyment and appreciation of its natural and cultural visual qualities. The applicants propose to place loam and plant with native vegetation over the riprap beginning at approximately elevation 17.0 to reduce the visibility of the project from Casco Bay. Based on the information submitted in the application, the Department determined that the location and scale of the proposed activity is compatible with the existing visual quality and landscape characteristics found within the viewshed of the scenic resource in the project area.

The proposed project was evaluated using the Department's Visual Impact Assessment Matrix and was found to have an acceptable potential visual impact rating. Based on the information submitted in the application and the visual impact rating, the Department determined that the location and scale of the proposed activity is compatible with the existing visual quality and landscape characteristics found within the viewshed of the scenic resource in the project area.

The Department did not identify any issues involving existing recreational and navigational uses.

The Department finds that the proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses of the protected natural resource.

3. SOIL EROSION:

To protect the water quality of Casco Bay and the adjacent intertidal habitat during and after construction, the applicants will follow erosion control measures recommended in the Maine Erosion and Sediment Best Management Practices manual, and submitted a detailed erosion control plan as Exhibit 8 in the application. The plan includes a proposal to use a barge to deliver materials and equipment to the base of the slope limiting stockpiles other than stone to an area at the top of the slope. Placement of loam and backfill material as it arrives and stabilizing this material as soon as possible will serve to limit the transfer of soil into the marine environment. No construction work will be done in the water.

The Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

4. HABITAT CONSIDERATIONS:

Department staff reviewed a Geographic Information System (GIS) database that contains information provided by both the Department of Marine Resources (DMR) and the Maine Department of Inland Fisheries and Wildlife (MDIFW). The GIS database indicates that the project site is adjacent to, but not within, tidal wading bird and waterfowl habitat, which is defined as a Significant Wildlife Habitat in the Natural Resources Protection Act.

The DMR reviewed the proposed project and provided comments dated May 17, 2010. DMR stated that the project site is a moderate energy shore. The uppermost portion of the intertidal zone is ledge, rock, and cobble. Below this is a fringing marsh that varies in width up to 30 feet wide along the southern portion of the applicants' shoreline. The mid-intertidal is mixed coarse and fine sand.

The DMR stated that the proposed project should not cause any significant adverse impact to marine resources, navigation, or recreation. DMR also commented that care should be taken not to land the barge on the fringing marsh and to stabilize all excavated areas prior to predicted rain events. The applicants agreed to follow these recommendations.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

5. WATER QUALITY CONSIDERATIONS:

To protect the water quality of Casco Bay and the adjacent intertidal habitat during and after construction, the applicants submitted a detailed erosion control plan as discussed in Finding 3.

To verify that the site is properly stabilized, the applicants must submit post-construction photographs of the project site and adjacent salt marsh to the Department within 30 days of project completion.

The Department does not anticipate that the proposed project will violate any state water quality law, including those governing the classification of the State's waters provided that post-

construction photographs of the project site and adjacent salt marsh are submitted to the Bureau of Land and Water Quality (BLWQ) within 30 days of project completion.

6. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicants propose to alter approximately alter 60 linear feet of shoreline to stabilize an eroded slope and fill approximately 75 square feet of coastal wetland to construct a sloped granite wall.

The Department's Wetlands and Waterbodies Protection Rules, Chapter 310, require that the applicants meet the following standards:

A. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. Each application for a coastal wetland alteration permit must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist. The applicants submitted an alternatives analysis for the proposed project completed by Barney Baker of Baker Design Consultants and dated February 28, 2010. The no-action alternative was evaluated and determined to be impractical because continued erosion would threaten the stability of the slope, which would eventually threaten the stability of the house located approximately five feet from the top of the slope. The applicants feel that the selected alternative is the least damaging practicable alternative that will correct the existing damage to the embankment.

B. Minimal Alteration. The amount of coastal wetland to be altered must be kept to the minimum amount necessary for meeting the overall purpose of the project. To minimize impacts, the applicants propose to clear, grub, and place riprap by a long-arm excavator from the top of the bank or from a barge. No work is proposed in the water.

C. Compensation. In accordance with Chapter 310 Section 5(C)(6)(b), compensation is not required to achieve the goal of no net loss of coastal wetland functions and values since the project will not result in over 500 square feet of fill in the resource, which is the threshold over which compensation is generally required. Further, the proposed project will not have an adverse impact on marine resources or wildlife habitat as determined by DMR and MDIFW. For these reasons, the Department determined that compensation is not required.

The Department finds that the applicants have avoided and minimized coastal wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

7. OTHER CONSIDERATIONS:

A portion of the proposed project lies within the City of Portland's right-of-way. A draft construction agreement between the applicants and the City was submitted with the NRPA application. The agreement would allow the applicants to construct the end of the riprap slope on City property. The applicants may not begin construction of the project until a copy of the final, signed agreement between the applicants and the City is submitted to the BLWQ.

The Department did not identify any other issues involving existing scenic, aesthetic, or navigational uses, soil erosion, habitat or fisheries, the natural transfer of soil, natural flow of water, water quality, or flooding.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters provided that post-construction photographs of the project site and adjacent salt marsh are submitted to the BLWQ within 30 days of project completion.
- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- H. The proposed activity is not on or adjacent to a sand dune.
- I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

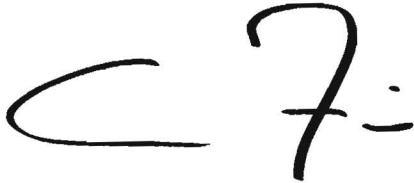
THEREFORE, the Department APPROVES the above noted application of MIKE AND NINA MILLER to stabilize an eroded slope, as described above, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

- 1. Standard Conditions of Approval, a copy attached.
- 2. The applicants shall take all necessary measures to ensure that their activities or those of their agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.

3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. Prior to the start of construction, the applicants shall submit to the BLWQ a copy of the final, signed agreement between the applicants and the City allowing the applicants to stabilize the eroding slope on adjacent City property.
5. The applicants shall submit post-construction photographs to the Department documenting the condition of the project site. Photographs shall be submitted to the BLWQ within 30 days of project completion.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

A handwritten signature in black ink, appearing to read 'C. Fisk'.

This permit has been digitally signed by Andrew C. Fisk on behalf of Acting Commissioner Beth Nagusky. It is digitally signed pursuant to authority under 10 M.R.S.A. § 9418. It has been filed with the Board of Environmental Protection as of the signature date 2010.09.21 12:17:10 -04'00'

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

rlg/ats#71626/124886an



Natural Resource Protection Act (NRPA) Standard Conditions

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

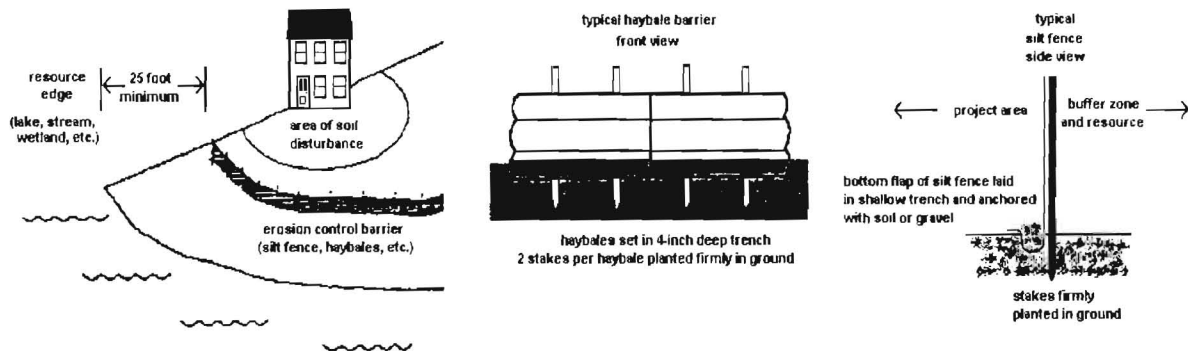
- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Initiation of Activity Within Two Years. If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. Reexamination After Five Years. If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Erosion Control for Homeowners

Before Construction

1. If you have hired a contractor, make sure you discuss your permit-by-rule with them. Talk about what measures they plan to take to control erosion. Everybody involved should understand what the resource is, and where it is located. Most people can identify the edge of a lake or river. However, the edges of wetlands are often not so obvious. Your contractor may be the person actually pushing dirt around, but you are both responsible for complying with the permit-by-rule.
2. Call around to find where erosion control materials are available. Chances are your contractor has these materials already on hand. You probably will need silt fence, hay bales, wooden stakes, grass seed (or conservation mix), and perhaps filter fabric. Places to check for these items include farm & feed supply stores, garden & lawn suppliers, and landscaping companies. It is not always easy to find hay or straw during late winter and early spring. It also may be more expensive during those times of year. Plan ahead -- buy a supply early and keep it under a tarp.
3. Before any soil is disturbed, make sure an erosion control barrier has been installed. The barrier can be either a silt fence, a row of staked hay bales, or both. Use the drawings below as a guide for correct installation and placement. The barrier should be placed as close as possible to the soil-disturbance activity.
4. If a contractor is installing the erosion control barrier, double check it as a precaution. Erosion control barriers should be installed "on the contour", meaning at the same level or elevation across the land slope, whenever possible. This keeps stormwater from flowing to the lowest point along the barrier where it can build up and overflow or destroy the barrier.



During Construction

1. Use lots of hay or straw mulch on disturbed soil. The idea behind mulch is to prevent rain from striking the soil directly. It is the force of raindrops hitting the bare ground that makes the soil begin to move downslope with the runoff water, and cause erosion. More than 90% of erosion is prevented by keeping the soil covered.
2. Inspect your erosion control barriers frequently. This is especially important after a rainfall. If there is muddy water leaving the project site, then your erosion controls are not working as intended. You or your contractor then need to figure out what can be done to prevent more soil from getting past the barrier.
3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's General Laws, 38 M.R.S.A. § 341-D(4), and its Rules Concerning the Processing of Applications and Other Administrative Matters (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.

6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.

7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5)

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.

2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.

3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION: If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

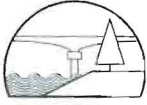
Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

Marge Schmuckal, Zoning Administrator, attended an 8.24.2010 meeting with the applicant (Mr Miller) and his engineer (Barney Baker) to review the proposal and the implications.

Marge confirmed that the existing deck and nearby supporting wall were not in conformance with zoning.

After the meeting some further research and a review of historic aerial photographs was undertaken which verified that the deck and wall were there before the zoning came into force and therefore are legally non-confirming.

The Easement from the City to the Millers (finally agreed Nov 1, 2010- see comments of Associate Corporation Counsel) clarifies what alterations may be undertaken to these existing structures in relation to zoning.



Minor Site Plan Application; Mike and Nina Miller; 76 Watson Street; Chart 431, Lot 5
August 25, 2010

Page 2 of 2

DESCRIPTION OF PROPOSED WORK

The proposed work stabilizes a coastal embankment in order to provide protection to an existing residential property at the top of the slope. Refer to Sheet *C-2 Proposed Site Plan* appended to this permit application.

The embankment has a prior history of action taken to control slope erosion. Refer to Sheet *C-1-Existing Site Plan* that shows an existing concrete seawall (reported to have been part of a Public Works project in the 1940's/50's) at the base of the slope. This originally extended across the Miller property and on to the City of Portland property at the base of Watson Street. In recent years, a series of stone filled 'lobster trap' gabions have been installed (without permits) to replace deteriorated wall sections and to add slope armor to protect the slope from further deterioration due to wave attack and surface erosion due to runoff and freeze thaw action. Both old and new erosion control measures are in poor condition and the slope is currently in a vulnerable state.

The current owners purchased the property in the Fall of 2009 after a 'Notice of Violation' had been issued to the previous owner for action taken to slope erosion without a DEP permit. The proposed design by Baker Design Consultants provides a program of improvements to address slope erosion and protect the existing home at the top of the slope. Permit approval for this work from the Maine Department of Environmental Protection (DEP) is pending. Federal approval from the Army Corps of Engineers is not required because the work does not extend seaward of the high water mark.

1. Stone Seawall at Base of Slope.

Granite stone is pinned to the base of the slope to form a seawall that effectively replaces the existing reinforced concrete wall that has failed. The stone is pinned directly to ledge with steel rod and capped at Elevation 15.0 with a granite cap stone that serves as maintenance access for slope vegetation above.

2. Trap Rock Ballast

On steep areas of the slope above the seawall that approach 1.5:1, geotextile and angular trap rock stone ballast is placed to stabilize the slope to the Base Flood elevation.

3. Slope Reinforcement Geotextile

Where the slope is less steep, a heavy geotextile fabric has been specified. The fabric mesh provides erosion control in the short-term and longer-term embankment reinforcement that is designed to support vegetation.

4. Plantings

Sections of the slope are planted with salt tolerant species (*Rosa Ragusa* and Bayberry have been specified) to encourage long-term slope stability. In areas that are ballasted with stone, topsoil and conservation mix, will be broadcast to camouflage the stone and encourage vegetative cover. Below the Base Flood Elevation, it is recognized that wave action from a storm event may remove this cover.

5. Embankment Stair

An at grade granite walkway provides access to the shore from the property and also provides access to maintain and monitor the embankment.

COPY of DEEDS

Doc#: 60579 Bk:27291 Pg: 208

WARRANTY DEED
(Maine Statutory Short Form)

KNOW ALL MEN BY THESE PRESENTS

THAT I, JANE E. LORD (f/k/a Jane E. Dowd), of Portland, Cumberland County, Maine, for consideration paid, grant to **NINA A. MILLER and MICHAEL J. MILLER**, as Joint Tenants, whose mailing address is 4 Catherine Drive, Scarborough, Maine 04074, **with Warranty Covenants**, a certain lot or parcel of land, with any buildings thereon, situated in Portland, Cumberland County, Maine, and being more particularly described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO
MADE A PART HEREOF AND INCORPORATED BY REFERENCE HEREIN**

Being the same premises conveyed to Jane E. Dowd by Warranty Deed from Ray S. Hider, dated November 27, 1996 and recorded in the Cumberland County Registry of Deeds in Book 12838, Page 068.

IN WITNESS WHEREOF, I, Jane E. Lord, have caused this instrument to be executed on this 28 day of September, 2009.

SIGNED, SEALED AND DELIVERED
in presence of

Steven W. Rand Jane E. Lord
WITNESS **JANE E. LORD**

MAINE REAL ESTATE TAX PAID

STATE OF MAINE
COUNTY OF CUMBERLAND

Personally appeared before me this 20th day of Sept., 2009, the above named **JANE E. LORD** and acknowledged the foregoing instrument to be her free act and deed.

Steven W. Rand
Notary Public/Attorney at Law

Printed Name: Steven W. Rand
COMMISSION EXPIRES:

Doc#: 60579 Bk:27291 Pg: 209

EXHIBIT A

A certain lot or parcel of land with the buildings thereon, situated on the northeasterly side of Watson Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the northeasterly side line of Watson Street at a point one hundred eight and six tenths (108.6) feet southeasterly from the southeasterly side line of Island Street; thence northeasterly at right angles with Watson Street forty-five (45) feet to land conveyed by Cora M. Dunham to Ralph E. Caravella, et al, by deed dated October 29, 1948 and recorded in the Cumberland County Registry of Deeds in Book 1933, Page 222; thence southeasterly at right angles with the last described line and by said Carvella land eighty (80) feet, more or less, to the waters of Casco Bay; thence Southwesterly by Casco Bay to the northeasterly side line of Watson Street produced; thence northwesterly by the northeasterly line of Watson Street produced and by the northeasterly side line of Watson Street ninety-five (95) feet, more or less, to the point of beginning. Being a portion of Lot No. 112 as shown on Plan of Marine Terrace recorded in Cumberland County Registry of Deeds in Plan Book 10, Page 103.

This conveyance is hereby made subject to the deed restrictions of record insofar as they may be still applicable to said premises.

Received
Recorded Register of Deeds
Sep 30, 2009 02:11:55P
Cumberland County
Pamela E. Lovley



Development Review Application
 PORTLAND, MAINE
 Department of Planning and Urban Development,
 Planning Division and Planning Board

PROJECT NAME: MILLER SLOPE STABILIZATION

PROPOSED DEVELOPMENT ADDRESS:
76 WATSON STREET, PORTLAND, MAINE 04103

PROJECT DESCRIPTION:
STABILIZATION OF COASTAL SLOPE AND WATER FRONT
 ACCESS STAIR

CHART/BLOCK/LOT: 431 / 5

CONTACT INFORMATION:

APPLICANT AGENT:

Name: BARNEY BAKER PE
 Address: 11 STONY BROOK LAKE
 YARMOUTH, ME
 Zip Code: 04096
 Work #: 207 846 9724
 Cell #: 207 838 3636
 Fax #: 207 846 3620
 Home: 207 846 3620
 E-mail: bbaker@maine.ny.com

APPLICANT /
 PROPERTY OWNER

Name: MIKE & NINA MILLER
 Address: 76 WATSON STREET
 PORTLAND, MAINE
 Zip Code: 04103
 Cell Work #: 508-523-5700 NINA
 Cell #: 508-277-5575 MIKE
 Fax #: _____
 Home: _____
 E-mail: PSO HORN @ AOL.COM

BILLING ADDRESS

Name: SAME AS ABOVE
 Address: (PROPERTY OWNER)
 Zip: _____
 Work #: _____
 Cell #: _____
 Fax #: _____
 Home: _____
 E-mail: _____

~As applicable, please include additional contact information on the next page~

AGENT/REPRESENTATIVE

Name: _____
Address: _____
Zip Code: SEE PREVIOUS PAGE.
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ENGINEER

Name: _____
Address: _____
Zip Code: SEE CONSULTANT
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ARCHITECT

Name: _____
Address: _____
Zip Code: NA
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ATTN. CONSULTANT PARREY PARKER, PE
Name: BAKER DESIGN CONSULTANTS
Address: 11 STONY BROOK LANE
YARMOUTH, ME
Zip Code: 04096
Work #: 207 846-9724
Cell #: 207 838-3636
Fax #: _____
Home: _____
E-mail: bbaker@maaz.com

SURVEYOR

Name: Royal River Survey
Address: 107 GRAY ROAD
NORTH YARMOUTH
Zip Code: 04097
Work #: 829-5829
Cell #: 650-8805
Fax #: 846-7716
Home: _____
E-mail: REG@ROYALRIVER SURVEY
.COM

ATTORNEY

Name: _____
Address: NA
Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

APPLICATION FEE:

Check all reviews that apply. Payment may be made in cash or check to the City of Portland.

| | |
|---|---|
| <p>Major Development (more than 10,000 sq. ft.)</p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> | <p>Plan Amendments</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p>Subdivision</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + (applicable Major site plan fee)</p> |
| <p>Minor Site Plan Review</p> <p><input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> | <p>Other Reviews</p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____)</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)</p> <p><input type="checkbox"/> Storm water Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other _____</p> |

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include seven (7) packets with folded plans containing the following materials:

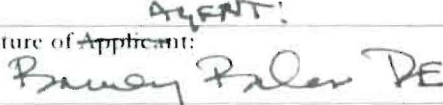
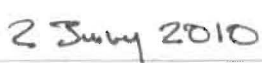
1. Seven (7) full size site plans that must be folded.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17"

Refer to the application checklist (page 9) for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov. Copies of the ordinances may be purchased through the Planning Division.

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

| | |
|---|--|
| <p>Signature of Applicant: </p> | <p>Date: </p> |
|---|--|

PROJECT DATA

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

Total Site Area MILLER - 4000 sq. ft.
 Proposed Total Disturbed Area of the Site MILLER - 956 CITY - 269 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

| | <u>CITY</u> | <u>MILLER</u> | |
|--------------------------------|------------------|------------------|---|
| Proposed Total Paved Area | <u>NO CHANGE</u> | <u>NO CHANGE</u> | sq. ft. |
| Existing Total Impervious Area | <u>?</u> | <u>2335</u> | sq. ft. (INCLUDES 1640 SF HOUSES AND DRIVES / WALKWAYS) |
| Proposed Total Impervious Area | <u>?</u> | <u>2171</u> | sq. ft. |
| Proposed Impervious Net Change | <u>78</u> | <u>-164</u> | sq. ft. |

BUILDING AREA

| | | |
|---|------------------|-------------|
| Existing Building Footprint | <u>1150</u> | sq. ft. |
| Proposed Building Footprint | <u>NO CHANGE</u> | sq. ft. |
| Proposed Building Footprint Net change | <u>NO CHANGE</u> | sq. ft. |
| Existing Total Building Floor Area | <u>?</u> | sq. ft. |
| Proposed Total Building Floor Area | <u>0</u> | sq. ft. |
| Proposed Building Floor Area Net Change | <u>NO CHANGE</u> | sq. ft. |
| New Building | <u>0</u> | (yes or no) |

ZONING

Existing _____
 Proposed, if applicable _____
SOD
NO CHANGE
RESIDENTIAL

LAND USE

Existing _____
 Proposed _____

RESIDENTIAL, IF APPLICABLE

Proposed Number of Affordable Housing Units NA
 Proposed Number of Residential Units to be Demolished NA
 Existing Number of Residential Units 1
 Proposed Number of Residential Units NO CHANGE
 Subdivision, Proposed Number of Lots NO CHANGE

PARKING SPACES

Existing Number of Parking Spaces NO CHANGE
 Proposed Number of Parking Spaces NA
 Number of Handicapped Parking Spaces NA
 Proposed Total Parking Spaces NA

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces NA
 Proposed Number of Bicycle Parking Spaces NA
 Total Bicycle Parking Spaces NA

ESTIMATED COST OF PROJECT

\$ 80,000

Please answer the following with a Yes/No response on all that apply to the proposed development

| | | | |
|--------------------------|------------|-------------------------|--------------------------------------|
| Institutional | <u>NO</u> | Change of Use | <u>NO</u> |
| Parking Lot | <u>NO</u> | Design Review | <u>YES</u> <u>NEPA PERMIT REVIEW</u> |
| Manufacturing | <u>NO</u> | Flood Plain Review | <u>YES</u> |
| Office | <u>NO</u> | Historic Preservation | <u>YES</u> <u>NEPA PERMIT REVIEW</u> |
| Residential | <u>NO</u> | Housing Replacement | <u>NO</u> |
| Retail Business | <u>NO</u> | 14-403 Street Review | <u>NO</u> |
| Warehouse | <u>NO</u> | Shoreland | <u>YES</u> |
| Single Family Dwelling | <u>YES</u> | Site Location | <u>YES</u> |
| 2 Family Dwelling | <u>NO</u> | Stormwater Quality | <u>NO</u> |
| Multi Family Dwelling | <u>NO</u> | Traffic Movement | <u>NO</u> |
| B-3 Ped. Activity Review | <u>NO</u> | Zoning Variance | <u>NO</u> (or date) |
| Change of Use | <u>NO</u> | Historic Dist. Landmark | <u>NO</u> |
| | | Off Site Parking | <u>NO</u> |

Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

MURK SLOPE STABILIZATION

Project Name, Address of Project

Application Number

(The form is to be completed by the Applicant or Designated Representative)

| Check Submitted | | Required Information | Section 14-525 (b,c) |
|-----------------|-------|--|----------------------|
| Applicant | Staff | | |
| | | <i>REFER TO ATTACHED PLANS AND NEPA APPLICATION.</i> | |
| | | Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including: | 1 |
| | | Name and address of applicant and name of proposed development | a |
| | | • Scale and north points | b |
| | | • Boundaries of the site | c |
| | | • Total land area of site | d |
| | | • Topography - existing and proposed (2 feet intervals or less) | e |
| | | Plans based on the boundary survey including: | 2 |
| | | • Existing soil conditions | a |
| | | • Location of water courses, wetlands, marshes, rock outcroppings and wooded areas | b |
| | | • Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used | c |
| | | • Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (<u>example page 11 of packet</u>) | d |
| | | • Location of on site waste receptacles | e |
| | | Public utilities | |
| | | • Water and sewer mains | e |
| | | • Culverts, drains, existing and proposed, showing size and directions of flows | e |
| | | • Location and dimensions, and ownership of easements, public or private rights of way, both existing and proposed | f |
| | | Location and dimensions of on site pedestrian and vehicular access ways | g |
| | | • Parking areas | |
| | | • Loading facilities | g |
| | | • Design of ingress and egress of vehicles to and from the site onto public streets | g |
| | | • Curb and sidewalks | g |
| | | Landscape plan showing: | h |
| | | • Location of existing vegetation and proposed vegetation | h |
| | | • Type of vegetation | h |
| | | • Quantity of plantings | h |
| | | • Size of proposed landscaping | h |
| | | • Existing areas to be preserved | h |
| | | • Preservation measures to be employed | h |
| | | • Details of planting and preservation specifications | h |
| | | • Location and dimensions of all fencing and screening | i |
| | | Location and intensity of outdoor lighting system | i |
| | | Location of fire hydrants, existing and proposed (<u>refer to Fire Department checklist - page 11</u>) | k |
| | | Written statements to include: | c |
| | | • Description of proposed uses to be located on site | c1 |
| | | • Quantity and type of residential, if any | c1 |
| | | • Total land area of the site | c2 |
| | | • Total floor area, total disturbed area and ground coverage of each proposed Building and structure | c2 |
| | | • General summary of existing and proposed easements or other burdens | c3 |
| | | • Type, quantity and method of handling solid waste disposal | c4 |
| | | • Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (<u>refer to the wastewater capacity application - page 12</u>) | c5 |
| | | • Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff | c6 |

✓
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 ✗

- * An estimate of the time period required for completion of the development
 - * A list of all state and federal regulatory approvals to which the development may be subject to, the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.
 - * Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.
 - * Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.
 - * A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site
- A jpeg or pdf of the proposed site plan, if available
- Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- | | |
|---|---|
| drainage patterns and facilities | - an environmental impact study |
| erosion and sedimentation controls to be used during construction | - a sun shadow study |
| a parking and/or traffic study | - a study of particulates and any other noxious emissions |
| a wind impact analysis | - a noise study |

** THESE AND AVAILABLE AND RUN PLS SUBMITTED AS BOUND DRAWINGS WHEN WORK IS COMPLETE.*



Securing a Remarkable City. Building a Community for Life.

www.portlandmaine.com

Planning & Urban Development Department
Penny St. Louis Littell, Director

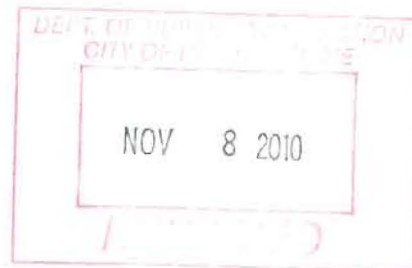
Planning Division
Alexander Jaegerman, Director

November 5, 2010

Barney Baker PE
11 Stony Brook Lane
Yarmouth, ME 04096

Mike and Nina Miller
76 Watson Street
Portland ME 04103

Project Name: Slope Stabilization
Project Address: 76 Watson Street, Portland Maine
Project ID: 10-79900027



Dear Mr and Mrs. Miller:

On November 5, 2010 the Portland Planning Authority approved a minor site plan for slope stabilization, repairs to the sea wall and waterfront access stair at 76 Watson Street, Portland, Avenue, as shown on the approved plan Sheet C2 dated 10.2.2009 Rev 2 prepared by Baker Design Consultants, with the following conditions:

- i. That the applicant shall submit a copy of the signed easement from the City, to document right, title and interest in respect of any work in the Watson Street right of way, prior to the issuance of a building permit; and
- ii. That the applicant shall obtain an Excavation Permit from the Department of Public Services prior to undertaking any construction in the Watson Street right of way; and
- iii. That this approval does not relate to the retention of the deck and seawall at the upper level of the slope which are subject to the provisions of an easement from the City of Portland.

This 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:

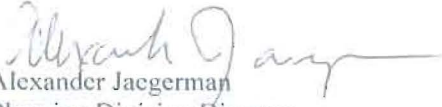
1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the planning authority pursuant to the terms of the Site Plan Ordinance of Portland's Land Use Code.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division (Building Permit).

3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount submitted to and approved by the Planning Division and Public Services Dept. 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. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site 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 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 pre-construction meeting.
8. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. 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 you have any questions, please contact Jean Fraser at 874 8728 or jf@portlandmaine.gov.

Sincerely,

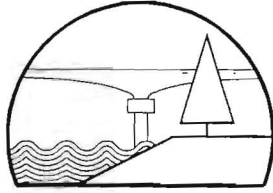

Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

Electronic Distribution:

| | |
|---|--|
| Penny St. Louis Littell, Director of Planning and Urban Development | Bill Clark, Public Services |
| Alexander Jaegerman, Planning Division Director | David Margolis-Pineo, Deputy City Engineer |
| Barbara Barhydt, Development Review Services Manager | Greg Vining, Public Services |
| Jean Fraser, Planner | John Low, Public Services |
| Philip DiPierro, Development Review Coordinator | Jane Ward, Public Services |
| Marge Schmuckal, Zoning Administrator | Keith Gautreau, Fire |
| Tammy Munson, Inspections Division Director | Jeff Tarling, City Arborist |
| Gayle Guertin, Inspections Division | Tom Errico, TY Lin |
| Lannie Dobson, Inspections Division | Dan Goyette, Woodard & Curran |
| Michael Bobinsky, Public Services Director | Assessor's Office |
| Kathi Earley, Public Services | Approval Letter File |

Hard Copy: Project File



BAKER DESIGN CONSULTANTS
Civil, Marine and Structural Engineering

To: Jean Fraser
Planner
City of Portland Planning Division
389 Congress Street
Portland, ME 04101

From: Barney Baker, PE

Date: August 25, 2010

Subject: Minor Site Plan Application; Mike and Nina Miller
76 Watson Street; Chart 431, Lot 5

Copy: File, Mike and Nina Miller

Job No: 09041

C:\BDC3500\PROJECTS\09-09-41 MILLER SEAWALL PERMIT\PORTLAND\T-JF-1.DOT

TRANSMITTAL

Reviewed
For your use Attached is the following documentation to support the application sent on August 18, 2010.
As per your request A description of the project is located on the next page.

- VIA:
- Personal Delivery
- Special Delivery
- Messenger
- U.S. Mail
- U.S. Express Mail
- Overnight Express
- UPS
- Separate Cover
- Fax
- Modem
1. Application fee of \$400.
 2. 7 copies of the signed application with full size (11x17) plans.
 3. The nature of the work is described in the "Description of the Proposed Work" on the next page.
 4. A copy of the property deed is attached. As you are aware, separate discussions are in progress with City legal and public works staff regarding the proposed work that extends on to City property.
 5. A Survey Plan is attached. Note that I am tracking down a full size 'stamped' copy which I will forward when this is received.

CITY OF PORTLAND, a municipal corporation located in the County of Cumberland, with a mailing address of 389 Congress Street, Portland, Maine, (hereinafter "Grantor"), for good and valuable consideration grants and quitclaims to Michael and Nina Miller, their heirs and assigns, with a mailing address of 76 Watson Street, Portland, Maine 04103 (hereinafter "Grantees"), as joint tenants:

A non-exclusive, perpetual easement over a portion of Grantor's land in said City of Portland, as shown on a plan entitled "Proposed Easement Rights to be conveyed within Watson Street" by Royal River survey Company dated October 18, 2010, and recorded in the Cumberland County Registry of Deeds, Plan Book 210, Page 383, dated OCTOBER 18, 2010 (the "Easement Premises"), a more particular description of which is attached hereto as "Exhibit A"

This Easement shall run with and be appurtenant to the land of the Grantees described in a Warranty Deed from Jane E. Lord dated September 28, 2009, and recorded in Book 27291, Page 208 of said Cumberland County Registry of Deeds, (the "Miller Property").

The purpose of the easement is for the construction, location, installation and maintenance of a seawall, concrete retaining wall and deck on and over the City of Portland Right of Way in the vicinity of the Miller Property, as described in an approved Minor Site Plan entitled "Miller Slope Stabilization" and is subject to the following:

1. The public's right to enter and pass over the Easement Premises; and
2. All of the existing utilities, including but not limited to an existing twelve inch diameter storm drain, and the Grantor retains the right to access, repair and maintain such utilities as Grantor deems necessary.

The structure identified as the "current deck" in the Easement Premises cannot be enlarged in any way, raised vertically, or relocated within the Easement Premises except in conformity with all applicable Grantor zoning and planning requirements in effect at the time of such enlargement, change in elevation or relocation; and any reconstruction on the same footprint as the "current deck" will be subject to all applicable Grantor permit requirements.

Grantees shall defend, indemnify and hold the Grantor harmless from any personal injury or property damage to a third party resulting from the Grantee's construction, location, installation, and maintenance of the seawall, concrete retaining wall and deck, and shall procure and maintain liability insurance against such claims.



The Easement Premises, including the "current deck", may be used for very low intensity recreational uses such as sunbathing, reading, sitting, viewing and similar passive uses.

IN WITNESS WHEREOF, the Grantor, City of Portland, has caused this instrument to be signed and sealed this 3rd day of November, 2010.

Margaret M. Ghebo
Witness

By Ellen S. Sanborn
Ellen S. Sanborn
Its: Finance Director
Duly Authorized

STATE OF MAINE
County of Cumberland

Dated: November 3, 2010

Personally appeared the above-named Ellen S. Sanborn, in her capacity as Finance Director of the City of Portland and acknowledges the foregoing instrument to be her free-act and deed and the free act and deed of said City of Portland.

Theresa L. Bourgoin
Notary Public/Attorney-at-Law

Print Name: Theresa L. Bourgoin

My Commission Expires: _____

THERESA L. BOURGOIN
MY COMMISSION EXPIRES
OCTOBER 26, 2014

SEAL

EXHIBIT A
Easement Description

A certain irregularly shaped parcel situated within the bounds of Watson Street, so called, or the extension thereof, originally laid out as Upland Avenue and accepted by the Portland City Council November 12, 1906, and renamed as Watson Street by the Portland City Council December 18, 1961, being more particularly bounded and described as follows, to wit:

Beginning at a certain survey marker situated on the northeast sideline of Watson Street 157.85 feet southeast of the intersection of said Watson Street's northeast sideline with the southeast sideline of Island Avenue, so called, and proceeding around the easement parcel hereby described in a counter-clockwise fashion;

Thence S 37°-49'-54" W a distance of 6.36 feet to a certain survey marker;

Thence S 19°-46'-23" E a distance of 4.77 feet to a certain survey marker at the northwest end of a certain concrete retaining wall;

Thence S 54°-20'-52" E along said wall for a distance of 8.79 feet to a certain survey marker;

Thence S 03°-02'-53" E a distance of 15.36 feet to a certain survey marker;

Thence S 32°-52'-05" E a distance of 1.50 feet;

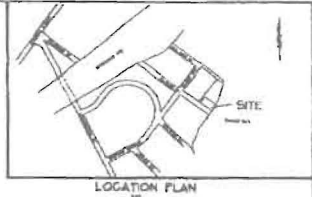
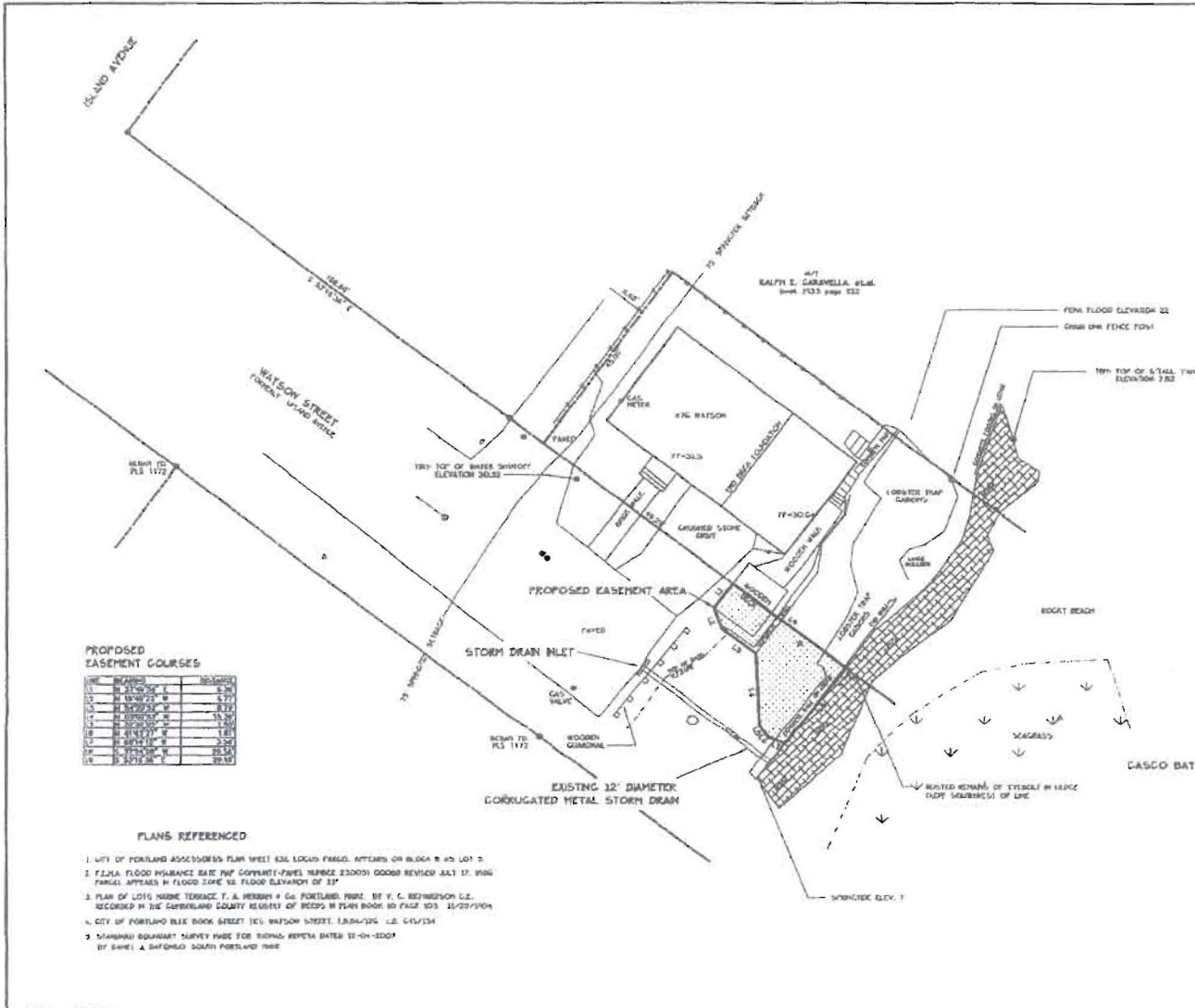
Thence S 41°-43'-27" E a distance of 1.61 feet;

Thence S 68°-14'-15" E a distance of 3.58 feet to a certain survey marker at or near the face of a certain concrete retaining wall;

Thence N 37°-24'-08" E along said wall a distance of 20.56 feet to the land of Nina A. Miller and Michael J. Miller as described in the deed recorded in the Cumberland County Registry of Deeds in book 27291 page 208, said marker situated 2.75 feet northwest of a certain iron eye bolt set in ledge on the shore of Casco Bay ;

Thence N 53°-16'-36" W along the northeast sideline of Watson Street and land of Miller for a distance of 29.16 feet to the Point of Beginning herein.

The above description was prepared by benefit of a survey plan and on the ground survey performed by Royal River Survey Company entitled, "Proposed Easement Rights to be conveyed within Watson Street" dated October 18, 2010. All bearings cited herein are based upon the local magnetic meridian of 2009. All markers cited herein as "certain survey marker" are 5/8 inch diameter steel rebar with identification caps inscribed, "Royal River PLS 1154".



- LEGEND**
- ▲ SURVEY CORNER
 - 1 STEEL PIPE/PIPE FOUND
 - MULTI POLE
 - WOODEN PIPE/POLE
 - CUTE PAULS
 - SLOPE
 - BUCKINGHAM TREE
 - STORAGE FENCE
 - EDGE GRADE
 - ▨ EXPOSED LEAK

Received
 Recorded Register of Deeds
 Nov 12 2010 09:30:55A
 Cumberland County
 Pamela E. Lovley

PROPOSED EASEMENT COURSES

| LINE | BEARING | DISTANCE |
|------|-----------------|----------|
| 1 | N 21° 20' 00" W | 8.20 |
| 2 | N 89° 20' 00" E | 1.20 |
| 3 | N 89° 20' 00" E | 1.20 |
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| 99 | N 89° 20' 00" E | 1.20 |
| 100 | N 89° 20' 00" E | 1.20 |

- PLANS REFERENCED**
1. CITY OF PORTLAND 2004/2005/2006 PLAN SHEET 836 LOCAL BRIDGE APPEARS ON BLOCK B #4 LOT 3.
 2. F.I.M.A. FLOOD INSURANCE RATE MAP COVERTY-PANEL REFERENCE 230003 000000 REVISED JULY 17, 1996 PANEL APPEARS IN FLOOD ZONE VA FLOOD ELEVATION OF 13'
 3. PLAN OF 1010 HOME TERRACE F. A. HENSON & CO. PORTLAND, ME. BY V. C. BISHOPSON L.L. RECORDED IN THE CUMBERLAND COUNTY REGISTER OF DEEDS, B PLAN BOOK 80 PAGE 103. 11/20/1908
 4. CITY OF PORTLAND BLUE BOOK STREET (EL. WATSON STREET) 1.004/124 L.E. CIV/134
 5. MARIANUM SQUARE SURVEY MADE FOR DONALD WHELAN DATED 12-04-1807 BY JOHN A. BATHGOLD SOUTH PORTLAND, ME.



PLAN OF PROPOSED EASEMENT RIGHTS TO BE CONVEYED WITH WATSON STREET

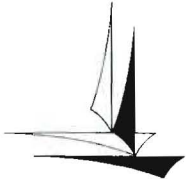
OWNER OF RECORD: HWA A. & MICHAEL J. YELLEX BOOK 2716 PAGE 208

ROYAL RIVER SURVEY CO.
 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087
 PHONE: 770-962-8888 FAX: 770-962-8877

| DATE | DESCRIPTION | BY | CHECKED |
|------------|--|--------|---------|
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |

SHEET 1 of 1

| DATE | DESCRIPTION | BY | CHECKED |
|------------|--|--------|---------|
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |
| 11/10/2009 | 102 GRAY ROAD NE, YARBOURTH TOWN, GA 30087 | WELTON | ALLEN |



CONVERSIONS OR ALTERATIONS OF SINGLE-FAMILY DWELLING TO DUPLEX

Minneapolis Construction Code Services
Informational Bulletin

Revised January 2009

UNIT SEPARATION

IRC Section R317: Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than 1-hour fire-resistance rating when tested in accordance with ASTM E 119.

IRC Section R317.4.1: Walls and floor-ceiling assemblies separating dwelling units from each other and common areas such as stairway, corridors, dwelling unit entrance doors, etc. shall meet Airborne Sound Transmission Class (STC) rating of STC 45 when tested in accordance with ASTM E 90.

NOTE: Penetrations or openings in construction assemblies for piping; electrical devices; recessed cabinets; bathtubs; soffits; or heating, ventilating, or exhaust ducts shall be sealed, lined, insulated, or otherwise treated to maintain the required ratings.

IRC Section R317.4.2: Floor-ceiling assemblies between dwelling units or between a dwelling unit and a public or service area within a structure shall have an Impact Insulation Class (IIC) rating of not less 45 when tested in accordance with ASTM E492.

New construction or removal of existing plaster/wallboard requires installation of an approved design/assembly.

Where existing walls and floor-ceiling assemblies are to remain intact, the following upgrade will be permitted.

Floor-ceiling: Apply one (1) layer of 5/8" Type "X" gypsum wallboard to resilient channels, 24" o.c., over existing plaster/wallboard ceiling surface.

Walls: Apply one (1) layer of 5/8" Type "X" gypsum wallboard to resilient channels, 24" o.c. on one side. On opposite side, apply one layer 5/8" gypsum wallboard to existing plaster/wallboard wall surface.

Note: If walls are existing stair walls, apply one (1) layer of 5/8" Type "X" gypsum wallboard to resilient channels @ 24" O.C. to interior side of dwelling unit wall.

FLOOR AREA

IRC Section R304.1:

Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet of gross floor area.

IRC Section R304.2:

Other habitable rooms shall have a floor area of not less than 70 square feet.

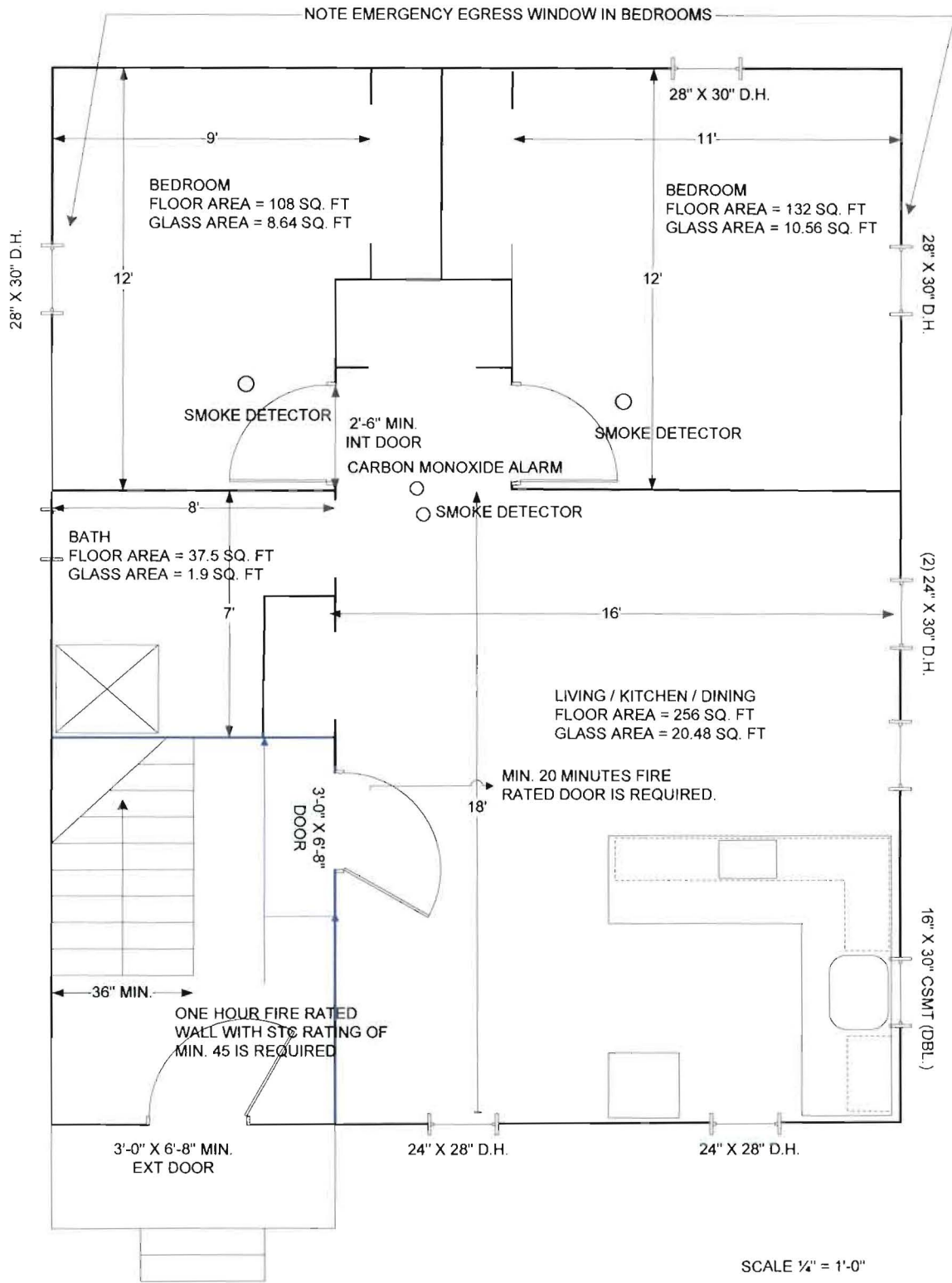
Exception: Kitchens

IRC Section R304.3:

Habitable room shall not be less than seven (7) feet in any horizontal dimension.

Exception: Kitchens

Floor Plan



(Include Plans for all other floors).

Minneapolis Code of Ordinance Section 244.40 requires the following:

Each dwelling unit must have a kitchen with a sink, and a bathroom with a water closet, lavatory, and either a tub or shower, with both hot and cold running water.

Minneapolis Code of Ordinance Section 244.810

Room exclusively for sleeping must have a minimum of
70 sq. ft. for one person
90 sq. ft for two persons
50 sq. ft for each additional person (maximum 4)

Other habitable rooms must have a minimum floor area of 70 square feet, except kitchens, baths, closets and other similar rooms.

No habitable rooms can be less than 7 feet in width, except kitchens. (Baths are not considered habitable rooms.)

Efficiency units must have a living room of not less than 220 square feet of superficial floor area, with 100 square feet for each additional occupant in excess of two. An efficiency unit must have a separate closet and a private bathroom.

Minneapolis Code of Ordinance Section 244.830

An occupant of a dwelling unit cannot be required to pass through any bedrooms or bathrooms to get to their bedroom or bathroom, or to any other room in the unit.

Dwelling Unit Continuity:

In buildings with two or more dwellings, unit continuity is required. Dwelling unit design shall be such that access to all portions of a dwelling unit is provided without passing through common areas.

CEILING HEIGHTS

2006 IRC Section R305:

All ceiling heights must have a minimum height of seven (7) feet including kitchens, baths, halls, closets, etc.

For a sloping ceiling, the seven (7) foot dimension must be at least 50% of the floor area. The floor area is measured from where the ceiling is at least 5 feet high.

EGRESS

2006 IRC Section R310:

Every sleeping room must have at least one operable window or approved door to the exterior. A window must have MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET. Within this total figure, the minimum height of the opening has to be 24 inches; the minimum width, 20 inches. The sill height of the window shall not exceed 44 inches above the finished floor.

LIGHT AND VENTILATION

2006 IRC Section R303:

For light, there must be glass totaling 8% of the floor area in every habitable room of the dwelling unit.

For ventilation, an amount equal to half (1/2) of the total area of the glass must be operable (4% of the floor area). Bathrooms, laundries, and similar rooms must be provided with exterior openings of an area not less than three (3) square feet, unless there is an adequate mechanical ventilation system.

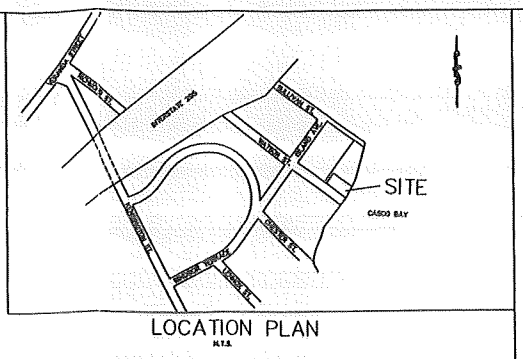
For purposes of light and ventilation, if rooms adjoin, they can be considered a room if one half of the area of the common wall is open and unobstructed and is 10% of the floor area of the interior room or 25 square feet, whichever is greater.

NOTE: A sewer availability charge (SAC) will be added to the permit cost at the current adjusted calendar rate.

ISLAND AVENUE

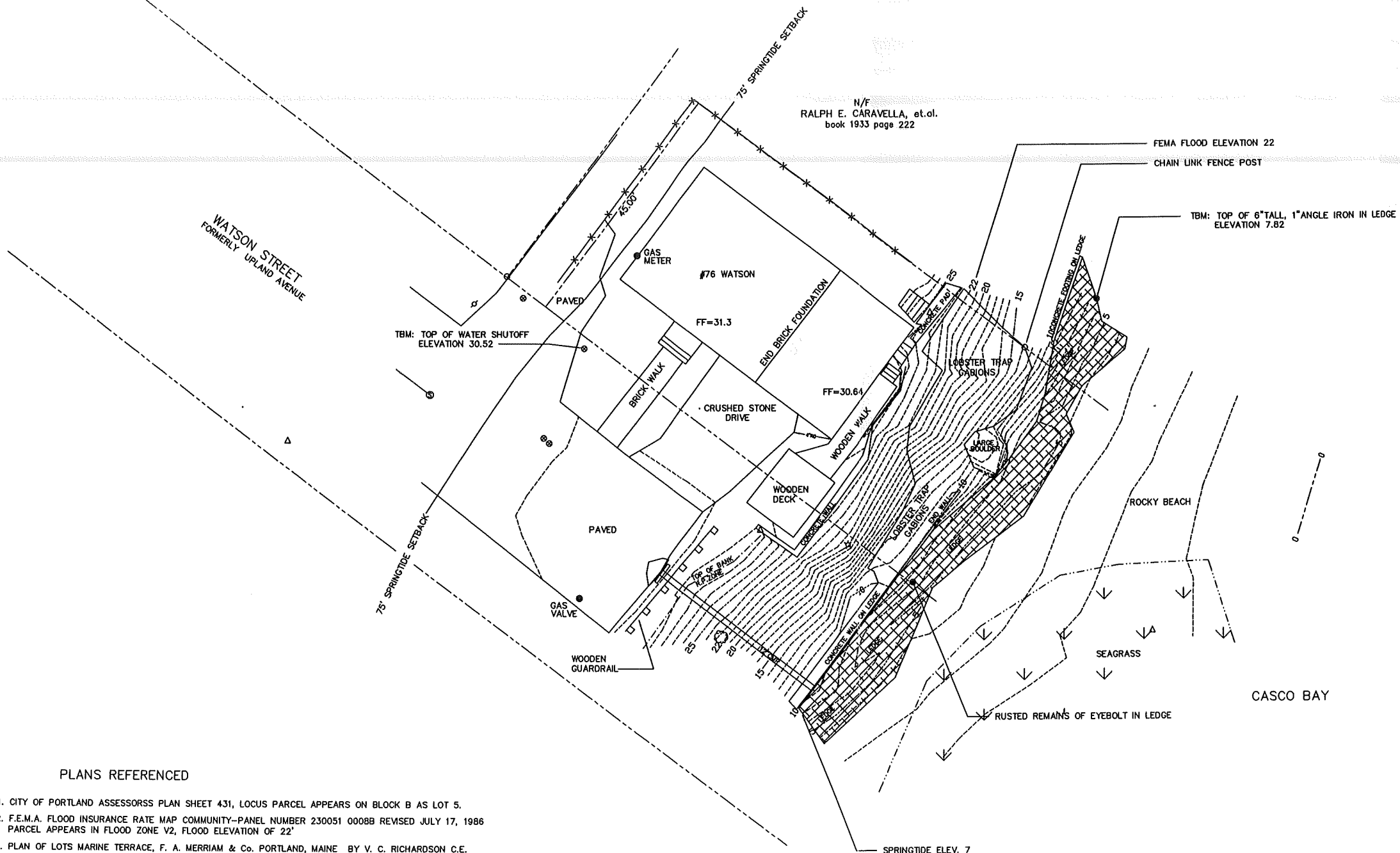
WATSON STREET
FORMERLY UPLAND AVENUE

N/F
RALPH E. CARAVELLA, et.al.
book 1933 page 222



LEGEND

- ▲ SURVEY CONTROL
- STEEL PIPE/PIN FOUND
- ◇ UTILITY POLE
- ⊙ SEWER MANHOLE
- GATE VALVE
- ☆ STUMP
- ⊗ DECIDUOUS TREE
- *** STOCKADE FENCE
- 4" ROOF DRAIN
- ▨ EXPOSED LEDGE



PLANS REFERENCED

1. CITY OF PORTLAND ASSESSORSS PLAN SHEET 431, LOCUS PARCEL APPEARS ON BLOCK B AS LOT 5.
2. F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 230051 0008B REVISED JULY 17, 1986 PARCEL APPEARS IN FLOOD ZONE V2, FLOOD ELEVATION OF 22'
3. PLAN OF LOTS MARINE TERRACE, F. A. MERRIAM & Co. PORTLAND, MAINE BY V. C. RICHARDSON C.E. RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 10 PAGE 103 11/25/1904
4. CITY OF PORTLAND BLUE BOOK STREET TIES, WATSON STREET, T.B.84/126 L.B. 641/134

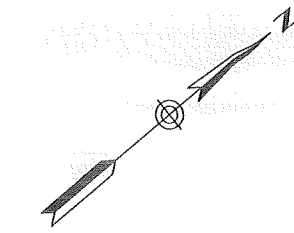
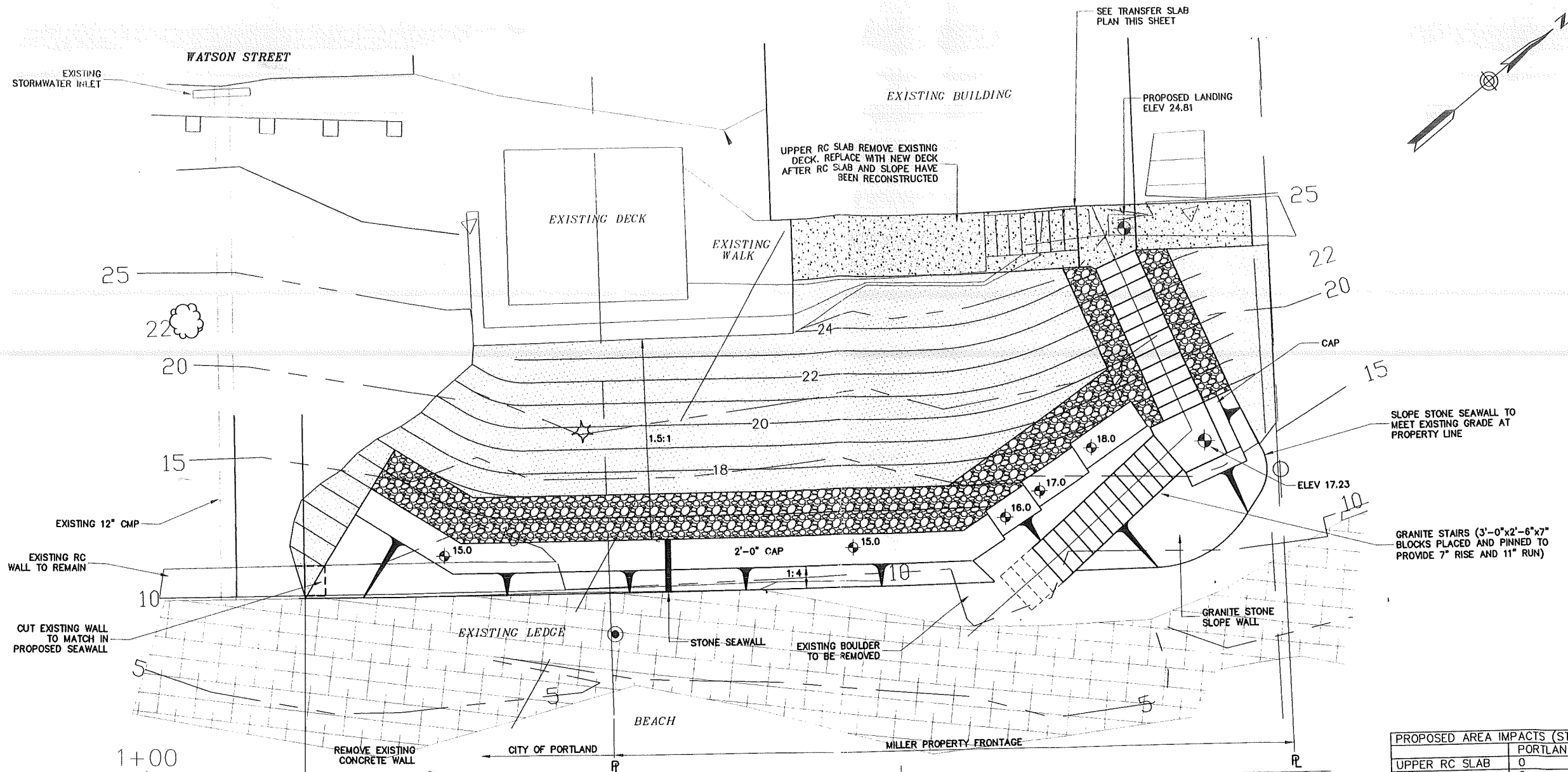
| DATE | REVISION |
|------|----------|
| | |
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| | |
| | |

OWNER OF RECORD: JANE E. DOWD BOOK 12838 PAGE 68

PLAN OF
EMBANKMENT TOPOGRAPHY #76 WATSON STREET, PORTLAND, MAINE
MADE FOR
MIKE & NINA MILLER #4 CATHERINE DRIVE, SCARBOROUGH, MAINE

ROYAL RIVER SURVEY CO.
107 GRAY ROAD No. YARMOUTH, MAINE 04097
tel: 207-829-8829 fax: 207-829-2777 email: reg@royalriversurvey.com

| SURVEY DATE: | PLAN DATE: | SADFILE: | COLLECTION: | JOB NO.: |
|---------------|-------------|---------------|---------------|----------|
| 9/10/2009 | 9/11/2009 | WATSON2 | ALLEGRO FB 71 | 29056 |
| ORIENTATION: | DATUM - Hs. | DATUM - Vert. | CONTOUR INT: | SCALE: |
| MAGNETIC 2009 | ASSUMMED | NGVD 29 | 1 FOOT | 1"=10' |

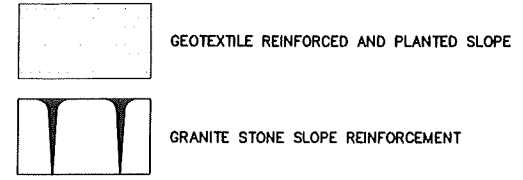
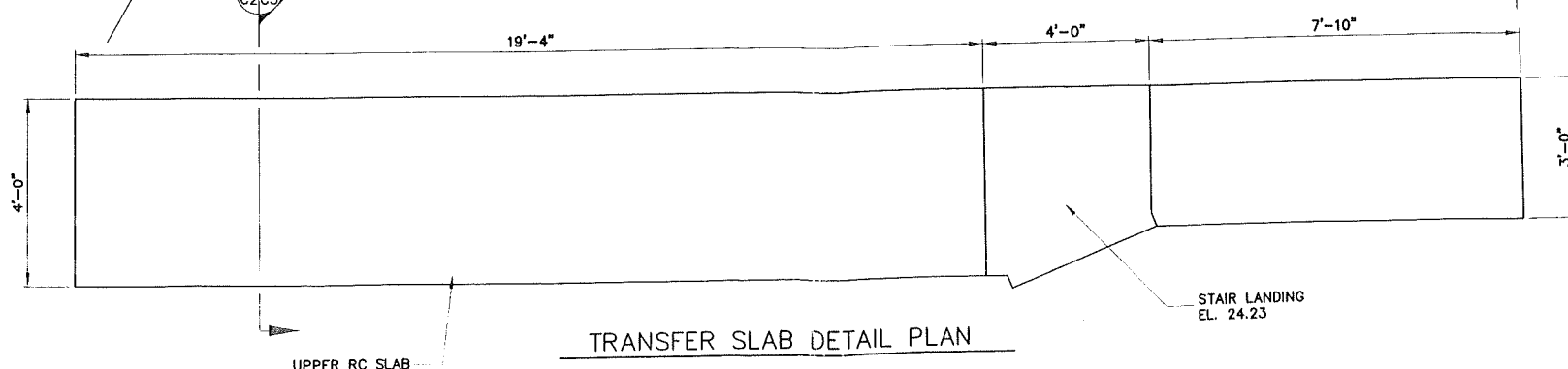
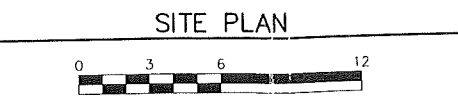


PROPOSED AREA IMPACTS (STONE/IMPERVIOUS)

| | PORTLAND | MILLER |
|---------------|----------|--------|
| UPPER RC SLAB | 0 | 115 SF |
| GRANITE STAIR | 0 | 78 SF |
| STONE SEAWALL | 128 SF | 338 SF |
| TOTAL | 128 SF | 531 SF |

PROPOSED AREA IMPACTS (REVEGETATED)

| | PORTLAND | MILLER |
|----------------|----------|--------|
| PLANTINGS AREA | 141 SF | 425 SF |



**CITY OF PORTLAND
APPROVED SITE PLAN**
Subject to Dept. Conditions
Date of Approval: 11-5-2010
DEPT. OF PUBLIC WORKS
CITY OF PORTLAND, ME

FEB 23 2011

BAKER DESIGN CONSULTANTS
Civil, Marine, and Structural Engineering
11 Stony Brook Lane, Yarmouth, Maine 04096 Tel: (207) 846-8724 Fax: (207) 846-3620

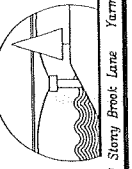
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DRAWN BY: MSH
CHECKED BY: BJB
SCALE: AS SHOWN

SHEET TITLE: PROPOSED SITE PLAN
PROJECT: MILLER SEAWALL REPAIR
WATSON STREET, PORTLAND, MAINE

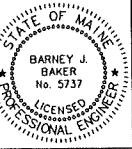
DATE: 10/2/09
CONTRACT NO: 09041
SHEET NO: C2

NO. 1
SUBMISSION
DATE: 10.7.09
INT. BJB
REVIEW: BJB
DATE: 2.28.10
BUB

STATE OF MAINE
BARNEY J. BAKER
No. 5737
LICENSED PROFESSIONAL ENGINEER



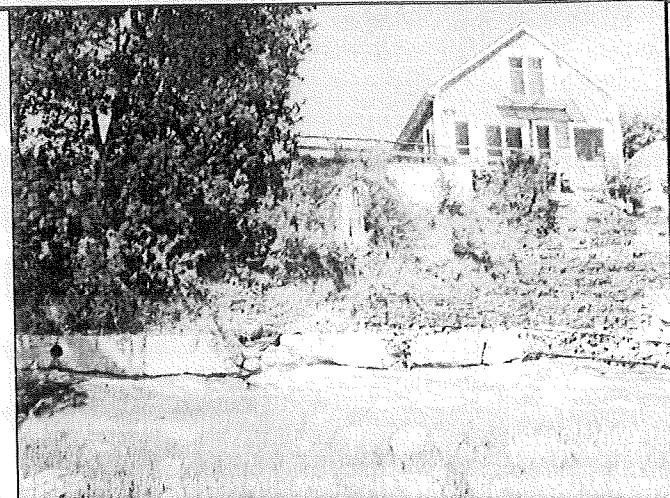
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| DRAWN BY: | BUB | BUB | BUB | BUB |
| CHECKED BY: | BUB | BUB | BUB | BUB |
| SCALE: | AS SHOWN | | | |
| DATE: | 2.28.10 | 10.7.09 | | |
| PROJECT: | Permitting | Preliminary Review | SUBMISSION | |
| SHEET NO.: | 2 | 1 | | |



DESIGNED BY: BUB
DRAWN BY: BUB
CHECKED BY: BUB
SCALE: AS SHOWN

SHEET TITLE: EXISTING SITE PLAN
PROJECT: MILLER SEAWALL REPAIR
WATSON STREET, PORTLAND, MAINE

DATE: 10/2/09
CONTRACT NO: 09041
SHEET NO. OF REV: C1

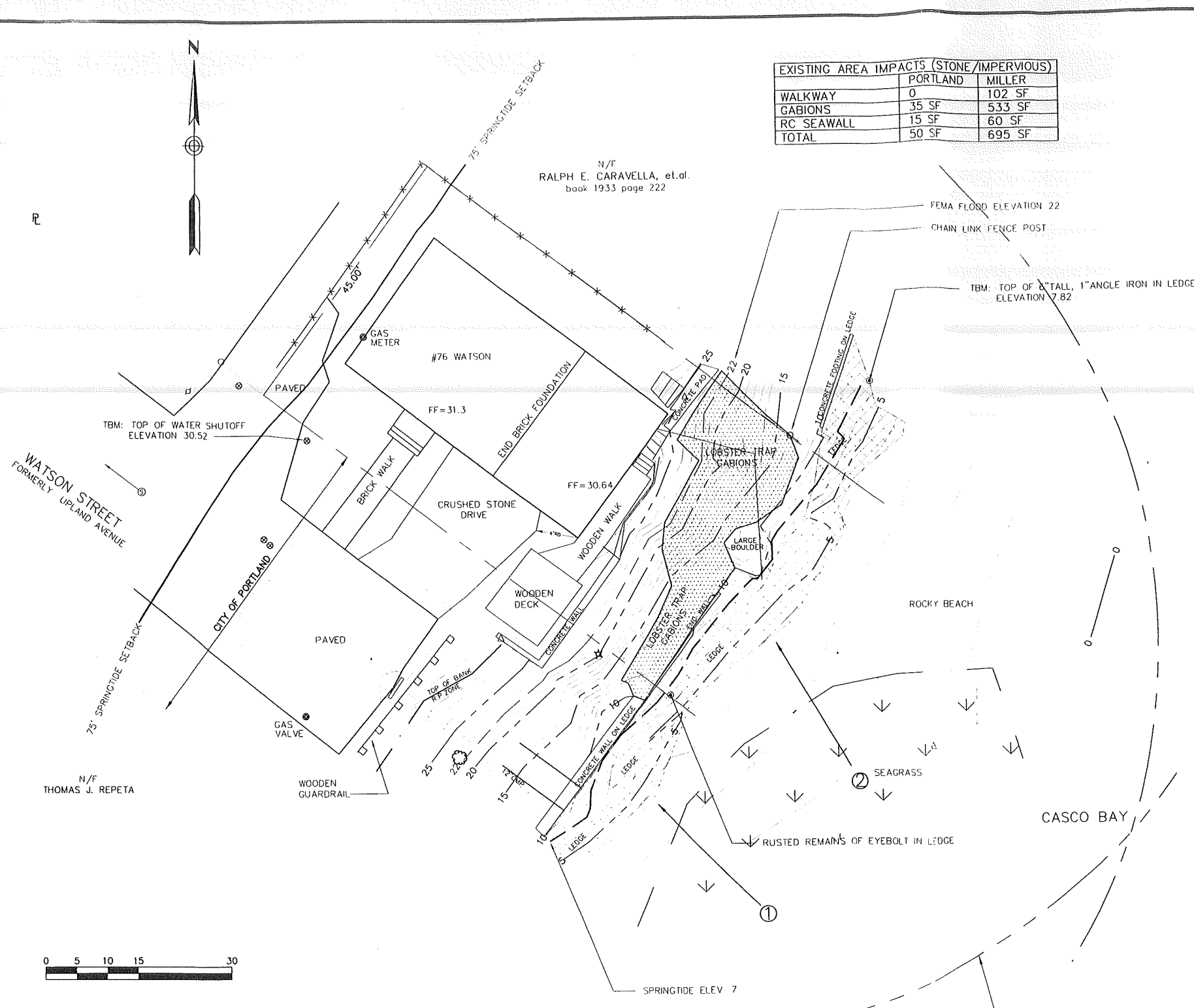


① SOUTH PROPERTY LINE, LIMITS OF LOBSTER TRAP GABIONS AND EXISTING, FAILING CONCRETE RETAINING WALL.



② FRONT VIEW OF LOBSTER TRAP GABIONS, EXISTING RETAINING WALL AND DEBRIS AT BASE OF EMBANKMENT.

| | | |
|------------|----------|--------|
| | PORTLAND | MILLER |
| WALKWAY | 0 | 102 SF |
| GABIONS | 35 SF | 533 SF |
| RC SEAWALL | 15 SF | 60 SF |
| TOTAL | 50 SF | 695 SF |



| | |
|----------|--|
| OWNER: | MIKE AND NINA MILLER |
| LOT NOs: | 5 |
| TAX MAP: | 431 |
| ZONING: | R4 - RESIDENTIAL SHORELAND OVERLAY DISTRICT- 250FT |

- PROJECT REFERENCES**
- CONTRACTOR TO COMPLY WITH AND MAINTAIN A COPY ON SITE OF THE FOLLOWING DOCUMENTS
- CONDITIONS OF SHORELAND APPROVAL FROM THE TOWN OF PORTLAND
 - MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION NRPA APPROVAL
 - US ARMY CORPS OF ENGINEERS PERMIT APPROVAL

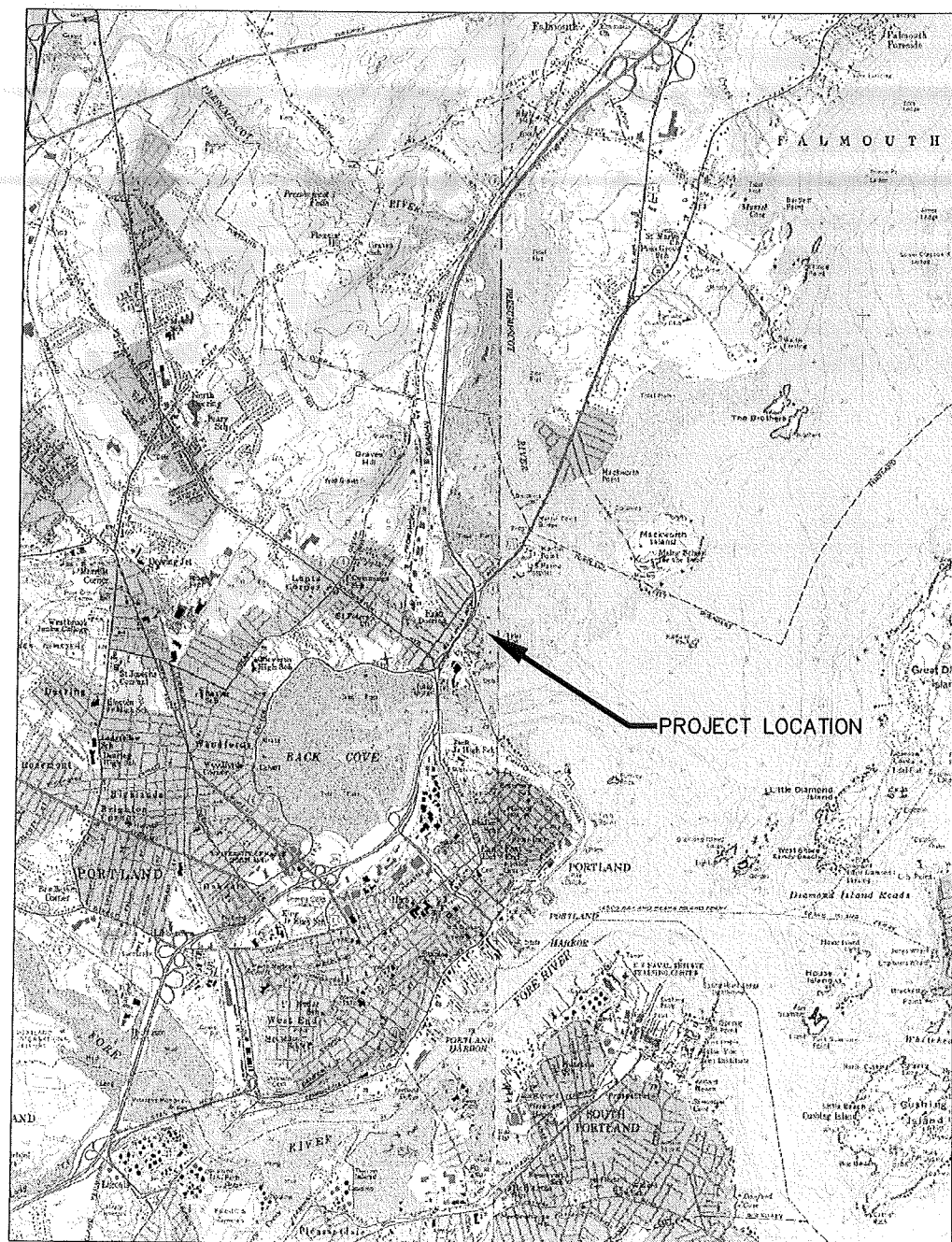
- SURVEY INFORMATION**
- CITY OF PORTLAND ASSESSOR'S PLAN SHEET 431, LOCUS PARCEL APPEARS ON BLOCK B AS LOT 5
 - F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 2300-1 3008B REVISED JULY 17, 1986 PARCEL APPEARS IN FLOOD ZONE V2, FLOOD ELEVATION OF 22'
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 - CITY OF PORTLAND BLUE BOOK STREET DES. WATSON STREET, 1884/12/18, P. 641/134

| METAL PROBE LOCATION | DEPTH TO REFUSAL | NOTES |
|----------------------|------------------|--|
| 1 | 16" | TAKEN WITHIN A VOID IN CONCRETE/BRICK FLOOR. |
| 2 | 16" | |
| 3 | NOT REACHED | |
| 4 | 6" | |
| 5 | NOT REACHED | |
| 6 | NOT REACHED | |
| 7 | 22" | SEVERAL PROBING ATTEMPTS WERE MADE WITHIN A 24" RADIUS. |
| 8 | 24" | |
| 9 | 30" | |
| 10 | NOT REACHED | |
| 11 | NOT REACHED | DIRT FLOOR THROUGHOUT THIS AREA OF THE BASEMENT. |
| 12 | NOT REACHED | SEVERAL PROBES TAKEN ONCE SOLID STRATA WAS FOUND. |
| 13 | 28" | |
| 14 | NOT REACHED | |
| 15 | 26" | |
| 16 | 28" | |
| 17 | 22" | |
| 18 | NOT REACHED | |
| 19 | NOT REACHED | |
| 20 | NOT REACHED | |
| 21 | NOT REACHED | |
| 22 | 32" | 3 PROBES TAKEN WITHIN 12", ALL REACHING SOLID STRATA. |
| 23 | 29" | 5 PROBES TAKEN WITHIN 24", 1 FAILED TO REACH SOLID STRATA. |
| 24 | NOT REACHED | |
| 25 | NOT REACHED | |
| 26 | 27" | 3 PROBES TAKEN WITHIN 12", ALL REACHING SOLID STRATA. |
| 27 | 32" | 4 PROBES TAKEN WITHIN 24", 1 FAILED TO REACH SOLID STRATA. |

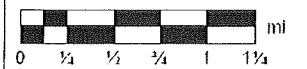
NOTES:
1. PROBE DATA COLLECTED BY RECORDING PENETRATION OF 3/4" METAL ROD, POWERED INTO GROUND WITH A 10 LB HAMMER. REFUSAL DEPTH REFERS TO THICKNESS OF OVERBURDEN TO DEPTH OF SOLID STRATA BELOW.

MILLER SEAWALL REPAIR

PROJECT NO. 09041

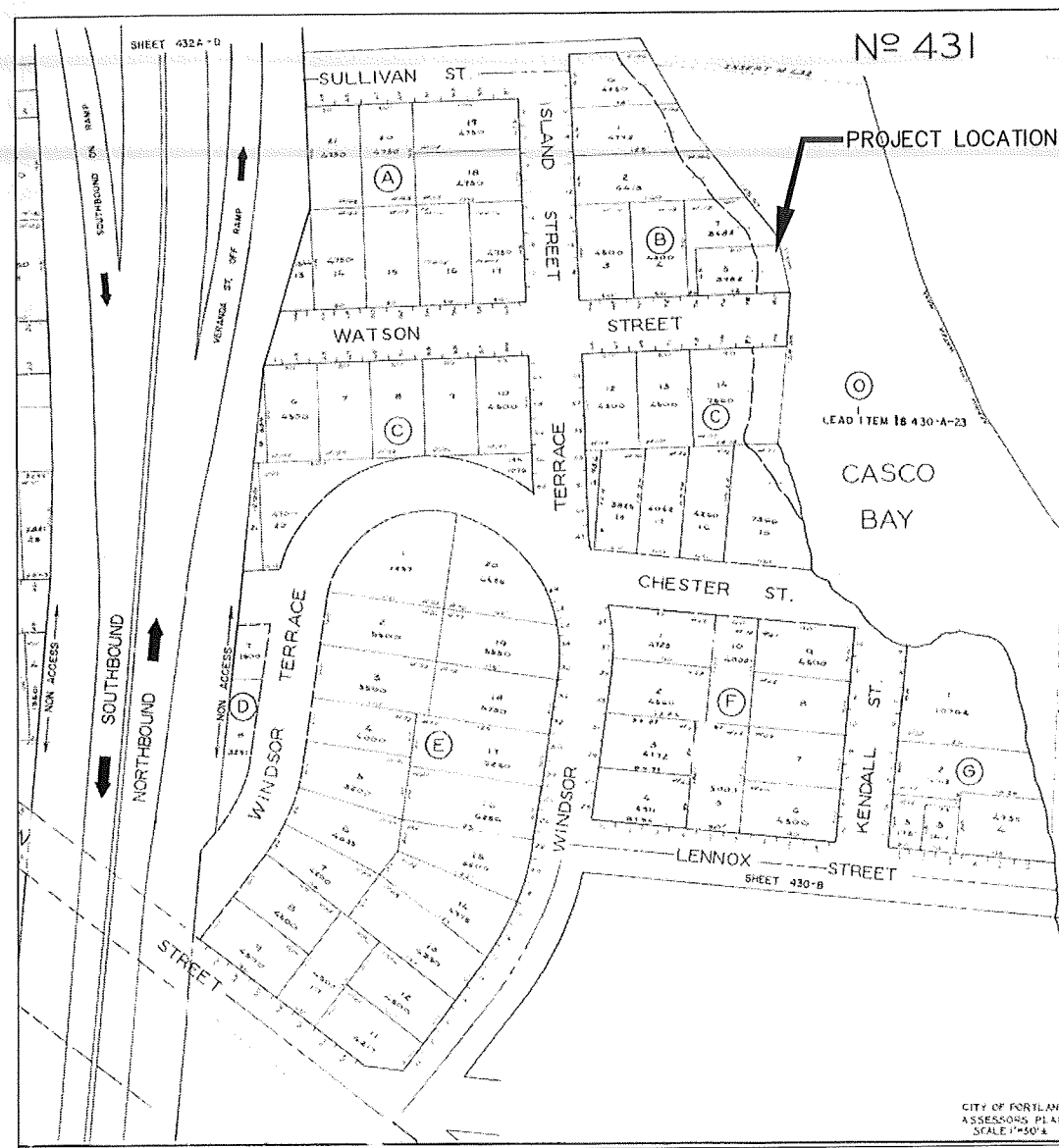


LOCATION MAP



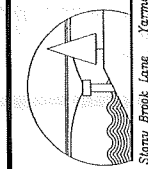
INDEX OF SHEETS

| SHEET NO. | DESCRIPTION |
|-----------|---------------------|
| T-1 | TITLE PLAN |
| T-2 | NOTES AND SCHEDULES |
| C-1 | EXISTING SITE PLAN |
| C-2 | PROPOSED SITE PLAN |
| C-3 | TYPICAL SECTION |
| C-4 | STAIR DETAILS |

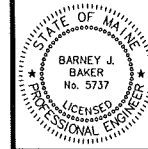


TAX MAP

BAKER DESIGN CONSULTANTS
Civil, Marine, and Structural Engineering
Yarmouth, Maine 04096 TEL: (207) 846-9724 FAX: (207) 846-9620



| NO. | DATE | BY | DESCRIPTION |
|-----|---------|-----|------------------------------|
| 2 | 10.7.09 | BUB | Permitting Review SUBMISSION |
| 1 | 10.7.09 | BUB | Permitting Review SUBMISSION |



| | |
|------------------|-----|
| DESIGNED BY: BUB | MSH |
| DRAWN BY: BUB | MSH |
| CHECKED BY: BUB | MSH |
| SCALE: AS SHOWN | |

SHEET TITLE: TITLE PLAN
PROJECT: MILLER SEAWALL REPAIR
WATSON STREET, PORTLAND, MAINE

| |
|--------------------|
| DATE: 10/2/09 |
| CONTRACT NO: 09041 |
| SHEET NO. REV: T1 |

EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES.
2. ALL CONSTRUCTION EQUIPMENT AND MATERIAL DELIVERED BY BARGE SHALL BE CONDUCTED TO MINIMIZE ANY DISTURBANCE TO THE EXISTING SHORE.
3. NO MATERIAL SHALL BE TEMPORARILY STOCKPILED OR STORED BELOW THE SPRING TIDE LINE.
4. EXCAVATION THAT EXTENDS BELOW HIGH WATER ELEVATION SHALL BE COMPLETED AT LOW TIDE TO MINIMIZE IN-WATER WORK.
5. THE CONTRACTOR SHALL MONITOR WIND AND WAVE CONDITIONS AND SHALL TAKE APPROPRIATE ACTION TO PROTECT THE WORK AND PROPERTY FROM STORM DAMAGE.

GENERAL NOTES

1. THE CONTRACTOR SHALL BE GOVERNED BY MAINE CONSTRUCTION SAFETY RULES AND SHALL BE SUBJECT TO THE SAFETY AND HEALTH REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) AS PROMULGATED BY THE US DEPARTMENT OF LABOR.
2. THE CONTRACTOR IS RESPONSIBLE FOR CALLING 'DIG SAFE' (888) 344-6233 TO EXECUTE UTILITY MARKING PRIOR TO STARTING WORK AND WILL BE RESPONSIBLE FOR ALL UTILITIES DISTURBED DURING THE CONTRACT.
3. THE CONTRACTOR IS REQUIRED TO ADHERE TO REGULATORY TIMETABLE RESTRICTIONS IDENTIFIED IN THE PROJECT PERMITS.
4. ACCESS TO THE SITE WILL BE BY WATSON STREET AND BARGE. A LAYDOWN AREA WILL BE DESIGNATED ON THE PROPERTY DRIVEWAY. THE CONTRACTOR SHALL REPAIR ANY ROADWAY DAMAGE AT THE COMPLETION OF THE WORK
5. ALL SURFACES DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED BY THE CONTRACTOR.

SCOPE OF WORK SUMMARY

ITEMS BELOW SHALL BE UNDERTAKEN PROGRESSIVELY ACROSS THE PROPERTY FRONTAGE. THE CONTRACTOR SHALL HAVE CONTINGENCY PLANS AND MATERIALS TO PROTECT THE WORK AND UPLAND PROPERTY DURING AN INTERIM CONSTRUCTION STORM EVENT.

1. REMOVE SUFFICIENT EXISTING EMBANKMENT ELEMENTS TO CONSTRUCT SLOPE REINFORCEMENT.
2. REMOVE EXCESS OR UNSUITABLE MATERIAL FROM SITE. THIS INCLUDES EXISTING RC RETAINING WALLS ABOVE THE BEACH ELEVATION THAT ARE NO LONGER FUNCTIONING, ALL LOBSTER TRAP GABIONS AND UNSTABLE SURFACE MATERIALS.
3. PLACE EMBANKMENT REINFORCEMENT MATERIALS.
4. RECOLONIZE FILL AREAS WITH LOAM AND SEED.

SUBMITTALS

SUBMIT SHOP DRAWINGS, PRODUCT DATA AND SOURCE FOR ALL STRUCTURAL ELEMENTS, BACKFILL MATERIALS AND ACCESSORIES TO INCLUDE THE FOLLOWING ITEMS.

1. BACKFILL MATERIAL GRADATION.
2. GRANITE STONE.
3. GEOTEXTILE MATERIALS.
4. MISCELANEOUS METALS AND FASTENERS.
5. SLOPE VEGETATION.

SITE NOTES

1. THE CONTRACTOR SHALL BE GOVERNED BY THE CONSTRUCTION SAFETY RULES AS ADOPTED BY THE STATE BOARD OF CONSTRUCTION SAFETY, AUGUSTA, MAINE.
2. THE PROJECT IS SUBJECT TO THE SAFETY AND HEALTH REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) AS PROMULGATED BY THE US DEPARTMENT OF LABOR.
3. THE PLAN IS BASED ON A SURVEY OF THE PROPERTY BY ROYAL RIVER SURVEY INC., PROFESSIONAL LAND SURVEYORS, 9-10-2009, PLAN EMBANKMENT TOPOGRAPHY, 76 WATSON STREET, PORTLAND, MAINE NO. 29056.
4. ALL ELEVATIONS ARE TO NGVD.
5. BASE FLOOD/TIDAL INFORMATION WAS TAKEN FROM MEDEP, FEMA AND NOAA PUBLISHED DATA FOR PORTLAND (NGVD DATUM).

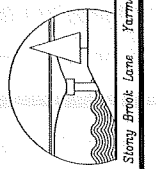
| Elevation | Chart Datum (ft) | NGVD (ft) | Notes |
|---------------------|------------------|-----------|-------------------|
| FEMA Base Flood | 14.6 | 22.0 | FEMA V2 |
| Highest Annual Tide | 11.7 | 7.2 | Maine DEP |
| MHHW | 9.9 | 5.3 | Based on Portland |
| MHW | 9.5 | 4.9 | " |
| Mean Tide Level | 4.9 | 0.3 | " |
| NGVD | 4.6 | 0.0 | " |
| MLW | 0.3 | -4.2 | " |
| MLLW | 0.00 | -4.6 | " |
| Lowest | -3.4 | -8.0 | " |

PLANTING SCHEDULE

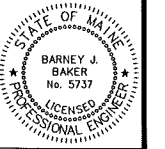
| No. | Description |
|-----|----------------------------------|
| 40 | Rosa Rugosa – Dwarf (12' to 15') |
| 14 | Bayberry (12' to 15') |

Place in all Soil areas at approximately 4'-0" on center.

BAKER DESIGN CONSULTANTS
Civil, Marine, and Structural Engineering
 Portland, Maine 04106 Tel: (207) 846-9724 Fax: (207) 846-3620



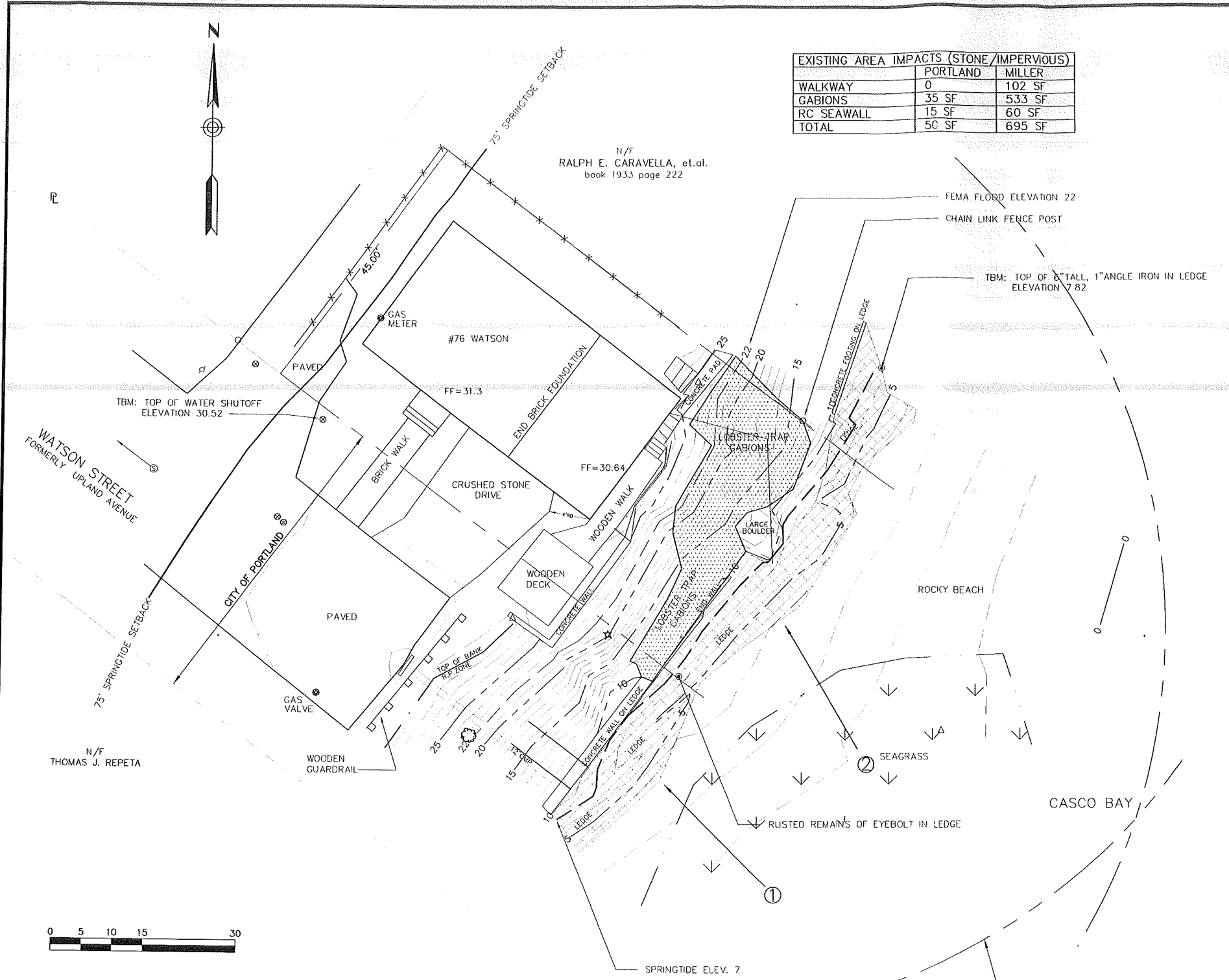
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| DESIGNED BY: | BUB |
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| CHECKED BY: | BUB |
| SCALE: | AS SHOWN |
| DATE: | 10/2/09 |
| NO. | 1 |
| INT. | BUB |
| SUBMISSION | DATE |
| DATE | 10/2/09 |
| DATE | 10/2/09 |



DESIGNED BY: BUB
 DRAWN BY: MSH
 CHECKED BY: BUB
 SCALE: AS SHOWN

SHEET TITLE: **NOTES AND SCHEDULES**
 PROJECT: **MILLER SEAWALL REPAIR**
 WATSON STREET, PORTLAND, MAINE

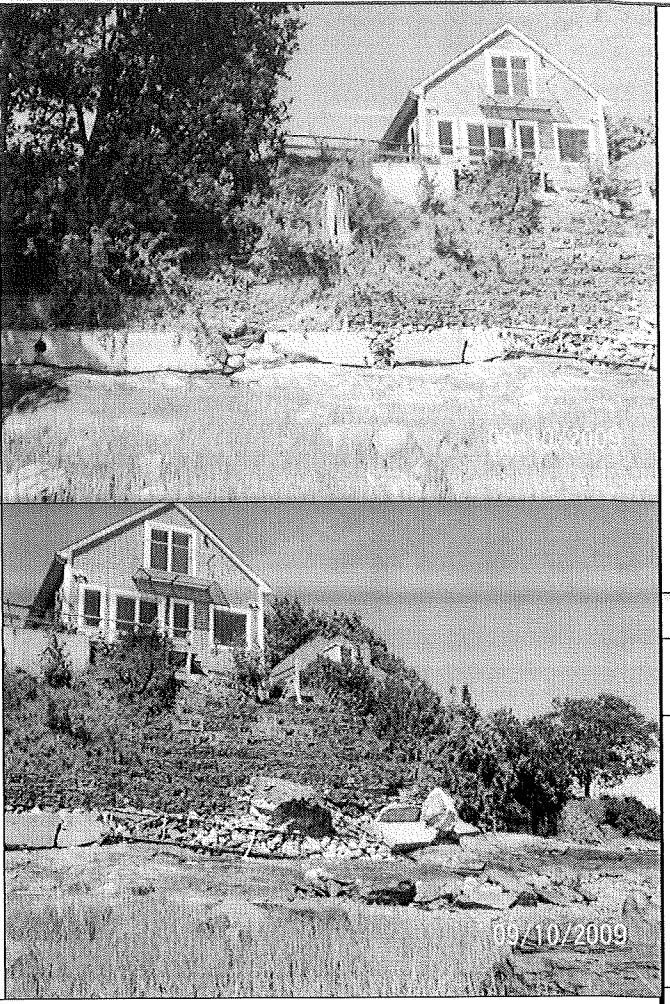
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| DATE: | 10/2/09 |
| CONTRACT NO: | 09041 |
| SHEET NO.: | T2 |
| REV.: | |



| EXISTING AREA IMPACTS (STONE/IMPERVIOUS) | | |
|--|----------|--------|
| | PORTLAND | MILLER |
| WALKWAY | 0 | 102 SF |
| GABIONS | 35 SF | 533 SF |
| RC SEAWALL | 15 SF | 60 SF |
| TOTAL | 50 SF | 695 SF |

① SOUTH PROPERTY LINE, LIMITS OF LOBSTER TRAP GABIONS AND EXISTING, FAILING CONCRETE RETAINING WALL.

② FRONT VIEW OF LOBSTER TRAP GABIONS, EXISTING RETAINING WALL AND DEBRIS AT BASE OF EMBANKMENT.



SUMMARY OF PROBES TAKEN TO FIND SOLID STRATA

| METAL PROBE LOCATION | DEPTH TO REFUSAL | NOTES |
|----------------------|------------------|--|
| 1 | 16" | TAKEN WITHIN A VOID IN CONCRETE/BRICK FLOOR. |
| 2 | 16" | |
| 3 | NOT REACHED | |
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NOTES:
 1. PROBE DATA COLLECTED BY RECORDING PENETRATION OF 3/4" METAL ROD, POWERED INTO GROUND WITH A 10 LB HAMMER. REFUSAL DEPTH REFERS TO THICKNESS OF OVERBURDEN TO DEPTH OF SOLID STRATA BELOW.

PROPERTY INFORMATION

| | |
|----------|---|
| OWNER: | MIKE AND NINA MILLER |
| LOT NOs: | 5 |
| TAX MAP: | 431 |
| ZONING: | R4 - RESIDENTIAL, SHORELAND OVERLAY DISTRICT- 250FT |

- PROJECT REFERENCES
- CONTRACTOR TO COMPLY WITH AND MAINTAIN A COPY ON SITE OF THE FOLLOWING DOCUMENTS
- CONDITIONS OF SHORELAND APPROVAL FROM THE TOWN OF PORTLAND
 - MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION NRPA APPROVAL
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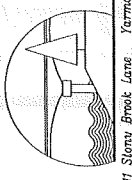
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 - F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 230051 0008B REVISED JULY 17, 1986 PARCEL APPEARS IN FLOOD ZONE V2, FLOOD ELEVATION OF 22'
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BAKER DESIGN CONSULTANTS
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 11 Stony Brook Lane, Yarmouth, Maine 04096 Tel: (207) 846-9724 Fax: (207) 846-9520

DESIGNED BY: BUB
 DRAWN BY: MSH
 CHECKED BY: BUB
 SCALE: AS SHOWN

SHEET TITLE: EXISTING SITE PLAN
 PROJECT: MILLER SEAWALL REPAIR
 WATSON STREET, PORTLAND, MAINE

| | |
|-------------|---------|
| DATE | 10/2/09 |
| CONTRACT NO | 09041 |
| SHEET NO. | 01 |



| NO. | DATE | INT. | REV. |
|-----|---------|------|------|
| 1 | 10.7.09 | BUB | |
| 2 | 2.28.10 | BUB | |

Permitting
 Preliminary Review
 SUBMISSION

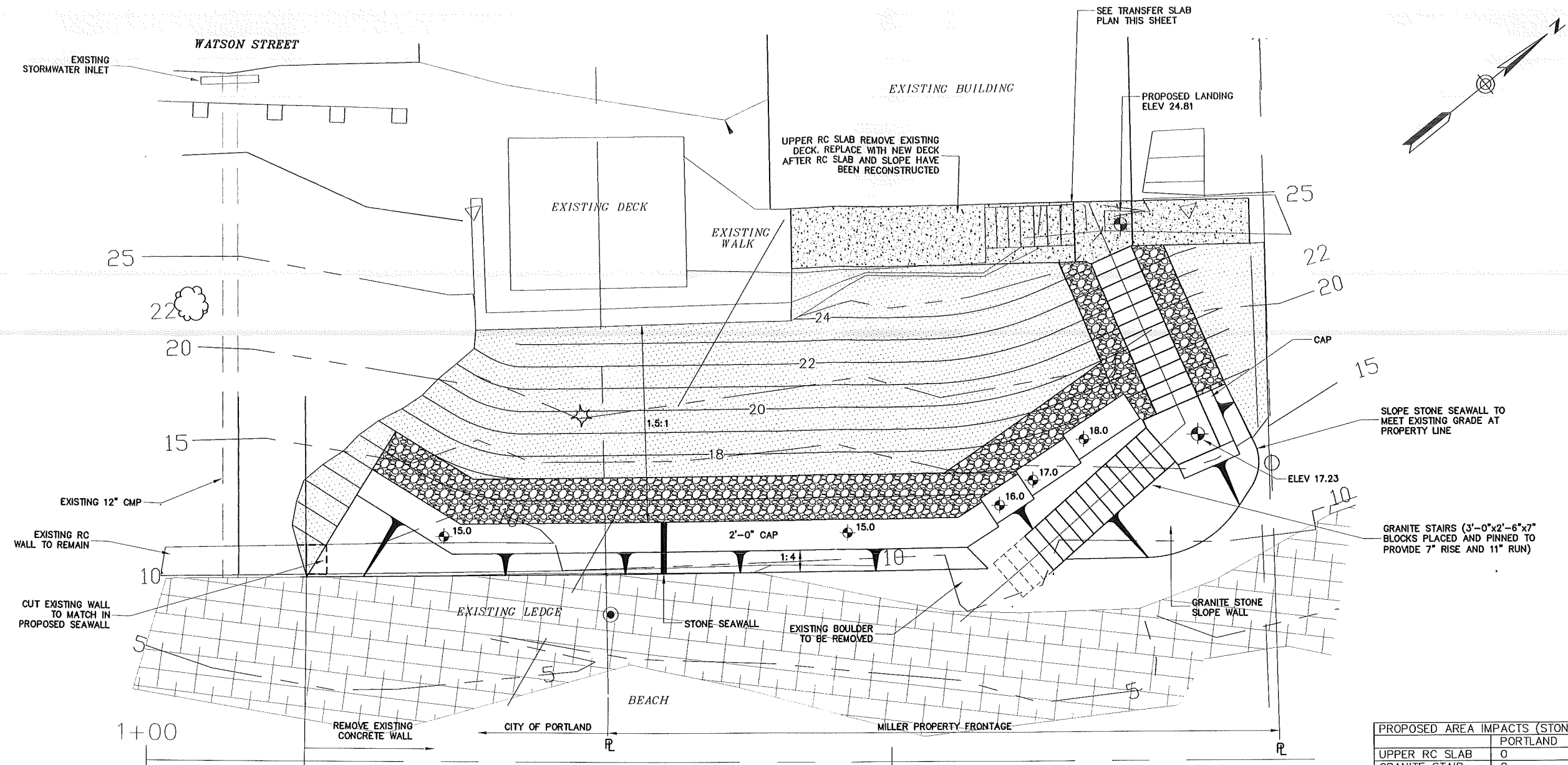


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| CHECKED BY: | BUB |
| SCALE: | AS SHOWN |

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 PROJECT: **MILLER SEAWALL REPAIR**
 WATSON STREET, PORTLAND, MAINE

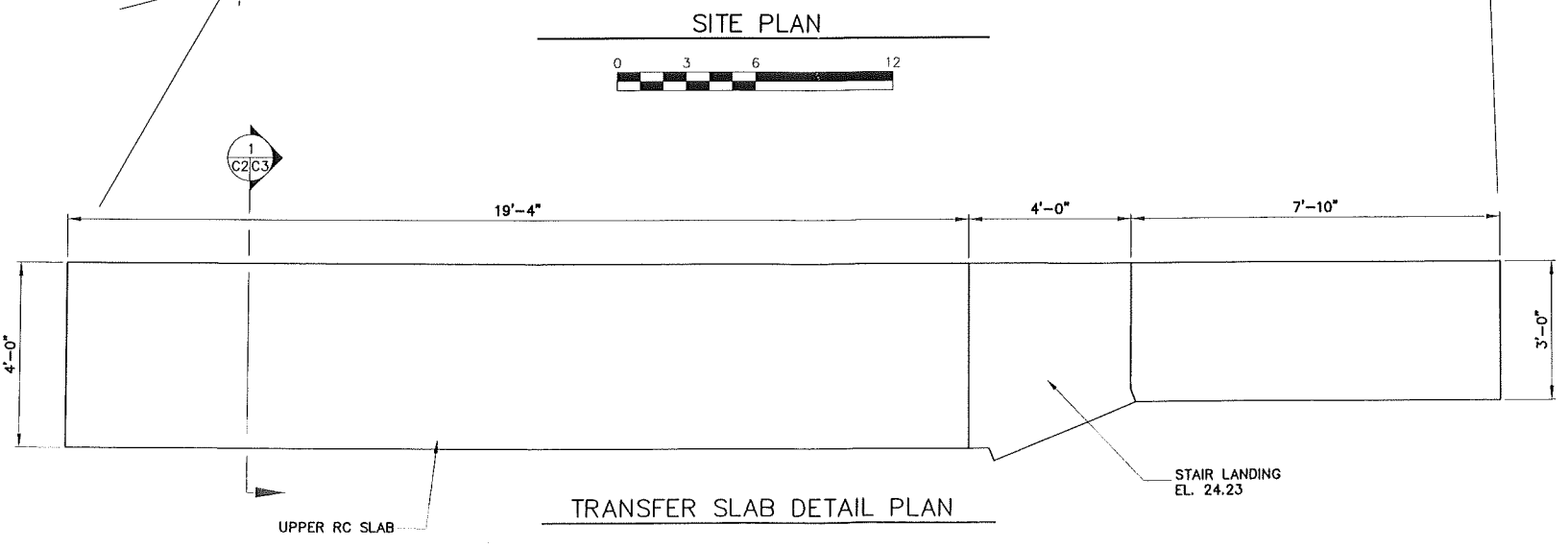
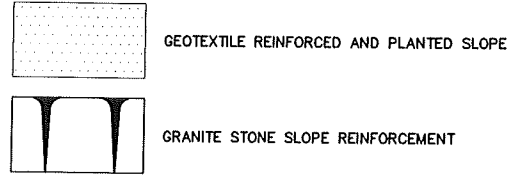
| | |
|--------------|---------|
| DATE | 10/2/09 |
| CONTRACT NO. | 09041 |
| SHEET NO. | REV. |

C2



| | PROPOSED AREA IMPACTS (STONE/IMPERVIOUS) | |
|---------------|--|--------|
| | PORTLAND | MILLER |
| UPPER RC SLAB | 0 | 115 SF |
| GRANITE STAIR | 0 | 78 SF |
| STONE SEAWALL | 128 SF | 338 SF |
| TOTAL | 128 SF | 531 SF |

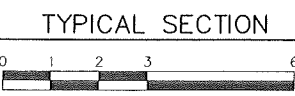
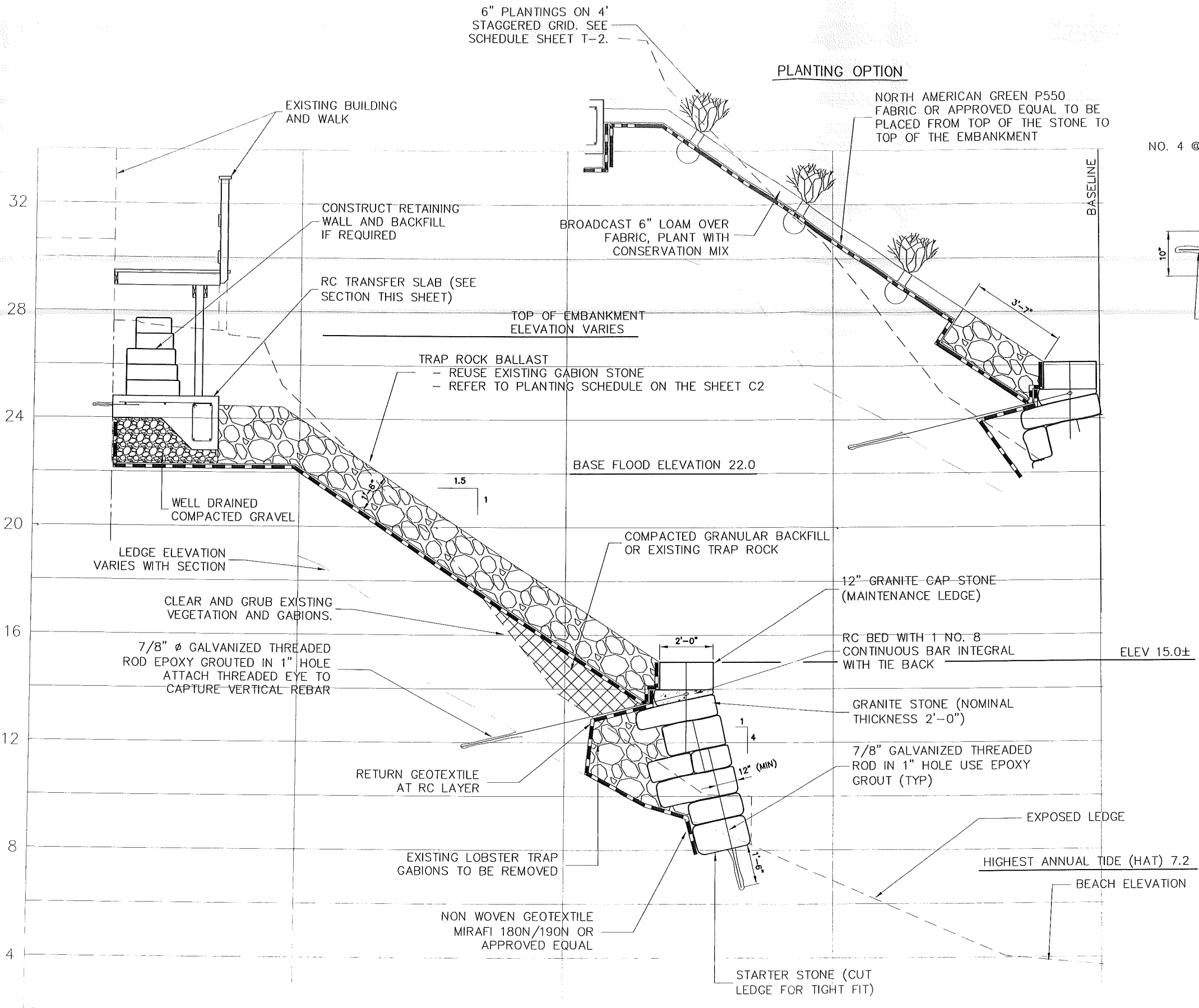
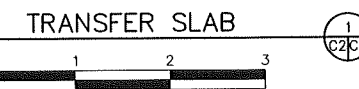
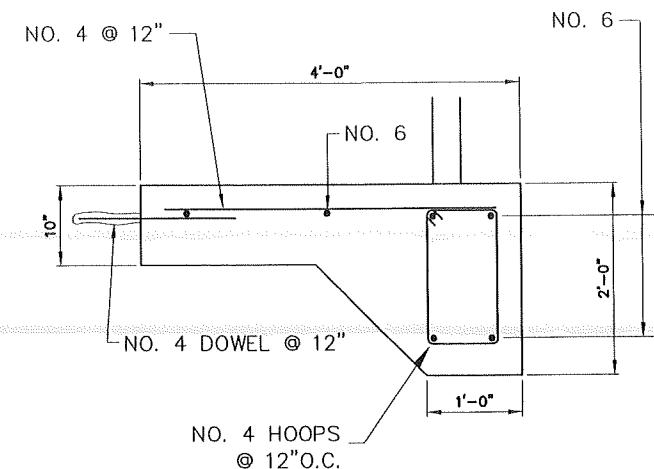
| | PROPOSED AREA IMPACTS (REVEGETATED) | |
|----------------|-------------------------------------|--------|
| | PORTLAND | MILLER |
| PLANTINGS AREA | 141 SF | 425 SF |



6" PLANTINGS ON 4'
STAGGERED GRID. SEE
SCHEDULE SHEET T-2.

PLANTING OPTION

NORTH AMERICAN GREEN P550
FABRIC OR APPROVED EQUAL TO BE
PLACED FROM TOP OF THE STONE TO
TOP OF THE EMBANKMENT



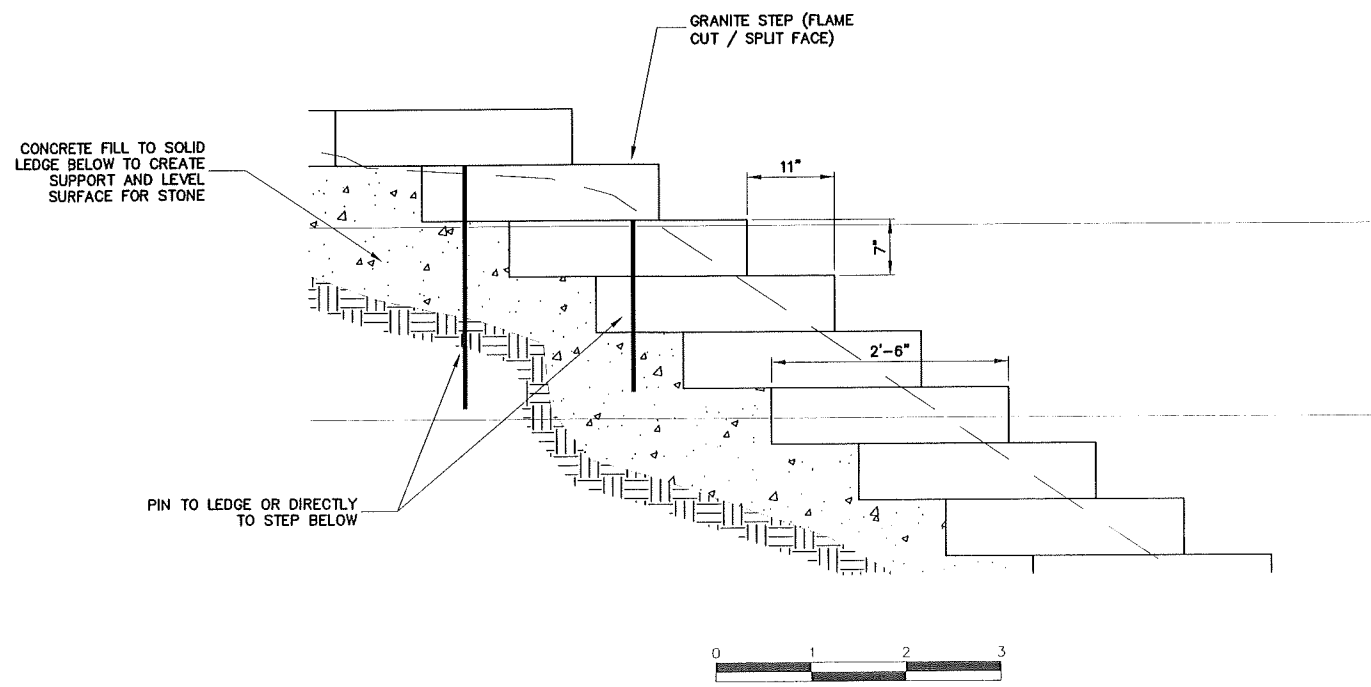
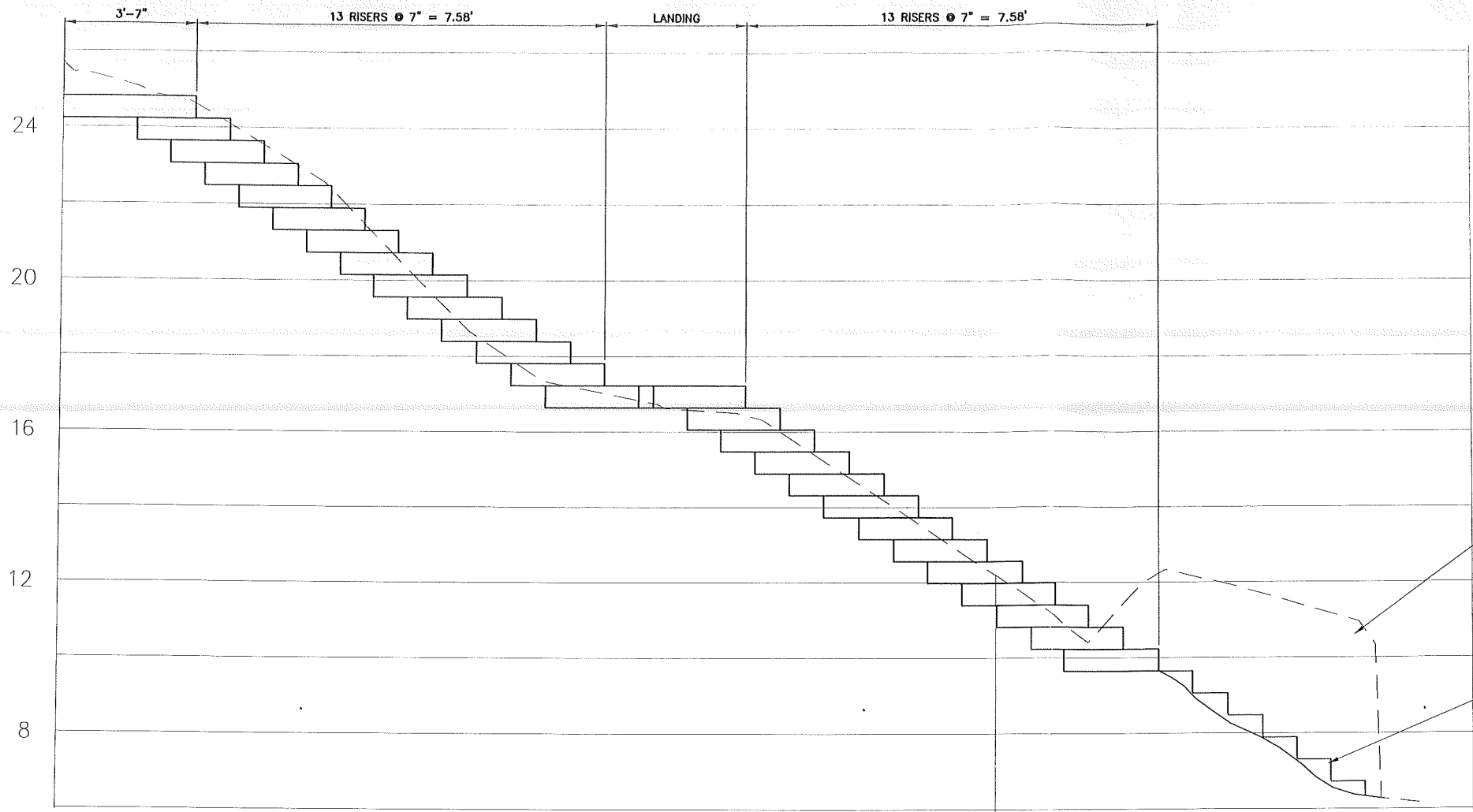
BAKER DESIGN CONSULTANTS
Civil, Marine, and Structural Engineering
11 Stony Brook Lane, Yarmouth, Maine 04096 Tel: (207) 846-9724 Fax: (207) 846-3620

| | | | | | | |
|--------------|-----|-----|-----|-----|-----|------|
| DESIGNED BY: | BUB | MSH | BUB | BUB | BUB | INT. |
| DRAWN BY: | | | | | | |
| CHECKED BY: | | | | | | |
| SCALE: | | | | | | |

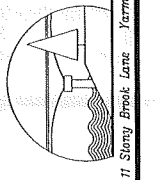
STATE OF MAINE
BARNEY J. BAKER
No. 5737
LICENSED PROFESSIONAL ENGINEER

SHEET TITLE: TYPICAL SECTION
PROJECT: MILLER SEAWALL REPAIR
WATSON STREET, PORTLAND, MAINE

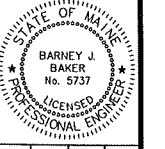
DATE: 10/2/09
CONTRACT NO: 09041
SHEET NO. REV: C3



BAKER DESIGN CONSULTANTS
 Civil, Marine, and Structural Engineering
 11 Stary Brook Lane - Yarmouth, Maine 04096 Tel: (207) 846-9724 Fax: (207) 846-3620



| | | |
|-----|---------|-------------------------------|
| NO. | DATE | DESCRIPTION |
| 1 | 10.7.09 | SUBMISSION |
| 2 | 2.28.10 | Permitting Preliminary Review |
| BUB | BUB | |



DESIGNED BY: BUB
 DRAWN BY: MSH
 CHECKED BY: BUB
 SCALE: STAIR DETAILS

SHEET TITLE: STAIR PROFILE
 PROJECT: MILLER SEAWALL REPAIR
 WATSON STREET, PORTLAND, MAINE

DATE: 10/2/09
 CONTRACT NO.: 09041

SHEET NO. C4
 REV.