

Permit # _____ City of Portland BUILDING PERMIT APPLICATION Fee 25.00 Zone _____ Map # _____ Lot# _____

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Antonio DIMILLO Phone # 772-2216
Address: 25 Long Wharf Ptld, ME 04101
LOCATION OF CONSTRUCTION 25 Long Wharf
Contractor: self Sub: _____
Address: _____ Phone # _____
Est. Construction Cost: _____ Proposed Use: Rest w/ext reno
Past Use: Rest
of Existing Res. Units _____ # of New Res. Units _____
Building Dimensions L _____ W _____ Total Sq Ft. _____
Stories: _____ # Bedrooms _____ Lot Size: _____
Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
Explain Conversion Install Floats for boat slips

For Official Use Only

Date 9 May '94 Subdivision: _____
Name: _____
Inside Fire Limits _____ Lot: _____
Bldg Code: _____ Ownership: _____ Public _____ Private _____
Time Limit _____
Estimated Cost: _____

Zoning: Street Frontage Provided: _____
Provided Setbacks: Front _____ Back _____ Side _____ Side _____
Review Required:
Zoning Board Approval: Yes _____ No _____ Date: _____
Planning Board Approval: Yes _____ No _____ Date: _____
Conditional Use: _____ Variance _____ Site Plan _____ Sub. Division _____
Shoreland Zoning Yes _____ No _____ Floodplain Yes _____ No _____
Special Exception _____
Other (Explain) _____

Foundation: **PERMIT NOT ISSUED**

1. Type of Soil: _____
2. Set Backs - Front _____ Rear _____ Side(s) _____
3. Footings Size: _____
4. Foundation Size: _____
5. Other _____

Floor: **PUT TO FILE 24 APR 95**

1. Sills Size: _____ Sills must be anchored.
2. Girder Size: _____
3. Lally Column Spacing: _____ Size: _____
4. Joists Size: _____ Spacing 16" O.C.
5. Bridging Type: _____ Size: _____
6. Floor Sheathing Type: _____ Size: _____
7. Other Material: _____

- Exterior Walls:
1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Sizes _____ Span(s) _____
 5. Bracing: Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____

- Interior Walls:
1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Span(s) _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 5. Other Materials _____

- Ceiling:
1. Ceiling Joists Size: _____ (Not in District nor Landmark)
 2. Ceiling Strapping Size _____ Spacing _____ Does not require review.
 3. Type Ceilings: _____ Size: _____ Requires Review.
 4. Insulation Type _____
 5. Ceiling Height: _____

- Roof:
1. Truss or Rafter Size _____ Span _____ Action: _____ Approved _____
 2. Sheathing Type _____ Size _____
 3. Roof Covering Type _____

- Chimneys:
1. Type: _____ Number of Fire Places _____

- Heating:
1. Type of Heat: _____

- Electrical:
1. Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____

- Plumbing:
1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____

- Swimming Pools:
1. Type: _____
 2. Pool Size: _____ x _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law.

Permit Received By Mary Gresik

Signature of Applicant Antonio Dimillo Date 9 May '94
Antonio DIMILLO

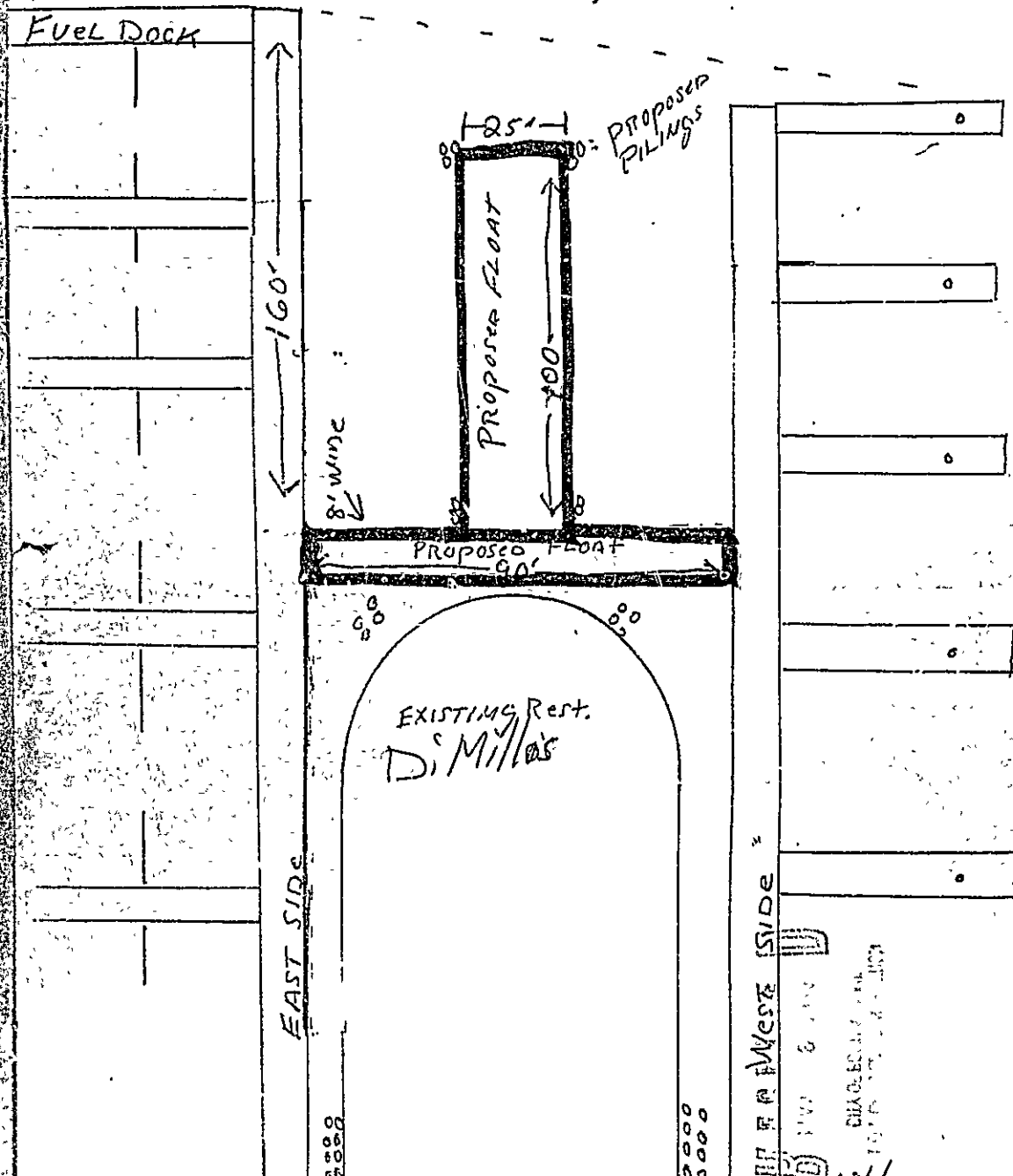
CEO's District _____

CONTINUED TO REVERSE SIDE

Ivory Tag - CEO

White - Tax Assessor

ALL WORK TO BE DONE WITH IN THE
CONFINE OF EXISTING MARINA
(NEW WORK IN RED)



COST OF PROJECT
\$20000

ANTONIO Di Millo
25 LONG WHARF

Inspections Services



William D. Giroux
Zoning Administrator

CITY OF PORTLAND

June 2, 1994

RE: 25 Long Wharf

Mr. Antonio DiMillo
25 Long Wharf
Portland, ME 04101

Dear Mr. DiMillo,

This letter is in reference to your building permit application to install floating boat slips at 25 Long Wharf in Portland. The purpose of this letter is to try and clarify for you and the Planning Board, if you elect to proceed, the reasons for my preliminary determination. This is not a use which is permitted in the Waterfront Central Zone under section 14-314 of the Portland Land Use Code. It is, however, possible that you could qualify as a 'conditional use' under section 14-315(2). I have discussed this possibility with planning staff and the Corporation Counsel's office. There is disagreement among us as to whether you could qualify under this section which reads:

- a. Noncommercial vessel berthing of fifty(50) linear feet or greater per pier along the edges of piers existing on January 4, 1993, provided that:
 1. Such use does not decrease the amount of, nor diminish the quality of, existing on-site berthing space, as measured along the pier, float or wharf edge, which could be used for commercial vessels in its current condition. In assessing the impact on quality of berthing space, the planning board shall consider the following: cost, access, maneuverability, depth for various-sized vessels, loading/unloading areas, lease terms, availability of utilities, parking and safety.

It has always been my feeling that the initial determination as to whether you are a conditional use must be made in this office so as to guide you into the correct review process. The Board of Appeals or Planning Board, whoever has jurisdiction, then has to make the final decision on whether the proposal is a conditional use under the applicable section and then

6/2/94

consider if the standards are being met. Section 14-474c.(2) appears to indicate that the board must make the final use determination. Emphasis has been added.

(2) Standards.. Upon a showing that a proposed use is a conditional use under this article.

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

I have also attached a copy of the conditional use decision form which the Board of Appeals uses. Under Findings of Fact number 1, the board decides if the use is allowed before weighing the standards.

For the above stated reasons, I feel that you should consider applying for a conditional use permit which would be reviewed by the Planning Board. An application must also be made for site plan review. I have attached copies of the pertinent sections of the Land Use Code. You may want to consult with an attorney as well as a design professional before proceeding. We would be happy to meet with you and answer any questions you may have.

Sincerely,



William D. Gierman
Zoning Administrator

/el

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Alex Jaegerman, Chief Planner
Rick Knowland, Senior Planner
Craig Cartigan, PE, Development Review Coordinator
Natalie Burns, Associate Corporation Counsel
Tammy Munson, Code Enforcement Officer