



State of Maine
 Department of Public Safety
 Construction Permit



Reviewed
 for Barrier
 Free

14918

Sprinkled
 Sprinkler Supervised

MAINE YACHT CENTER
 Located at: 100 KENSINGTON STREET
 PORTLAND
 Occupancy/Use: INDUSTRIAL

Permission is hereby given to:

MAINE YACHT CENTER, LLC

100 KENSINGTON ST.
 PORTLAND, ME 04103

429 61

to construct or alter the afore referenced building according to the plans hitherto filed with the Commissioner and now approved. No departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provision of Title 25, Chapter 317, Section 2448 and the provisions of Title 5, Section 4594 - F. Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit will expire at midnight on the 1st of Decemb 2005

Dated the 2n day of June A.D. 2005

Michael P. Cantara

Commissioner

Copy-3 Code Enforcement Officer

Comments:

Code Enforcement Officer
 PORTLAND, ME



State of Maine
 Department of Public Safety
 Construction Permit



Reviewed
 for Barrier
 Free

14303

Sprinkled
 Sprinkler Supervised

MAINE YACHT CENTER

Located at: 100 KENSINGTON STREET

PORTLAND

Occupancy/Use: OTHER/BOAT STORAGE & SEASONAL REPAIR

Permission is hereby given to:

MAINE YACHT CENTER, LLC

65 KENSINGTON STREET
 PORTLAND, ME 04103

42961

to construct or alter the afore referenced building according to the plans hitherto filed with the Commissioner and now approved. No departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provision of Title 25, Chapter 317, Section 2448 and the provisions of Title 5, Section 4594 - F. Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit will expire at midnight on the 8th of March 2005

Dated the 9th day of September A.D. 2004

Michael P. Cantara

Commissioner

Copy-3 Code Enforcement Officer

Comments:

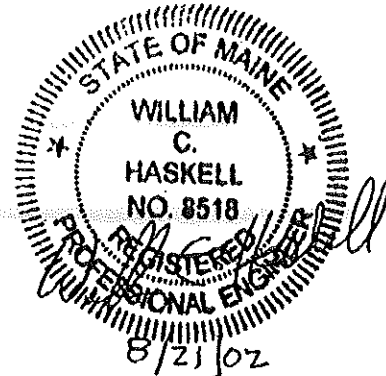
Code Enforcement Officer
 PORTLAND, ME

August 21, 2002

207-657-6910
FAX: 207-657-6912
E-Mail: gpcel@maine.rr.com

Ms. Kandi Talbot
City of Portland
389 Congress Street
Portland, ME 04101-3503

Subject: Site Plan Submission
Maine Yacht Harbor—Phase 1



Dear Ms. Talbot,

Allied Engineering, Inc., Gawron Architects, Inc. and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Maine Yacht Harbor, a.k.a. Yacht Haven, L.L.C. to prepare plans and permit applications for the development of a proposed Maine Yacht Harbor marina. The site is comprised of two lots and is identified as Chart # 429 Block # G Lot # 001, and Chart # 430 Block #B Lot # 013 in the City of Portland Assessor's records. The site is located at the terminus of Kensington Street, and will occupy approximately 2.5 acres of the 3.57 acre lot. The project will be constructed in two phases. Phase 1 includes a temporary gravel parking lot with 79 spaces plus the construction of the boat ramp, 124 boat slips, 10 moorings, temporary office (construction trailer), temporary restroom facility and temporary lighting. Phase 2 (to be permitted at a later date) will include an approximate 45,200 s.f. vessel workshop, and permanent parking facilities. Phase 1 of this project is considered a minor development under the Portland ordinance because the parking area is designated as temporary.

This letter and the attached application and plan set describe the applicant's plans to redevelop the above-referenced parcel. The members of the project team have appreciated the opportunity to discuss the project with City Staff to date. We have benefited from your comments, and look forward to the planning department's review.

Project History

This project was initiated back in the late 1980's by a previous owner and has been before the Planning Board several times for amendments and reapprovals. The following chronology describes the general characteristics of the previous submissions and approved projects:

Ms. Kandi Talbot

August 21, 2002

Page 2 of 6

- May 1991 Approval: Originally submitted in the fall of 1989, this project included 230 boat slips; 2,160 square foot building; 40,000 s.f. rack storage facility; boat ramp; and 162-space parking lot. It appears that a revised version of this submission was approved on May 14, 1991.
- July 1993 Approval: Reapproval required because substantial construction had not occurred and the permit had lapsed. Project is resubmitted for approval of a two-phased project consisting of 230 boat slips, 123 parking spaces, 140 boat rack storage; and a 19,800 s.f. building.
- 1995 Approval: Reapproval required because substantial construction had not occurred and the permit had lapsed. Project was resubmitted with the only changes being related to traffic improvements, shoreway access and the Board of Appeals interpretation regarding the placement of the marina in the Shoreland Zone.
- 1997 Approval: Reapproval required because substantial construction had not occurred and the permit had lapsed. Project was resubmitted with the only changes related to the zoning change to the Industrial Low Impact Zone (I-L), and the replacement of guardrail with curbing around a landscaped area.
- December 1999 Approval: Reapproval was requested by the owner to facilitate the sale of the property. The general development plan included a two-phased project consisting of a 140 boat rack storage facility, 230 boat slips, 123 space parking lot, a 55 space overflow parking lot and a 19,800 s.f. building.
- In 1999 the property was purchased by Maine Yacht Harbor, a.k.a Yacht Haven. L.L.C., at which point a process of review began. The new owner evaluated the property and the previous development plan related to economic viability and the engineering of the overall design of the "rack storage marina" concept. This review concluded that many changes would have to be made to the project scope to meet the goals of the present owners.

Site Description

The site is presently occupied by a 1,575 s.f. office building and approximately 27 parking spaces located in the residential zoned portion of the site. The southern portion of the site where the proposed development is to be constructed is currently undeveloped. The site is previously disturbed and was formerly a ship-building operation and fuel tank yard. The majority of the surface coverage is pavement and graveled areas. The portion of the site in the Low Impact Industrial Zone (I-L) has approximately 84,700 s.f. of existing impervious surface (approximately 80 percent of the total area). The proposed site has approximately 85 feet of frontage on Kensington Street in the I-L Zone and approximately 395 feet of frontage on Kensington Street in the Residential Zone. The southern-most property line is bounded by Casco Bay. Abutting land uses are industrial and residential

Ms. Kandi Talbot
August 21, 2002
Page 3 of 6

with the abutting landuse to the north and east being residential. The railroad tracks and a baked bean processing plant are located to the west of the lot.

Proposed Use

The project will be constructed in two phases. In Phase 1, being permitted as part of this site plan application, the applicant proposes to construct a temporary gravel parking lot with 79 spaces (including 4 ADA spaces), temporary office (construction trailer), temporary restroom facility, temporary site lighting (catalog cut sheets for the fixtures are attached to this letter), associated utilities for the marina, 124 boat slips, 10 moorings and the boat ramp. Phase 2 (to be permitted at a later date) will include the construction of a 45,200 s.f. vessel workshop and dock house, a permanent paved parking area, landscaping and the associated stormwater management facilities. A schematic plan for Phase 2 is provided for informational purposes.

The applicant proposes to complete the Phase 1 portion of the project by late fall 2002.

Other Permits

The applicant has obtained the necessary permits from other permitting agencies to allow construction of the dock, boat slips and moorings, including the following:

- MeDEP Natural Resources Protection Act, Coastal Wetland Alteration and Water Quality Certification (Permit #: L-16531-4C-G-N and L-16531-4C-F-N)
- Department of the Army Permit (Permit #: 200102442) to install and maintain the marina floats and moorings and construct a boat ramp.
- Board of Harbor Commissioners, Harbor of Portland, Permit.

Copies of the permits are included in this application package.

Landscaping

Phase 1 does not include any landscaping improvements. The intent of Phase 1 is to complete the construction of the docks, necessary utilities and temporary parking for the marina customers. Landscaping will be included as part of Phase 2 to be permitted at a later date. Gorrill-Palmer Consulting Engineers, Inc. and the applicant do not recommend installing landscaping in Phase 1 because the site will be redisturbed and redeveloped

Ms. Kandi Talbot
August 21, 2002
Page 4 of 6

during the construction of Phase 2. It is anticipated that Phase 2 will be developed within two years of the completion of Phase 1.

There is an existing wooded buffer along the eastern side of the site. This buffer will remain undisturbed as part of this project.

Stormwater

Stormwater improvements have not been proposed as part of the Phase 1 construction. Phase 1 will result in very little change in the landuse and cover-type and will not have a significant effect on the volume or peak stormwater runoff. Historically, this site has been occupied by highly commercial or industrial development that has compacted the gravel cover and created a nearly impervious surface. The existing site remains mostly compacted gravel and is essentially impervious. As part of Phase 1, the proposed temporary parking lot will continue to be gravel, except for the four ADA parking spaces and will be no more intensive than past development on the site. Runoff will continue to surface flow off the site into Casco Bay.

In Phase 1 the existing gravel area designated as temporary parking will be regarded and shimmed approximately 0 inches to 3 inches, primarily to minimize local ponding and improve surface drainage flow.

Stormwater runoff, specifically related to water quality, will be addressed in Phase 2, when the large vessel workshop building and permanent paved parking area is constructed. Gorrill-Palmer Consulting Engineers, Inc. and the applicant do not recommend constructing stormwater improvements as part of Phase 1 for two reasons: first, Phase 1 results in very little impact to the volume and peak stormwater runoff; second, the site will be entirely redisturbed and redeveloped as part of Phase 2.

Zoning

The property is divided into two zones. The western portion of the site is located within the Residential Zoning District (R-3), and the eastern portion of the site is located in the Industrial Zone (I-L). Within the lot the residential zone encompasses approximately 49,571 s.f. with the industrial zone occupying approximately 105,972 s.f. for all land located above mean high tide. Under Chapter 14, Section 232 of Portland's Land Use code, Marinas are a permitted use in the Industrial Zone. The setback requirements for this site include a 25-ft. front, side and rear setback for the I-L Zone except for when the

Ms. Kandi Talbot
August 21, 2002
Page 5 of 6

side setback abuts a residential zone it shall be increased to 40-feet. The Residential Zone front, side and rear setbacks are 25, 16 (assuming structure is 2^{1/2} stories) and 25 feet, respectively.

A portion of the property appears to be located within FEMA's 100-year flood plain. According to the Zoning Ordinance the proposed development is permitted within the floodplain district provided a zoning permit is obtained from the zoning administrator.

The site also is located within Shoreland Zone according to Section 14-447 in Portland's Land Use Code. In the Shoreland Zone, no setback is required for structures, which require direct access to the water as an operational necessity. Under Section 14-47 of Portland's Land Use Code, the definition of a marina is as follows:

"Commercial operation providing floats, slips and piers intended primarily for berthing of noncommercial vessels and the provision of related services such as supplies, fuel, equipment and repairs, which may be provided both to tenants and nontenants."

Utilities

The facility is estimated to produce the following wastewater flow based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules the maximum daily flow for the Phase 1 marina will be:

100 gpd	=	100 gpd
10 gpd/slip x 124 slips	=	<u>1,240 gpd</u>
TOTAL USAGE	=	1,340 gpd

Based on the marina's requirements and these assumptions, the average daily flow is estimated to be 1,340 gpd (for Phase 1). A pump station will be installed at the landside end of the pier to pump the sewage to an existing manhole in Kensington Street. Water service will also be extended from an existing water main within Kensington Street along with underground electric, telephone and cable service. The pump station will be sized to convey the entire flow from Phase 1 and Phase 2.

Letters of ability to serve the proposed project have been sent out to the utility companies. Copies of the letters are included in this site plan application package.

Ms. Kandi Talbot
August 21, 2002
Page 6 of 6

Lighting

Temporary site lighting will be provided to facilitate safety for pedestrians and motorists, while minimizing the impact of glare on the adjacent properties. Catalog cut sheets for the temporary light fixtures are attached to this letter.

Conclusion

Yacht Haven, L.L.C. and the rest of the project team is submitting this site plan for the review by the Portland Planning Department. Gorrill-Palmer Consulting Engineers, Inc. has enjoyed meeting with the staff to date on this project and are willing discuss any questions or concerns the Planning Department may have. Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William C. Haskell, P.E.
Project Engineer

Copy: H. Mason Sears w/ encl.
William Faucher, w/ encl.
Mark Burnes, w/encl.



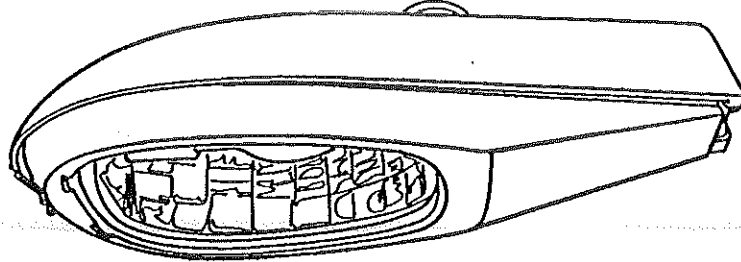
M-250R2 LUMINAIRE WITH CUTOFF OPTICS

APPLICATIONS

Residential streets, access roads, parking lots and other outdoor areas

SPECIFICATION FEATURES

- Universal two-bolt slipfitter
- Die-cast aluminum housing with electrocoat gray paint finish
- Adjustable mogul base socket (street side) – E39 standard
- No-tool PE receptacle
- Plug-in ignitor
- True 90° cutoff—no light above 90°
- External stainless steel bail latch
- CSA Certified units available – contact factory
- Standard construction is IP55
- Magnapack packaging available – See Technical Section



 Turtle-friendly luminaires available for coastal nesting areas. Contact factory.

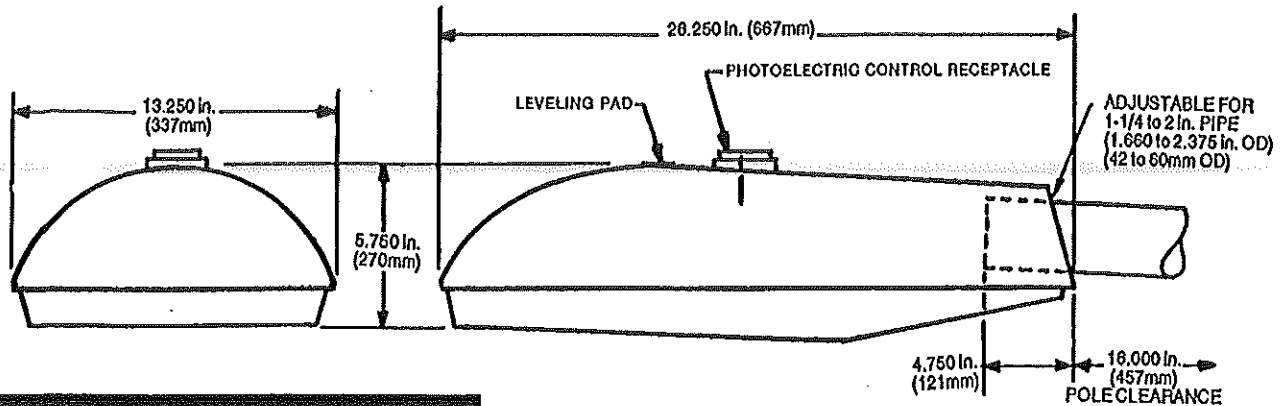
ORDERING NUMBER LOGIC

PRODUCT ID. XXXX	WATTAGE XX	LIGHT SOURCE X	VOLTAGE X	BALLAST TYPE X	PE FUNCTION X	LENS TYPE X	IES DISTRIBUTION TYPE X X X	OPTIONS XXX
M2RC = M-250R2 with Cutoff Optics	05 = 50 07 = 70 10 = 100 15 = 150 (55V) 17 = 175 20 = 200 21 = 100/ 150 (55V) 25 = 250 NOTE: Dual wattage connected for lower wattage	S = HPS C = Merc Standard: Lamp not included.	60Hz 0 = 120/208/ 240/277 Multivolt 1 = 120 2 = 208 3 = 240 4 = 277 5 = 480 7 = 120X240 8 = 240V Ballast 120V PE Receptacle not reconnectable D = 347 F = 120X347 T = 220 W = 230 50Hz 6 = 220 R = 230 Y = 240 NOTE: Dual voltage connected for lower voltage	See Ballast Selection Table A = Autoreg C = Merc-Reg G = Mag-Reg with Grounded Socket Shell H = HPF Reactor or Lag M = Mag-Reg N = NPF Reactor or Lag P = CWI with Grounded Socket Shell	1 = None 2 = PE Receptacle NOTE: Receptacle connected same voltage as unit except as noted. Order PE Control separately.	See Photometric Selection Table A = Acrylic, Clear Globe G = Glass, Flat L = Polycarbonate, Clear Globe Note: Use 150 watt maximum with Acrylic or Polycarbonate Clear Globes	See Photometric Selection Table ↓ S = Short M = Medium ↓ C = Cutoff ↓ 2 = Type II 3 = Type III	C = Charcoal filter F = Fusing (Not available with multivolt or dual voltage) J = Line Surge Protector, Expulsion Type



M-250R2 LUMINAIRE WITH CUTOFF OPTICS

DIMENSIONS



DATA

Approximate Net Weight	20-30 lbs 9-14 kgs
Effective Projected Area (Max) Flat Glass Unit	0.6 sq ft 0.06 sq M
Clear Acrylic or Polycarbonate Globe Unit	1.0 sq ft 0.09 sq M
Suggested Mounting Height	20-40 ft 6-12 M

PHOTOMETRIC SELECTION TABLE

All light sources are clear unless otherwise indicated.

Wattage	Light Source	Lens Type	IES Distribution Type Photometric Curve Number 35-17 ----(Soc Pos)		
			MC2	MC3	SC2
50,70,100,150 (55 V)	HPS	A or L	N/A	9168 (A)	N/A
50,70,100,150 (55 V)	HPS	G	7293(1B)	7292(1.5B)	N/A
200, 250	HPS	G	7306 (2D)	7305 (1D)	N/A
100, 175, 250	Merc	G	N/A	N/A	7300(1B)

NOTE: N/A = Not Available

REFERENCES

See Page 324 for start of Accessories
 See Page 328 for Explanation of Options and Other Terms Used
 See Page 332 for Pole Selection

BALLAST SELECTION TABLE

Wattage	Light Source	Ballast Type/Voltage													
		60Hz												50Hz	
		Multivolt	120	208	240	277	480	120X240	347, 120X347	240/120 PE R	220	230	220	230	240
50	HPS	H,N	H,N	H,N	H,N	H,N	H,N	H,N	H,N	H,N	N/A	N/A	N/A	N/A	N/A
70,100,150 (55V)	HPS	H,N	G,H,M,N	G,H,M,N	G,H,M,N	G,H,M,N	G,M	G,H,M,N	G*,H,M*,N	G,H,M,N	H,M,N	N/A	H,M,N	H	N/A
100/150 (55V)	HPS	N/A	H,N	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
200, 250	HPS	A,P	A,H,N,P	A,H,N,P	A,H,N,P	A,P	A,P	A,P	A**,P	A,H,N	H	H	A,H,N	H	H
100, 175	Merc	C	C,N	C	C,H,N	C	C	C	N/A	C,H,N	N/A	N/A	N/A	N/A	N/A
250	Merc	C	A,C,N	C	C,H,N	C	C	C	N/A	C,H,N	N/A	N/A	H	N/A	H

NOTE: N/A = Not Available
 NOTE: *Not available in 120X347 volt
 NOTE: **Not available in 200 watt

**GUIDE FORM SPECIFICATIONS****M-250R2 LUMINAIRE WITH CUTOFF OPTICS****GENERAL DESCRIPTION**

The complete luminaire designated _____ (*identify*) shall be a GE M-250R2 WITH CUTOFF OPTICS roadway luminaire, ordering number _____ (*specify M2RCXXXXXXXXXXXX*), or approved equal, to operate one _____ (*specify [50, 70, 100, 150 (55V), 200 or 250] watt high pressure sodium [HPS] or [100, 175 or 250] watt mercury*) lamp from a nominal _____ (*specify 120, 208, 220, 230, 240, 277, 347 or 480*) volt, 60 Hz or (220, 230 or 240) volt, 50 Hz power source and shall be capable of starting and operating the specified lamp within the limits specified by the lamp manufacturer. The luminaire shall contain a completely prewired integral ballast and an optical assembly that shall provide an IES Distribution Type _____ (*specify according to photometric selection table*). Labeling shall be in accordance with ANSI standards. Some units may be CSA Certified. Contact factory. Standard construction is IP55.

MECHANICAL CONSTRUCTION

The luminaire shall include a precision die-cast aluminum upper and lower housing with an electrocoat gray paint finish. Lower housing shall be hinged and separable and shall hold the lens in place. The internal slipfitter shall contain two bolts which do not pass through the housing but tighten from below with lower housing in dropped position. The one-piece serrated pipe clamp shall be capable of adapting to 1 1/4 - through 2-inch (42 through 60 mm) pipe without rearrangement of clamp or bolts, and shall allow positive leveling $\pm 4^\circ$ from horizontal in 2° increments using stair step notches. (There shall be an optional prewired no-tool photoelectric control receptacle.)

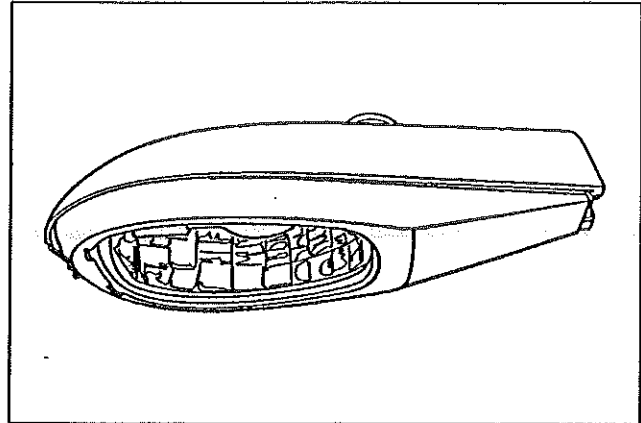
There shall be a metal or polymer bird guard, shipped installed and an external quick-release stainless steel bail latch requiring no tools and operable with lineman's gloves.

BALLAST OPERATION

The luminaire shall contain a standard _____ (*specify*) type ballast* in full compliance with lamp-ballast specifications available to the fixture manufacturer from the lamp manufacturers at the time of fixture manufacture. The ballast shall be prewired to the lamp socket and dead-back terminal board, requiring connection of power supply leads to the terminal board only. The plug-in ignitor for HPS lamps shall be removable without the use of tools.

The ballast shall reliably start and operate the lamp in ambient temperatures down to -20°F for mercury and metal halide or -40°F for HPS.

The luminaire and ballast shall be from the same manufacturer.

**OPTICAL ASSEMBLY**

The cutoff optical assembly shall include a precision formed aluminum reflector with a chemically-bonded lightweight non-breakable ALGLAS® finish on both the inside and outside surfaces providing corrosion resistance, durability and ease of cleaning, and a _____ (*specify heat/impact-resistant tempered flat glass lens or acrylic or polycarbonate resin clear globe [for lamps over 150-watt, use glass lens only]*). The cutoff optical assembly shall allow no light above 90° with use of flat glass lens (true 90° cutoff characteristics)).

The cutoff optical assembly shall have a _____ (*specify non-wicking felt gasket which acts as filter by excluding particulate contamination when the luminaire is closed, or an elastomer gasket*), around the edge of the reflector. (With the elastomer gasket there shall be an activated charcoal filter to permit passage of air and therefore allow for breathing of the luminaire during normal off-on heating and cooling cycles, filtering out gaseous contaminants such as hydrocarbons.)

The optical assembly shall contain an adjustable E39 mogul base socket with superior lamp gripping. The socket shall have added insulation, giving it the ability to handle the higher pulse ratings of newer HID systems.

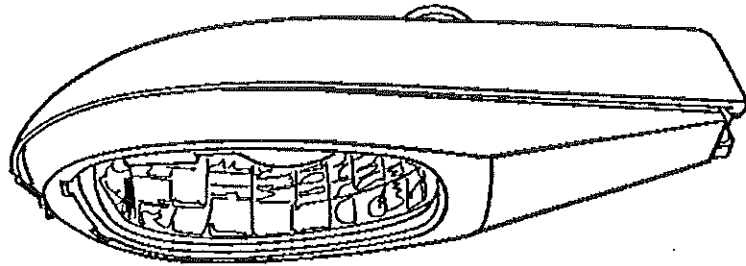
* REFER TO PRODUCT PAGE FOR BALLAST SELECTIONS. FOR MORE DEFINITIVE INFORMATION, REFER TO BALLAST SPECIFICATIONS IN TECHNICAL DATA SECTION.



M-250R2 Luminaire with Cutoff Optics

SUGGESTED APPLICATIONS

For lower wattage roadway applications including residential streets, parking lots and other long, narrow areas



FEATURES

- Choice of fully enclosed acrylic, polycarbonate or borosilicate glass prismatic refractor (for lamps over 150 watts, use glass refractor only)
- Fiber gasket
- External stainless steel bail latch
- Utilizes 50-250 watt high pressure sodium (HPS) and 100-250 watt mercury lamps
- Die-cast aluminum housing with electrocoat gray paint finish
- No-tool photoelectric (PE) control receptacle (PE control ordered separately)
- Universal two-bolt slipfitter
- Plug-in ignitor
- Adjustable mogul base socket
- Power tray available
- CSA available

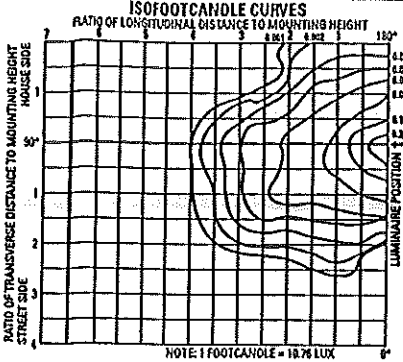
BENEFITS

- Efficient, attractive, easy to maintain; polycarbonate refractor adds vandal resistance; acrylic refractor offers more precise prism pattern
- Helps keep inside surfaces clean for maintained light output; fiber gasket removes particulate matter
- Corrosion resistance, ease of installation, re-lamping, maintenance; visual check assures latching
- Meets wattage and color rendering requirements of the application
- Corrosion resistance and long life
- Easy-to-install PE control provides automatic dusk-to-dawn operation; can be aimed North without use of tools
- Easy installation, adaptable to a variety of applications, provides $\pm 5\%$ leveling capability
- Easy maintenance, reliable electrical contact
- Provides secure lamp seating for good electrical contact and proper lamp operation, field adjustment changes light distribution
- Provides convenient access to electrical parts for easy maintenance
- Meets Canadian Standards Association criteria



PHOTOMETRIC DATA M-250R2 LUMINAIRE WITH CUTOFF OPTICS

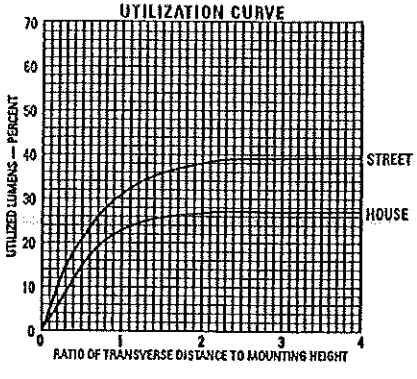
PHOTOMETRIC DATA 35-177293-00



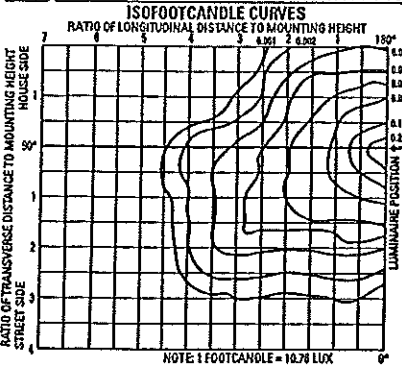
General Electric M-250R2 Luminaire
With Cutoff Optics, Reflector 35-232433-01
Refractor Clear Flat Glass, Socket Position B1
LAMP-70 TO 150 WATT HIGH PRESSURE SODIUM

ANSIES TYPE CUTOFF
MOUNTING HEIGHT 30 FT
MAX CANDELA 377.9
MAX CONE 78.8°
MAX VERTICAL PLANE 87.5/292.5°
MAX CANDELA AT 90° 1.2
MAX CANDELA AT 80° 2.3
NADIR FOOTCANDLES 0.2617
NADIR CANDELA 2.768
MULTIPLY ALL LUMEN, CANDELA AND FOOTCANDLE VALUES BY THIS RATIO:
RATIO = ACTUAL LAMP LUMENS ÷ 1000

LIGHT FLUX VALUES		
	LUMENS	% OF LAMP
DOWNWARD STREET SIDE	394	39.4
UPWARD STREET SIDE	0	0.0
DOWNWARD HOUSE SIDE	265	26.5
UPWARD HOUSE SIDE	0	0.0
TOTAL	659	65.9



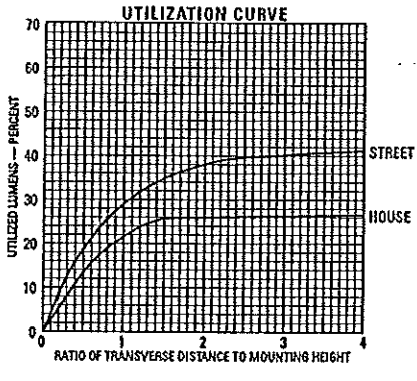
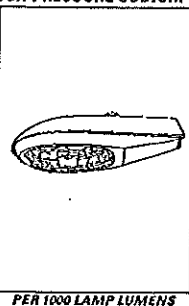
PHOTOMETRIC DATA 35-177292-00



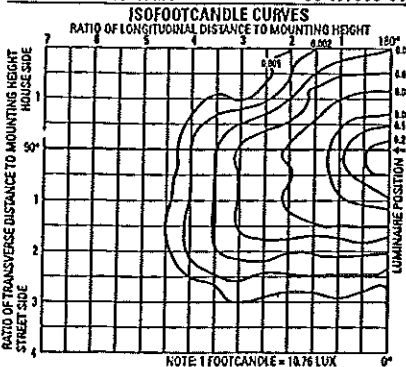
General Electric M-250R2 Luminaire
With Cutoff Optics, Reflector 35-232433-01
Refractor Clear Flat Glass, Socket Position 1.5B
LAMP-70 TO 150 WATT HIGH PRESSURE SODIUM

ANSIES TYPE CUTOFF
MOUNTING HEIGHT 30 FT
MAX CANDELA 337.3
MAX CONE 72.5°
MAX VERTICAL PLANE 97.4/292.5°
MAX CANDELA AT 90° 1.2
MAX CANDELA AT 80° 13.5
NADIR FOOTCANDLES 0.2739
NADIR CANDELA 2.903
MULTIPLY ALL LUMEN, CANDELA AND FOOTCANDLE VALUES BY THIS RATIO:
RATIO = ACTUAL LAMP LUMENS ÷ 1000

LIGHT FLUX VALUES		
	LUMENS	% OF LAMP
DOWNWARD STREET SIDE	413	41.3
UPWARD STREET SIDE	0	0.0
DOWNWARD HOUSE SIDE	259	25.9
UPWARD HOUSE SIDE	0	0.0
TOTAL	659	69.9



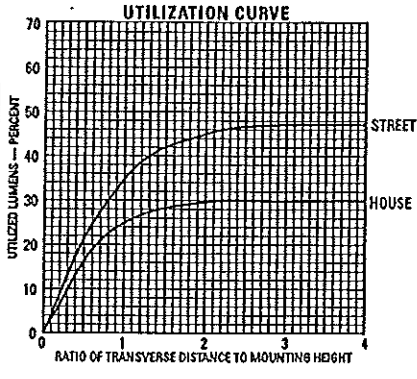
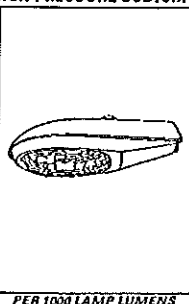
PHOTOMETRIC DATA 35-177305-01



General Electric M-250R2 Luminaire
With Cutoff Optics, Reflector 35-232433-03
Refractor Clear Flat Glass, Socket Position 1D
LAMP-200 TO 250 WATT HIGH PRESSURE SODIUM

ANSIES TYPE CUTOFF
MOUNTING HEIGHT 30 FT
MAX CANDELA 416.3
MAX CONE 72.5°
MAX VERTICAL PLANE 81.5/292.5°
MAX CANDELA AT 90° 8.5
MAX CANDELA AT 80° 8.5
NADIR FOOTCANDLES 0.2792
NADIR CANDELA 2.513
MULTIPLY ALL LUMEN, CANDELA AND FOOTCANDLE VALUES BY THIS RATIO:
RATIO = ACTUAL LAMP LUMENS ÷ 1000

LIGHT FLUX VALUES		
	LUMENS	% OF LAMP
DOWNWARD STREET SIDE	467	46.7
UPWARD STREET SIDE	0	0.0
DOWNWARD HOUSE SIDE	291	29.1
UPWARD HOUSE SIDE	0	0.0
TOTAL	758	75.8



City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: 65 Kensington Street		Zone: R-3, I-L	
Total Square Footage of Proposed Structure Dock House: Service Bldg:		Square Footage of Lot 155,543 s.f.	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 429 G 001 430 B 013		Property owner, mailing address: Yacht Haven, LLC 65 Kensington Street Portland, ME 04103	Telephone: (207) 842-9000
Consultant/Agent, mailing address, phone & contact person Gorrill-palmer Consulting Engineers, Inc. PO Box 1237 Gray, Maine 04039 (207) 657-6910 Alton Palmer		Applicant name, mailing address, telephone #/Fax#/Pager#: H. Mason Sears Yacht Haven, LLC 65 Kensington Street Portland, ME 04103	Project name: Maine Yacht Center
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input checked="" type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision, amount of lots \$25.00 per lot \$ _____ <input type="checkbox"/> Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____ <input type="checkbox"/> Traffic Movement \$1,000 <input type="checkbox"/> Stormwater Quality \$250.00 <input type="checkbox"/> Other _____ <input type="checkbox"/> After the fact review - Major project \$1,500.00 <input type="checkbox"/> After the fact review - Minor project \$1,200.00 Major Development _____ \$500.00 Minor Development <input checked="" type="checkbox"/> \$400.00 Plan Amendments: <input type="checkbox"/> Board review \$200.00 <input type="checkbox"/> Staff review \$100.00			
Who billing will be sent to: Yacht Haven, LLC			
Mailing address: 65 Kensington Street			
State and Zip: Portland, Maine 04103		Contact person: H. Mason Sears	Phone: (207) 842-9000

Submittals shall include (9) separate folded packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, and c)

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11) you may also visit the web site: ci.portland.me.us chapter 14

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 of applicant:	Date:
-------------------------	-------

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

207-657-6910
FAX: 207-657-6912
E-Mail: gpcel@maine.rr.com

August 20, 2002

Mr. David Coffin
Portland Water District
225 Douglas Street
Portland, ME 04104-3553

Re: Maine Yacht Harbor
Letter of Ability to Serve

Dear Dave:

Allied Engineering, Gawron Architects and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Maine Yacht Harbor, a.k.a Yacht Haven L.L.C. to prepare plans and permit applications for the development of a proposed Marina. The site is comprised of two lots and is identified as Chart # 429 Block # G Lot # 001, and Chart # 430 Block #B Lot # 013 in the Portland Assessor's records. The site is located at the terminus of Kensington Street, and will occupy approximately 2.5 acres of the 3.57-acre lot. The project will consist of two phases; Phase 1 will consist of the construction of a temporary gravel parking lot, temporary office (construction trailer), a boat ramp and 124 boat slips. Phase 2 will consist of constructing a vessel workshop building replacing the Phase 1 parking area, with the addition of a new permanent parking lot.

Utility Improvements

Water and fire protection service will be needed at the pier servicing the marina facility. At this time it is anticipated that an 8 and 4-inch water line will run parallel from the existing 12-inch main that crosses the site between Kensington and Sherwood Street. The mains will extend southward along the western side of the property to the proposed utility vault. A hydrant will be installed near the pier off the 8-inch main. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Anticipated Flows

The facility is estimated to produce the following wastewater flow based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules the maximum daily flow for the marina will be:

100 gpd	=	100 gpd
10 gpd/slip x 124 slips	=	<u>1,240 gpd</u>
TOTAL USAGE	=	1,340 gpd

Based on the marina's requirements and these assumptions, the average daily flow is estimated to be 1,340 gpd.

Mr. David Coffin
August 20, 2002
Page 2 of 2

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Water District to serve the project. In addition, we are interested in receiving:

- An estimate for any work the Water District would perform.
- Information as to any easements that the District may require on-site.
- Any results of hydrant tests in the vicinity of the site.
- Any other information that you believe would be useful as this project proceeds.

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William Haskell, P.E.
Project Engineer

Enclosure

Copy: H. Mason Sears w/o encl.
William Faucher, w/o encl.
Mark Burnes, w/o encl.



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

207-657-6910
FAX: 207-657-6912
E-Mail:gpcel@maine.rr.com

August 20, 2002

Mr. Frank Brancely
Portland Public Works
55 Portland Street
Portland, ME 04101

Re: Maine Yacht Harbor
Letter of Ability to Serve

Dear Frank:

Allied Engineering, Gawron Architects and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Maine Yacht Harbor, a.k.a Yacht Haven L.L.C. to prepare plans and permit applications for the development of a proposed Marina. The site is comprised of two lots and is identified as Chart # 429 Block # G Lot # 001, and Chart # 430 Block #B Lot # 013 in the Portland Assessor's records. The site is located at the terminus of Kensington Street, and will occupy approximately 2.5 acres of the 3.57-acre lot. The project will consist of two phases; Phase 1 will consist of the construction of a temporary gravel parking lot, temporary office (construction trailer), a boat ramp and 124 boat slips. Phase 2 will consist of constructing a vessel workshop building replacing the Phase 1 parking area, with the addition of a new permanent parking lot.

Utility Improvements

Sewer service will be needed at the pier servicing the marina facility. At this time it is anticipated that a pump station will be installed at the eastern end of the site near the proposed utility vault at the beginning of the existing pier. From the pump station, a 4 inch force main will be located 8 feet from the southern edge of the proposed Phase 2 building, and will continue to the existing sewer manhole at the end of Kensington Street. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Anticipated Flows

The facility is estimated to produce the following wastewater flow based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules the maximum daily flow for the marina will be:

100 gpd	=	100 gpd
10 gpd/slip x 124 slips	=	<u>1,240 gpd</u>
TOTAL USAGE	=	1,340 gpd

Based on the marina's requirements and these assumptions, the average daily flow is estimated to be 1,340 gpd.

Mr. Frank Brancely

August 20, 2002

Page 2 of 2

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Public Works to serve the project both for conveyance of the flow and treatment at the plant. In addition, we are interested in receiving:

- Information as to any easements that the Public Works may require on-site.
- Any other information that you believe would be useful as this project proceeds.

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William Haskell, P.E

Project Engineer

Enclosures

Copy: H. Mason Sears w/o encl.
William Faucher, w/o encl.
Mark Burnes, w/o encl.

August 20, 2002

Ms. Debbie Paiement
Time Warner Cable
118 Johnson Road
Portland, ME 04102

Re: Maine Yacht Harbor
Letter of Ability to Serve

Dear Ms. Paiement:

Allied Engineering, Gawron Architects and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Maine Yacht Harbor, a.k.a Yacht Haven L.L.C. to prepare plans and permit applications for the development of a proposed Marina. The site is comprised of two lots and is identified as Chart # 429 Block # G Lot # 001, and Chart # 430 Block #B Lot # 013 in the Portland Assessor's records. The site is located at the terminus of Kensington Street, and will occupy approximately 2.5 acres of the 3.57-acre lot. The project will consist of two phases; Phase 1 will consist of the construction of a temporary gravel parking lot, temporary office (construction trailer), a boat ramp and 124 boat slips. Phase 2 will consist of constructing a vessel workshop building replacing the Phase 1 parking area, with the addition of a new permanent parking lot.

Utility Improvements

At this time it is anticipated that two 2-inch underground conduits with pull wires would be extended on-site to the existing utility vault at the beginning of the pier from the existing pole within the right of way on Kensington Street. The proposed service will be extended approximately 650 feet to the proposed utility vault. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Time Warner Cable to serve the project. In addition, we are interested in receiving:

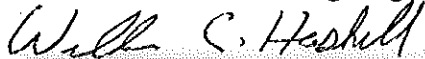
- An estimate for any work that Time Warner Cable would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Ms. Paiement
August 20, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William Haskell, P.E.
Project Engineer

Enclosure

Copy: H. Mason Sears w/o encl.
William Faucher, w/o encl.
Mark Burnes, w/o encl.

August 20, 2002

Mr. John Caprio
Verizon
5 Davis Farm Road
Portland, ME 04103

Re: Maine Yacht Harbor
Letter of Ability to Serve

Dear Mr. Caprio:

Allied Engineering, Gawron Architects and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Maine Yacht Harbor, a.k.a Yacht Haven L.L.C. to prepare plans and permit applications for the development of a proposed Marina. The site is comprised of two lots and is identified as Chart # 429 Block # G Lot # 001, and Chart # 430 Block #B Lot # 013 in the Portland Assessor's records. The site is located at the terminus of Kensington Street, and will occupy approximately 2.5 acres of the 3.57-acre lot. The project will consist of two phases; Phase 1 will consist of the construction of a temporary gravel parking lot, temporary office (construction trailer), a boat ramp and 124 boat slips. Phase 2 will consist of constructing a vessel workshop building replacing the Phase 1 parking area, with the addition of a new permanent parking lot.

Utility Improvements

At this time it is anticipated that two 2-inch underground conduits with pull wires would be extended on-site to the existing utility vault at the beginning of the pier from the existing pole within the right of way on Kensington Street. The proposed service will be extended approximately 650 feet to the proposed utility vault. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Verizon to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Verizon would perform within the right-of-way.
- Information as to any additional easements that Verizon may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Mr. John Caprio
August 20, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William Haskell, P.E.
Project Engineer

Enclosure

Copy: H. Mason Sears w/o encl.
William Faucher, w/o encl.
Mark Burnes, w/o encl.

August 20, 2002

Mr. Mark Kreider
Central Maine Power Company
162 Canco Road
Portland, ME 04103

Re: Maine Yacht Harbor
Letter of Ability to Serve

Dear Mr. Kreider:

Allied Engineering, Gawron Architects and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Maine Yacht Harbor, a.k.a Yacht Haven L.L.C. to prepare plans and permit applications for the development of a proposed Marina. The site is comprised of two lots and is identified as Chart # 429 Block # G Lot # 001, and Chart # 430 Block #B Lot # 013 in the Portland Assessor's records. The site is located at the terminus of Kensington Street, and will occupy approximately 2.5 acres of the 3.57-acre lot. The project will consist of two phases; Phase 1 will consist of the construction of a temporary gravel parking lot, temporary office (construction trailer), a boat ramp and 124 boat slips. Phase 2 will consist of constructing a vessel workshop building replacing the Phase 1 parking area, with the addition of a new permanent parking lot.

Utility Improvements

At this time it is anticipated that two 5-inch underground conduits with pull wires would be extended on-site to the existing utility vault at the beginning of the pier from the existing pole within the right of way on Kensington Street. The proposed service will be extended approximately 650 feet to the proposed utility vault. Loads and power requirements will be provided to your office when they have been determined. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Central Maine Power Company to serve the project. In addition, we are interested in receiving:

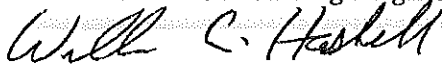
- An estimate for any work that Central Maine Power would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Mr. Mark Kreider
August 20, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William Haskell, P.E.
Project Engineer

Enclosure

Copy: H. Mason Sears w/o encl.
William Faucher, w/o encl.
Mark Burnes, w/o encl.

gradient is less damaging than the habitat loss from a solid concrete or asphalt boat ramp. DMR recommends that excavating equipment operate within the exposed footprint of the ramp during periods of low tide to minimize impacts to the surrounding intertidal area. To further minimize impacts to marine organisms from turbidity, DMR recommends no excavation between June 1 and October 1. The Department finds that these recommendations must be followed.

3. WETLAND PROTECTION RULES:

The Wetland Protection Rules (Chapter 305) require all projects in coastal wetlands to avoid the loss of wetland area, functions and values if there is a practicable alternative to the project that would be less damaging, to minimize the amount of wetland area altered, and to compensate for filling more than 500 square feet of intertidal habitat when a functional assessment determines that a wetland function or functions will be lost or degraded.

The applicant submitted an alternatives analysis demonstrating that the only other practical alternative for launching and retrieving boats is a Travel Lift, which requires deep water access along a travel surface and would require additional intertidal and subtidal filling beyond the footprint of the proposed boat ramp. The applicant minimized the area to be altered by selecting a site where the ramp can be installed along the existing slope of the beach thus eliminating additional grading and filling. The applicant also submitted a functional assessment of the project site prepared by Duke Engineering & Services and dated January 3, 2002. The assessment followed the methods prescribed in Appendix A of the Natural Resources Protection Act application. The assessment states that the primary function of the beach and mudflat is habitat for marine invertebrates. No invertebrates were found after sampling the 1,520 square feet of upper intertidal beach habitat within the boat ramp's footprint. Empty clam shells and three clam worms were found in the more productive 480 square feet of sandy mud habitat at the lower end of the boat ramp profile.

Based on the functional assessment, the Department finds that no compensation is required for the proposed project since the profile of the shoreline will not change significantly, and there will be no net loss of intertidal area. The loss of infauna habitat is limited to the lower section of the boat ramp and is less than 500 square feet.

4. OTHER CONSIDERATIONS:

The Department has not identified any other issues involving existing scenic, aesthetic, or navigational uses, 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 habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.
- E. The proposed activity will not unreasonably harm any estuarine or marine fisheries provided that there is no excavation between June 1 and October 1, and excavating equipment operates within the exposed footprint of the boat ramp during periods of low tide.
- F. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- G. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.
- H. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- I. The proposed activity is not on or adjacent to a sand dune.
- J. 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 YACHT HAVEN, LLC to construct a boat ramp, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicant shall take all necessary measures to ensure that its activities or those of its agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. The boat ramp shall not be excavated between June 1 and October 1.

- 4. Excavating equipment shall only operate within the exposed footprint of the boat ramp during periods of low tide.

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.

DONE AND DATED AT AUGUSTA, MAINE, THIS 30 DAY OF April, 2002.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

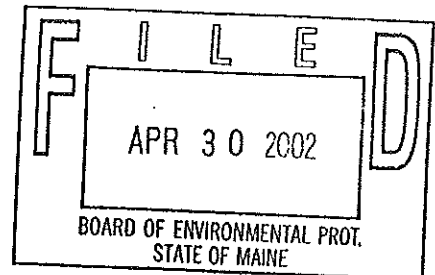
By: 
MARTHA G. KIRKPATRICK, COMMISSIONER

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

Date of initial receipt of application 01/15/2002
Date of application acceptance 01/31/2001

Date filed with Board of Environmental Protection

DBB/L16531GN





ANGUS S. KING, JR.
GOVERNOR

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

Lawick

DEPARTMENT ORDER
IN THE MATTER OF

ALAN J. GRAVES/YACHT HAVEN, LLC.) NATURAL RESOURCES PROTECTION ACT
Portland, Cumberland County) COASTAL WETLAND ALTERATION AND
DREDGING & MARINA) WATER QUALITY CERTIFICATION
L-16531-4C-F-N (approval)) 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 ALAN J. GRAVES/YACHT HAVEN, LLC. 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:

- 1) On June 27, 1990, the Department denied the applicant's proposal to construct a marina and dredge 2.75 acres of intertidal and subtidal marine habitat (L-16531-4C-A-N).
- 2) On August 22, 1990, the Department approved the project after the applicant modified the proposal and eliminated the intertidal dredging (L-16531-4C-B-M).
- 3) On December 10, 1990, the Department approved a project modification increasing the dimensions of the proposed concrete pier (L-16531-4C-C-M).
- 4) On October 30, 1992, the Department approved a two year extension of the permit (L-16531-4C-D-M).
- 5) On October 27, 1994, the Department approved a five year extension of the permit to allow the applicant sufficient time to acquire financial support to begin the project (L-16531-4C-E-M). The permit expired on October 27, 1999. The applicant has now secured financial support to purchase the property and begin construction after obtaining all permits and a lease or easement from the Bureau of Parks and Lands.

B. Summary of Proposal: The applicant proposes to construct a 125 slip marina with a rack storage building with a capacity to store 200 boats. The storage building will be located in an upland area of the parcel. The marina will include two 12 foot wide, 700 foot long floating concrete docks joined by a 140 foot connector. A 20 foot wide, 210 foot long pile supported walkway will span the



intertidal zone and provide access to the docks. Approximately 15,000 cubic yards of soft subtidal sediment will be dredged from a 2.13 acre area on the western side of the project area. This area is shown on a pre-dredge survey prepared by Thomas J. Ober, dated January 20, 1999, and submitted with the application. All dredged sediments will be transported by barge to the Portland Disposal Site, located approximately 7.1 nautical miles from the mainland. A derelict pile supported pier located on the west side of the project area will be removed and properly disposed of in an upland location.

C. ~~Site Description:~~ The project site is at the southern end of Kensington Street and east of the Burnham & Morrill factory. A Canadian National rail line runs along the western boundary of the property. The low energy unconsolidated shore has an intertidal zone that varies from 100 feet to 200 feet wide. The upland is developed with several buildings and a parking area that was the former site of Webber Energy Company.

2. WATER QUALITY AND HABITAT CONSIDERATIONS:

To maintain water quality, the applicant performed physical and chemical testing of the sediments proposed for dredging. The U.S. Army Corps of Engineers evaluated the original test results in 1990 and determined that they were suitable for unconfined disposal at the Portland Disposal Site.

The tidal waters in the project area are classified as SC waters. Water quality in class SC waters must provide suitable habitat for fish and other estuarine or marine life. The applicant's consultant prepared a biological assessment of project area in 1990 and found a limited assemblage of marine worms and mollusks. A Department biologist reviewed the assessment. In review comments dated January 3, 2000, the biologist stated that the original assessment was adequate to evaluate the project impacts to the marine resources. She stated that the proposed project will have a minimal effect on the overall biological community in the shallow subtidal area of Back Cove and Casco Bay. This community of marine worms, crustaceans, and mollusks will likely recover within a few years.

The Department of Marine Resources (DMR) visited the site and reviewed the project's anticipated impacts on the marine environment. In comments dated January 4, 2000, DMR described the site as armored with riprap in the upper intertidal, covered with sand, gravel, cobble and stone in the mid intertidal, and sandy mud in the lower intertidal and subtidal zones. The area has a moderate rockweed cover. Barnacles and periwinkles are abundant. Mussels are present, and there is evidence of soft-shell clams and marine worms. The area is closed to the harvesting of shellfish.

In addition, to meet the requirements of Section 480-D (9) for assessing the impacts of the proposed project on the fishing industry, DMR held a public meeting on December 29, 1999. DMR stated that no issues of concern or opposition to the proposed project were expressed

at that meeting. DMR recommends that dredging and spoils transportation be limited to the period between January 1 and March 15 in order to minimize impacts to marine resources and fishing and boating activity. The Department finds that all dredging and transportation of spoils must be limited to the period between January 1 and March 15. To notify fishermen about the proposed project, the Department also finds that the applicant must publish the barge route to the disposal site in the Portland Press Herald at least two weeks prior to the start of dredging. This legal notice must also include the proposed dredging dates and the procedure for responding to inquiries regarding loss of fishing gear during the dredging operation.

3. EROSION AND SEDIMENT CONTROL CONSIDERATIONS:

The applicant also proposes grading and filling in the upland to reconstruct and reconfigure the parking area. The applicant has submitted an erosion control plan with the application. In addition to this plan, the Department finds that the applicant must take all measures necessary to ensure that there is no erosion of soil into the coastal wetland during construction of the proposed project.

4. OTHER CONSIDERATIONS:

The Department has not identified any other issues involving existing scenic, aesthetic, or navigational uses, the natural transfer of soil, natural flow of water, or flooding.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions:

- 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 provided that the proposed erosion control plan is implemented, all erosion control measures are maintained, and the applicant takes all measures necessary to ensure that there is no erosion of soil into the coastal wetland during construction of the proposed project.
- 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 habitat, travel corridor, freshwater fisheries or other aquatic life.
- E. The proposed activity will not unreasonably harm any estuarine or marine fisheries provided that dredging is limited to the period from January 1 to March 15, and the information in Finding 2 is published in the Portland Press Herald two weeks prior to the start date for dredging.

F. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.

G. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.

H. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

I. The proposed activity is not on or adjacent to a sand dune.

J. 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 ALAN J. GRAVES/YACHT HAVEN, LLC. to dredge and construct a marina, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicant shall implement the proposed erosion control plan, maintain all erosion control measures, and take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Dredging shall be limited to the period between January 1 and March 15.
4. The applicant shall publish the information in Finding 2 in the Portland Press Herald two weeks prior to the start of dredging. Specifically, this legal notice shall include the barge route to the disposal site, the proposed dredging dates, and the procedure for responding to inquiries regarding the loss of fishing gear during the dredging operation.

DONE AND DATED AT AUGUSTA, MAINE, THIS 13th DAY OF January, 2000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

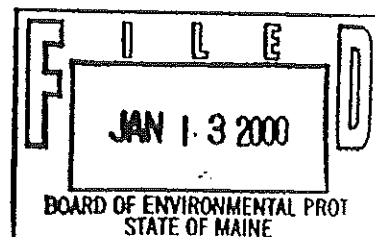
By: *M. G. Kirkpatrick*
MARTHA G. KIRKPATRICK, COMMISSIONER

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

Date of initial receipt of application December 14, 1999
Date of application acceptance December 15, 1999

Date filed with Board of Environmental Protection

DBB/L16531FN



DEPARTMENT OF THE ARMY PERMIT

Permittee Yacht Haven, LLC, 65 Kennington Street, Portland, Maine 04103

Permit No. 200102442

JUN 06 2002

Issuing Office New England District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

Install and maintain marina floats and moorings and construct a boat ramp described as follows:

1. Place fill below the high tide line in order to construct a 125' x 16' boat ramp. Fill material will consist of approximately 160 cubic yards of gravel and pre-cast concrete planks. The ramp will extend approximately 100' beyond the mean high water line.

Project Description Continued on Page 4

In accordance with the attached plans entitled "YACHT HAVEN, LLC, PORTLAND, ME" in ten (10) sheets undated.

Project Location:

In Portland Harbor/Casco Bay at Portland, Maine.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on June 6, 2007. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all

Special Conditions Continued on Page 4

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

Section 404 of the Clean Water Act (33 U.S.C. 1344).

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Christine Godfrey

(DISTRICT ENGINEER)
BRIAN E. OSTERNDORF
COLONEL, CORPS OF ENGINEERS

6/6/02

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)

(DATE)

Project Description Continued from Page 1

2. The marina floats will begin off an existing pile supported concrete pier as shown on the attached plans. They will consist primarily of two 943'x 10' roughly parallel lines of floats connected together at their northern end by a 115'x 10' line of floats. The two parallel lines of floats will have up to 62 finger floats extending to the north and south, measuring 36'x 4' (9), 46'x 5' (33), 46'x 8' (1), and 30'x 4' (19). Up to 124 boat slips will be created by the project. The floats will be bottom moored. Another line of floats will wrap around the southern and western faces of the existing pier and will measure 20'x 6' and 150'x 6' respectively.

3. Install and maintain up to 10 single point rental moorings within a polygonal shaped area adjacent to and south of the marina site. The sides of the polygon measure approximately 600'x 405'x 570'x 300'. The moorings will meet municipal specifications.

Special Conditions Continued from Page 2

contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.

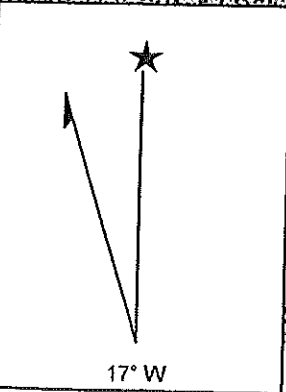
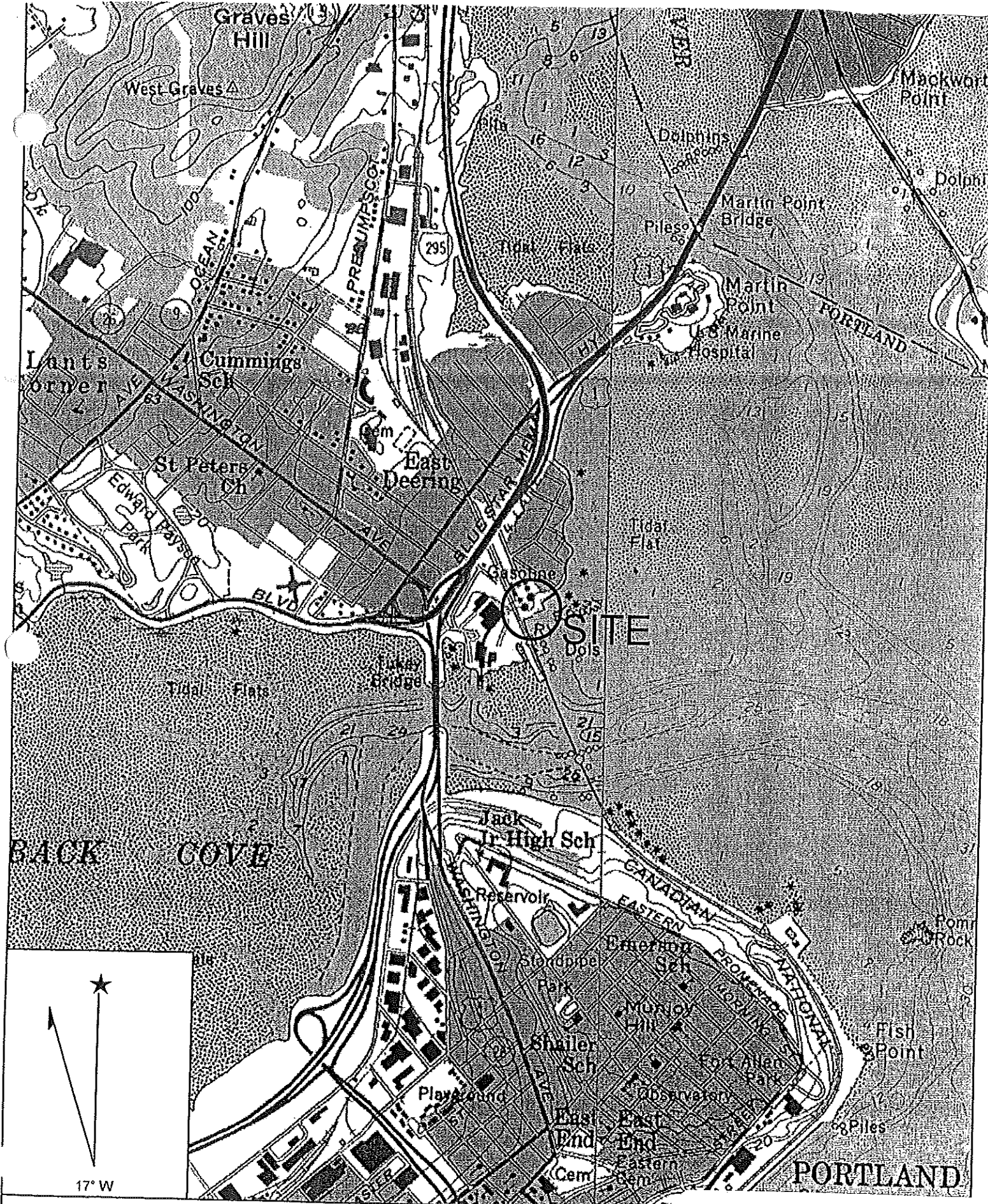
2. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion into waters of the United States.

3. All moorings shall be located a minimum of 90' from the edge of the Federal channel (FNP) that passes through the railroad bridge so that neither the moorings nor any vessel tied to them encroaches into the FNP.

Special Conditions Continued on Page 5

Special Conditions Continued From Page 4

4. The permittee shall not interfere with Corps of Engineers personnel or its contractors engaged in future surveying, maintenance or improvement of the existing Federal Navigation Project. If, in the opinion of the Corps of Engineers, the permittee's mooring tackle must be moved to allow for the surveying, maintenance or improvement of the existing Federal Navigation Project, the permittee shall move the tackle as directed by the Corps of Engineers.
5. The permittee shall not hold the Federal Government or its contractors responsible for any damages they incur from the interruption of their operation or from any measures he has to take to comply with Special Conditions 4.
6. This permit for moorings does not eliminate the need to obtain local harbormaster approval or conform to local harbor management plans. If, in the best interest of overall navigation and under harbormaster direction, it becomes necessary to relocate the moorings, prior written authorization from the Corps is not required. No moorings may be relocated into a Federal Navigation Project. If relocation occurs, the permittee shall provide the Corps with a copy of the harbormaster approval and a plan and coordinates depicting the new location of the mooring(s).
7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

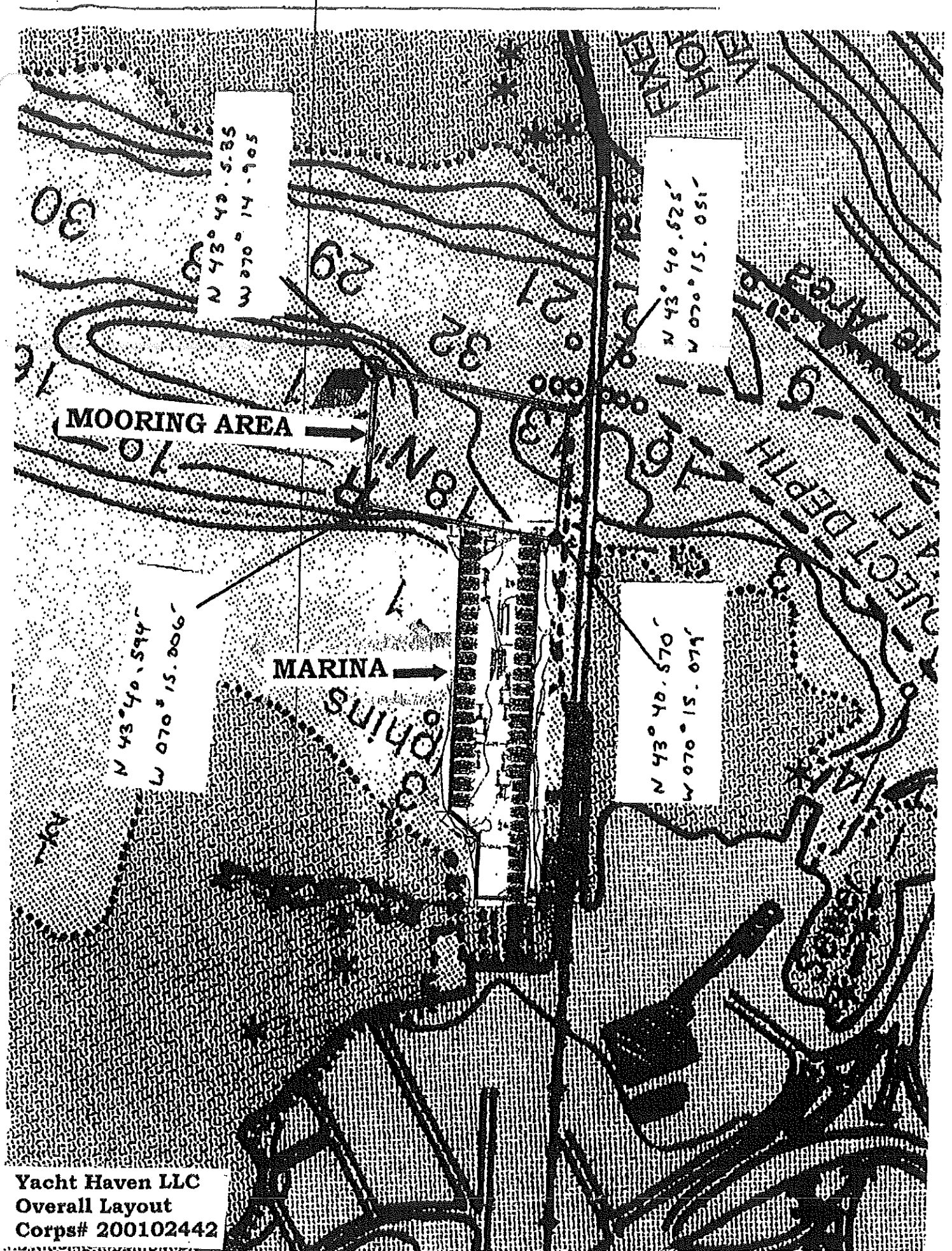


Name: PORTLAND WEST
 Date: 10/1/01
 Scale: 1 inch equals 1333 feet

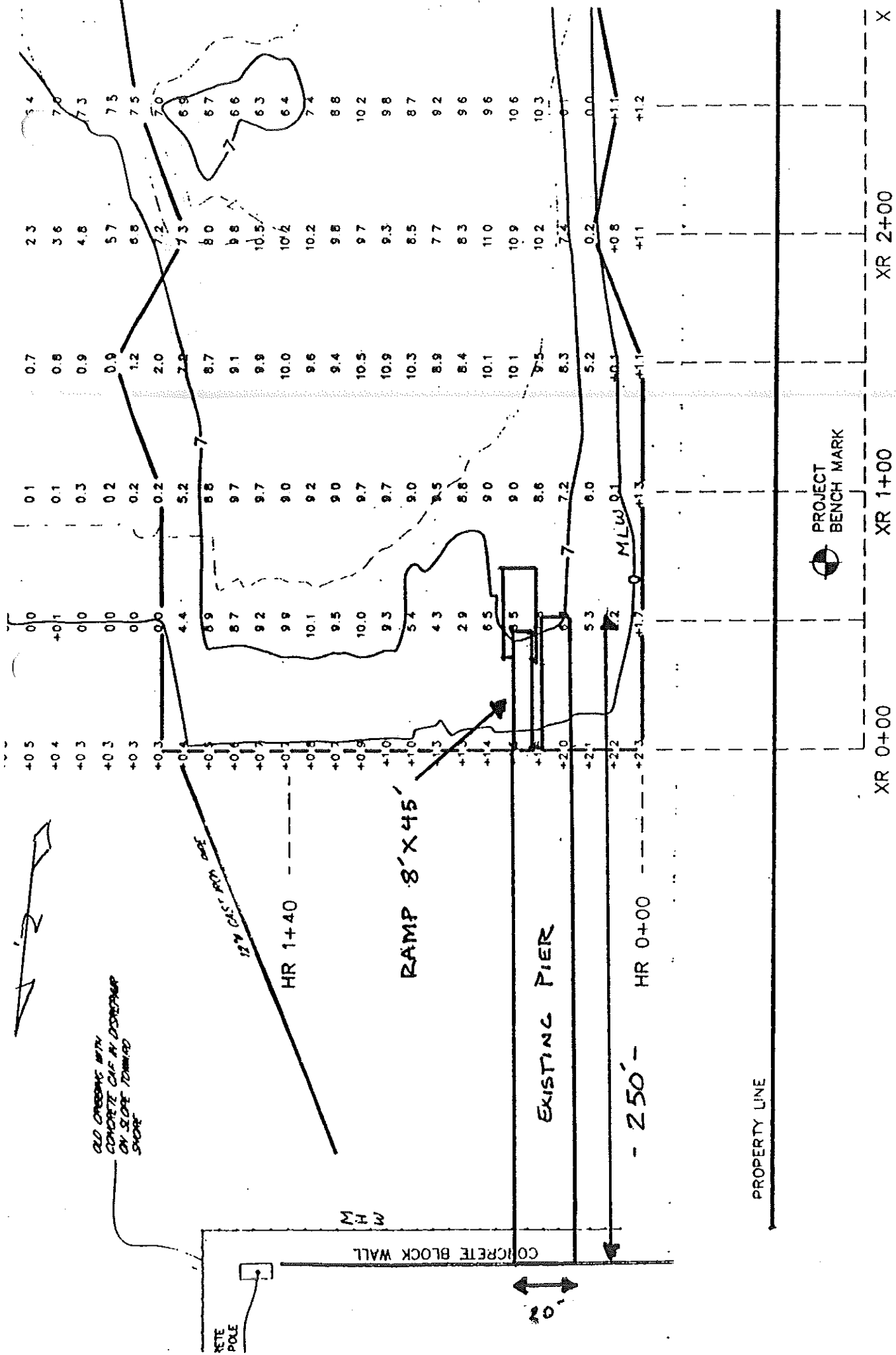
Location: 19 398895 E 4836
 Caption: Location Map
 Yacht Haven
 N4836786 E39900

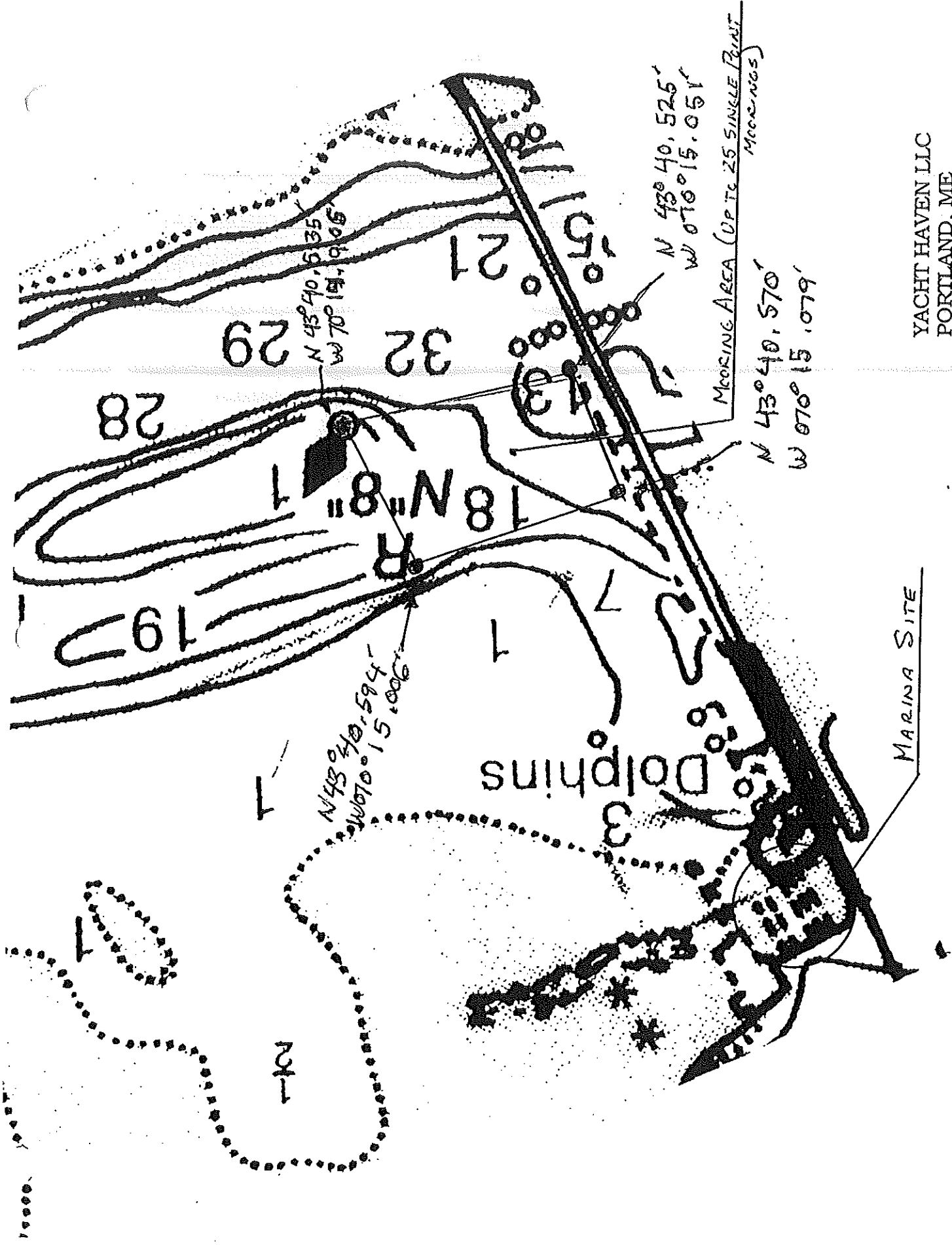
YACHT HAVEN LLC
 PORTLAND, ME

SHEET 1 OF 10



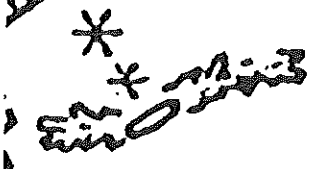
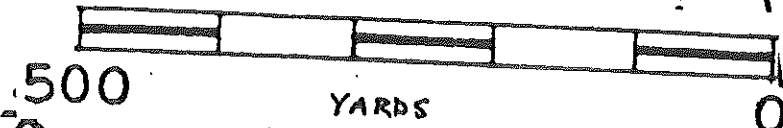
Yacht Haven LLC
 Overall Layout
 Corps# 200102442



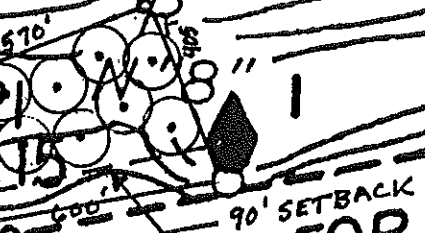


YACHT HAVEN LLC
 PORTLAND, ME

SHEET 6 OF 10



Dolphins



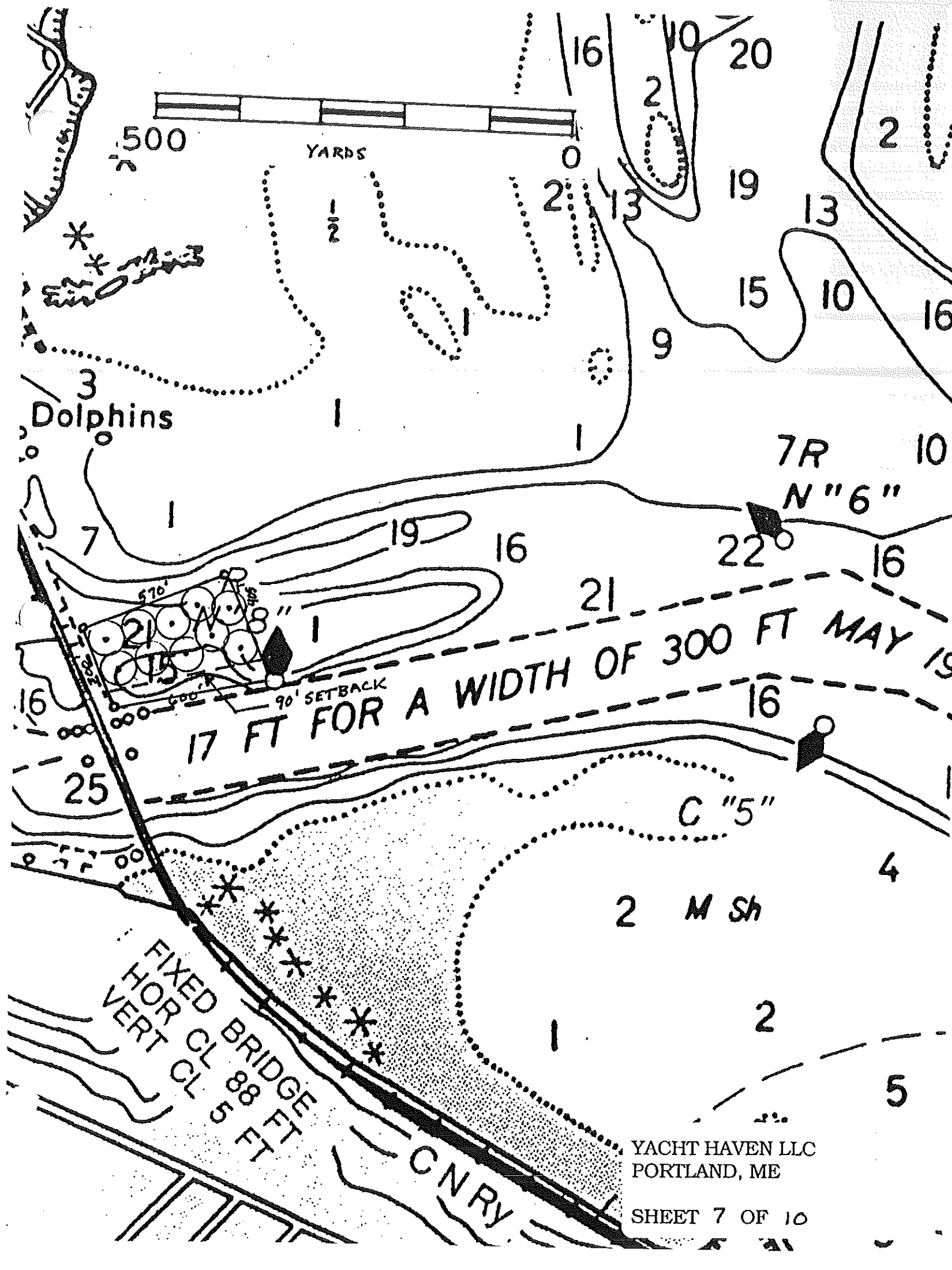
17 FT FOR A WIDTH OF 300 FT MAY 19

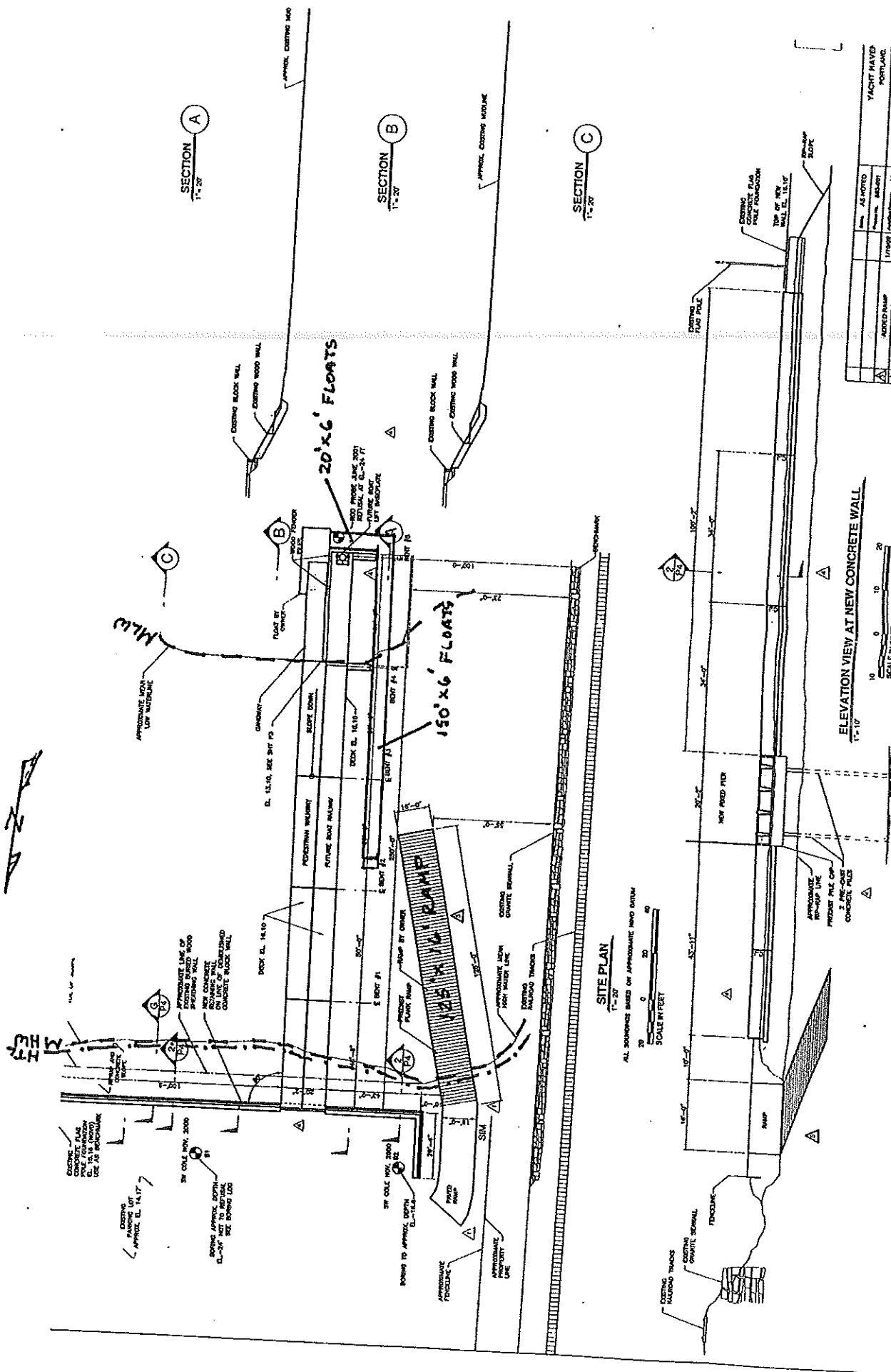
FIXED BRIDGE
HOR CL 88 FT
VERT CL 5 FT

CNRY

YACHT HAVEN LLC
PORTLAND, ME

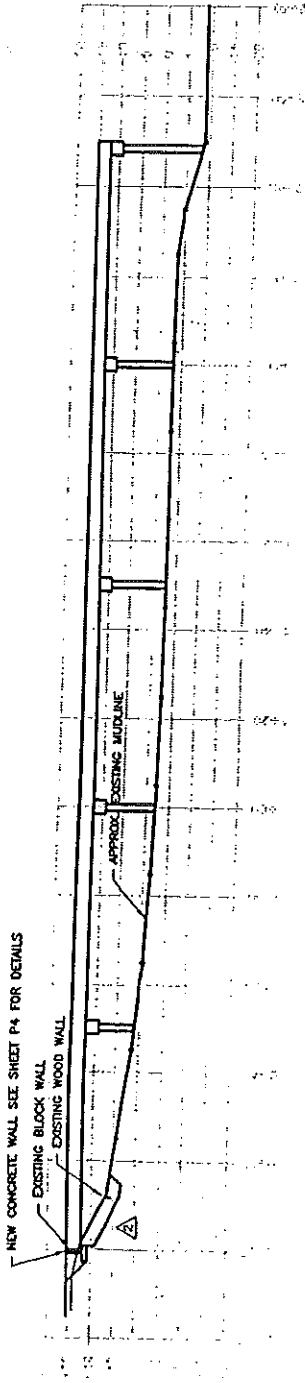
SHEET 7 OF 10



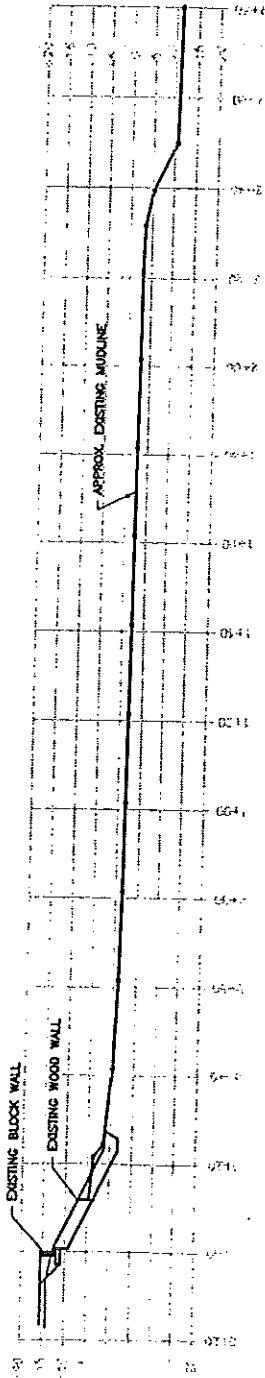


NO.	AS NOTED	YACHT HAVEN LLC	GENERAL & ARCH.
1	ADDED RAMP	1/1/2018	
2	DECK/DOCK (UPDATE)	6/22/18	
3	REVISED LOCATION AND DIMS	8/15/18	
4	ADDED RAMP	1/1/2018	
5	DECK/DOCK (UPDATE)	6/22/18	
6	REVISED LOCATION AND DIMS	8/15/18	
7	ADDED RAMP	1/1/2018	
8	DECK/DOCK (UPDATE)	6/22/18	
9	REVISED LOCATION AND DIMS	8/15/18	
10	ADDED RAMP	1/1/2018	
11	DECK/DOCK (UPDATE)	6/22/18	
12	REVISED LOCATION AND DIMS	8/15/18	
13	ADDED RAMP	1/1/2018	
14	DECK/DOCK (UPDATE)	6/22/18	
15	REVISED LOCATION AND DIMS	8/15/18	
16	ADDED RAMP	1/1/2018	
17	DECK/DOCK (UPDATE)	6/22/18	
18	REVISED LOCATION AND DIMS	8/15/18	
19	ADDED RAMP	1/1/2018	
20	DECK/DOCK (UPDATE)	6/22/18	
21	REVISED LOCATION AND DIMS	8/15/18	
22	ADDED RAMP	1/1/2018	
23	DECK/DOCK (UPDATE)	6/22/18	
24	REVISED LOCATION AND DIMS	8/15/18	
25	ADDED RAMP	1/1/2018	
26	DECK/DOCK (UPDATE)	6/22/18	
27	REVISED LOCATION AND DIMS	8/15/18	
28	ADDED RAMP	1/1/2018	
29	DECK/DOCK (UPDATE)	6/22/18	
30	REVISED LOCATION AND DIMS	8/15/18	

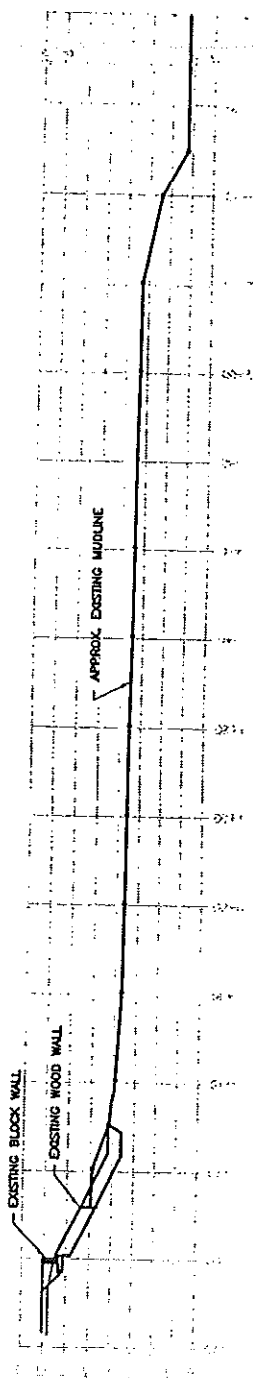
YACHT HAVEN LLC
PORTLAND, ME
SHEET 8 OF 10



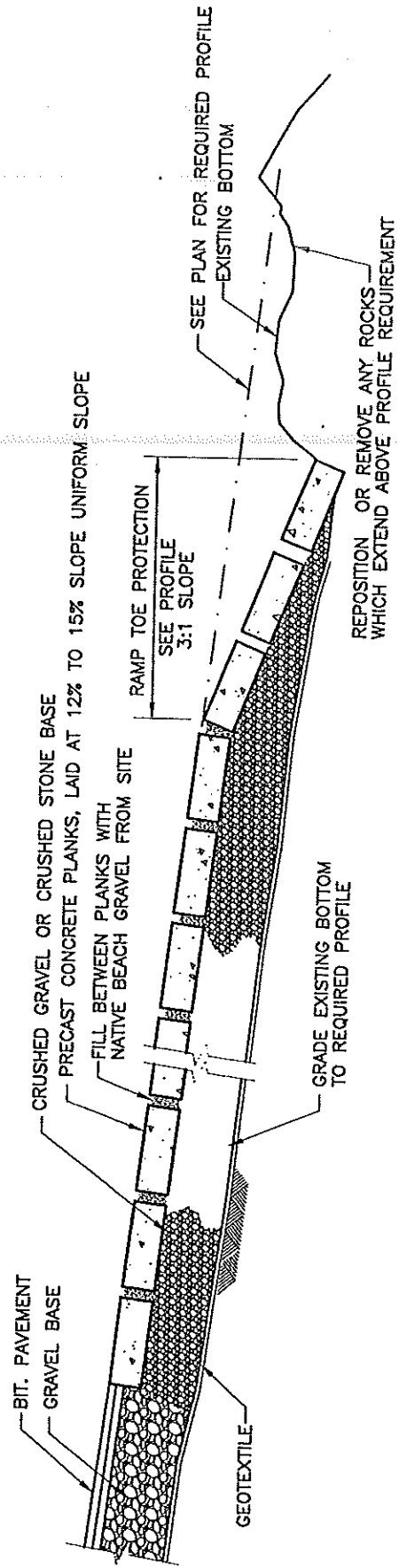
SECTION A
1" = 20'



SECTION B
1" = 20'



SECTION C
1" = 20'



BOAT RAMP LONGITUDINAL SECTION - PLANK SYSTEM
 3/8" = 1'-0"

YACHT HAVEN LLC
 PORTLAND, ME

SHEET 10 OF 10

BOARD OF HARBOR COMMISSIONERS HARBOR OF PORTLAND PERMIT

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To Yacht Haven LLC,
Attn: Alan Graves, 65 Kensington St., Portland, ME 04103.

The undersigned, Board of Harbor Commissioners for the Harbor of Portland, has carefully considered your application, dated the 13th day of September 2000, for a permit authorizing

Twenty-five (25) moorings at the end of Kensington Street
slips for rentals.

Having given public notice of this pending application, as required by law, and therein designated the 9th day of November 2000, 5 o'clock in the afternoon prevailing time, as the time when they would meet at Portland City Council Chambers to examine this issue and hear all interested parties, and having met at the time and place mentioned and examined the location of this proposed twenty-five rental moorings.

and having heard all interested parties, the Board of Harbor Commissioners for the Harbor of Portland hereby issues this permit which authorizes you to proceed under all applicable local and federal regulations hereinafter stated, and to maintain within the limits mentioned, namely

In addition, the construction project described above must be surrounded by a containment boom unless the Board of Harbor Commissioners for the Harbor of Portland has waived this requirement, in writing, either as part of the above-listed conditions, or in a separate statement.

This permit is a limited authorization which contains a stated set of conditions with which the permit holder must comply. If a contractor performs the work for you, both you and the contractor are responsible for assuring that the work is done in conformance with the conditions and limitations of this authorization. Please be sure that the person who will be performing the work has read and understands these conditions.

Performing any work not specifically authorized by this permit, or that fails to comply with its conditions, may subject you to the enforcement provisions of Harbor Commission regulations. If any change in plans or construction methods is found necessary, please contact the Harbor Commission immediately to discuss modifications to your authorization. Any change must be approved by the Harbor Commission before it is undertaken.

Nothing in this permit shall be construed to justify or authorize any invasion to the private rights of others. Moreover, nothing in this permit shall limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland within its applicable statute. Attested copies will be submitted to the U.S. Army Corps of Engineers, the Department of Environmental Protection, the City of Portland, and the City of South Portland.

In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland hereunto set their hands and affix their corporate seal on this 9th day of November 2000.

[Handwritten signatures of Board members]

The work authorized by this permit must be completed on or before the 9th day of November 2001.

Board of Harbor Commissioners for the Harbor of Portland



**Board of Harbor Commissioners
Harbor of Portland, Maine**

2 Portland Fish Pier
Marine Trade Center
Suite 213
Portland, ME 04101

October 11, 2001

H. Mason Sears
Yacht Haven, LLC.
100 Kensington Street
Portland, Maine 04103

RE: Approval of One-Year Extensions on Construction Permits **2000-09** and **2000-12**

Dear Mr. Sears:

At the October 11, 2001 Public Hearing, the Board of Harbor Commissioners approved your request for one-year extensions on both of the following construction permits:

Permit 2000-12 for the construction of the marina and pier. This permit extension is for one year and will expire **October 11, 2002**.

Permit 2000-09 for 25 rental moorings to be installed at the end of Kensington Street. This permit extension is for one year and will expire **October 11, 2002**.

If work is not likely to be completed by that deadline, you will have to re-apply for further extensions before the permits expire. Please keep this letter with the original permits 2000-09 and 2000-12, as it is all the documentation you will receive for these extensions.

Very truly yours,
Board of Harbor Commissioners


Richard Ingalls, Chairman

**BOARD OF HARBOR COMMISSIONERS
HARBOR OF PORTLAND
PERMIT**

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To..... Yacht Haven LLC
.....100 Kensington St..... Portland, ME 04103
The undersigned, Board of Harbor Commissioners for the Harbor of Portland, has carefully considered your application, dated the 15th day of January, 2002, for a permit authorizing
.....To construct a 16' x 125' boat ramp into the intertidal area.

.....
.....
Having given public notice of this pending application, as required by law, and therein designated the 14th day of February 2002, 5:00 o'clock in the afternoon prevailing time as the time when they would meet at South Portland City Council Chambers to examine this issue and here all interested parties, and having met at the time and place mentioned and examined the location of this proposed

.....
.....
and having heard all interested parties, the Board of Harbor Commissioners for the Harbor of Portland hereby issues this permit which authorizes you to proceed under all applicable local and federal regulations hereinafter stated, and to maintain within the limits mentioned, namely.....

.....
.....
In addition, the construction project described above must be surrounded by a containment boom unless the Board of Harbor Commissioners for the Harbor of Portland has waved this requirement in writing, either as part of the above-listed conditions, or in a separate statement.

.....
.....
This permit is limited authorization, which contains a stated set of conditions with which the permit holder must comply. If a contractor performs the work for you, both you and the contractor are responsible for assuring that the work is done in conformance with the conditions and limitations of this authorization. Please be sure that the person who will be performing the work has read and understands these conditions.

.....
.....
Performing any work not specifically authorized by this permit, or that fails to comply with its conditions, may subject your to the enforcement provisions of Harbor Commission regulations. If any change in plans or construction methods is found necessary, please contact the Harbor Commission immediately to discuss modifications to your authorization. Any change must be approved by the Harbor Commission before it is undertaken.

.....
.....
Nothing in this permit shall be construed to justify or authorize any invasion to the private rights of others. Moreover, nothing in this permit shall limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland with its applicable statute. Attested copies will be submitted to the U. S. Army Corps of Engineers, the Department of Environmental protection, the City of Portland; and the City of South Portland.

.....
.....
In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland hereunto set their hands and affix their corporate seal on this 14th day of February 2002.

.....
.....
Chris Thomas Coombs
.....
Jon Kachman
.....
.....
.....

.....
.....
The work authorized to this permit must be completed on or before the 14th day of February 2003.

BOARD OF HARBOR COMMISSIONERS HARBOR OF PORTLAND PERMIT

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To Yacht Haven LLC, Alan Graves
65 Kensington Street, Portland, Maine 04103
The undersigned, Board of Harbor Commissioners for the Harbor of Portland, has carefully considered your application, dated the _____ day of _____ 2000, for a permit authorizing for extension of the permit approved September 13, 1990 Public Hearing for "PLAN C-1" for construction of marina at 100 Kensington Street, Portland, Maine,

Having given public notice of this pending application, as required by law, and therein designated the 9th day of November 2000, 5 o'clock in the afternoon prevailing time, as the time when they would meet at Portland City Council Chambers to examine this issue and hear all interested parties, and having met at the time and place mentioned and examined the location of this proposed marina construction as approved at the September 13, 1990 Public hearing, to be extended one year from this date, and having heard all interested parties, the Board of Harbor Commissioners for the Harbor of Portland hereby issues this permit which authorizes you to proceed under all applicable local and federal regulations hereinafter stated, and to maintain within the limits mentioned, namely To continue construction of plan approved September 13, 1990

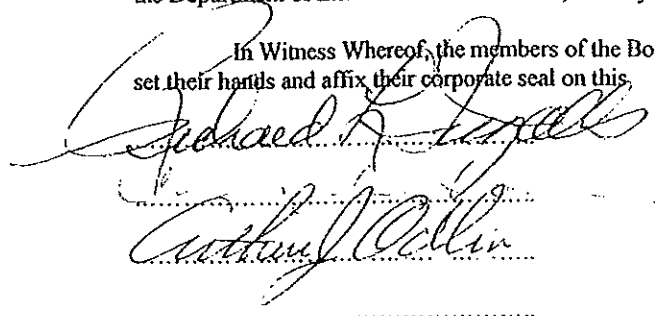
In addition, the construction project described above must be surrounded by a containment boom unless the Board of Harbor Commissioners for the Harbor of Portland has waived this requirement, in writing, either as part of the above-listed conditions, or in a separate statement.

This permit is a limited authorization which contains a stated set of conditions with which the permit holder must comply. If a contractor performs the work for you, both you and the contractor are responsible for assuring that the work is done in conformance with the conditions and limitations of this authorization. Please be sure that the person who will be performing the work has read and understands these conditions.

Performing any work not specifically authorized by this permit, or that fails to comply with its conditions, may subject you to the enforcement provisions of Harbor Commission regulations. If any change in plans or construction methods is found necessary, please contact the Harbor Commission immediately to discuss modifications to your authorization. Any change must be approved by the Harbor Commission before it is undertaken.

Nothing in this permit shall be construed to justify or authorize any invasion to the private rights of others. Moreover, nothing in this permit shall limit or modify the authority of the Board of Harbor Commissioners for the Harbor of Portland within its applicable statute. Attested copies will be submitted to the U.S. Army Corps of Engineers, the Department of Environmental Protection, the City of Portland, and the City of South Portland.

In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland hereunto set their hands and affix their corporate seal on this 9th day of November 2000.



The work authorized by this permit must be completed on or before the 9th day of November 2001.