

March 25, 2021

**Re: Application for Marine Construction
Fore Points Marina | 1 Marina Way, Portland, ME**

Dear Neighbor to Fore Points Marina:

This letter is to notify you that Portland Foreside Development Company has submitted a Marine Construction Permit to the Port of Portland Board of Harbor Commissioners (Board) for marine construction activities. The work is associated with installation of a 30-inch stormwater outfall located at Fore Points Marina. The stormwater outfall installation is associated with Phase 1 of the upland redevelopment project at the former Portland Company site at 58 Fore Street. Phase 1 of this redevelopment project includes the construction of an office building at 110 Thames Street, reconstruction of a mixed-use historical building at 115 Thames Street and related site landscaping and infrastructure work.

Stormwater from the project site is presently collected within onsite catch basins and conveyed through multiple stormwater outfalls located along the existing seawall. Most of these existing outfalls are buried within the seawall rubble and are in varying states of disrepair. Presently there is no stormwater treatment system for runoff from the site. The new stormwater system installed as part of the Phase 1 project will collect and convey the site's stormwater runoff through an underground storage and filter system which meets Maine DEP and City of Portland stormwater quality requirements. The Phase 1 project will provide a significant enhancement to the quality of the stormwater runoff from the site before it enters Casco Bay. The outfall that conveys the treated stormwater to the ocean will extend beyond the edge of the existing seawall by approximately 6 inches. Work will be complete by May 2021.

The application will be reviewed and voted upon at the Board's next Public Hearing.

Meeting Location: Held via ZOOM

Register in advance at: https://zoom.us/webinar/register/WN_M_jLp6r0R6SbbIXhhYuDgQ

After registering, you will receive a confirmation email containing information about joining the meeting. If you need assistance, please call the Harbor Master's office at 207-772-8121.

Meeting Date: Thursday, April 8, 2021

Meeting Time: 5:00 PM

If you have any questions, please contact me at (207) 517-1100, or via email at das@portlandforeside.com.

Sincerely,



David Senus, PE
Project Manager

Enclosure: Board of Harbor Commissioners Permit Application



BOARD OF HARBOR COMMISSIONERS
PORT OF PORTLAND

Application for Marine Construction Permit

PLEASE PRINT

1. Name of Applicant: Portland Foreside Development Company

2. Mailing Address of Applicant: 254 Commercial Street, Suite 118, Portland, ME 04101

3. Applicant's Telephone Number: 207-517-1100 Applicant's Fax Number: _____

Applicant's Email Address: das@portlandforeside.com

4. Location of project for which permit is requested: _____

1 Marina Way, Portland, ME 04101

a. Attach enlargement of Portland Harbor chart showing exact location. **EXHIBIT 1**

5. Description of project for which permit is requested. (Use a separate sheet if necessary)

See introductory letter for project description

6. Attach the following: **EXHIBIT 2**

a. For projects under \$10,000 - A **comprehensive drawing or drawings** (as necessary) of the item(s) to be built or installed that contains the following minimum details and information:

1. Dimensions of all major components (to scale) with the scale clearly marked on each drawing;
2. All distances between the item(s) being built/installed and any existing structures and property lines;
3. A "plan" (overhead) view of the entire project;
4. A description of the construction methods, connection points and materials to be used (i.e. types of fasteners, mooring systems, decking, framing, etc.).

b. For projects over \$10,000 – A **detailed scale drawing or drawings** prepared by a registered engineer that contains the following minimum details and information:

1. Dimensions of all major components (to scale) with the scale clearly marked on each drawing;
2. All distances between the item(s) being built/installed and any existing structures and property lines;
3. A "plan" (overhead) view of the entire project;
4. A description of the construction methods, connection points and materials to be used (i.e. types of fasteners, mooring systems, decking, framing, etc.).

Applicants are encouraged to submit technical data/specification sheets, photos or other materials in support of the project's drawing(s). EXHIBIT 3

7. All applications must be accompanied by a tax assessor's map and/or an engineer's drawing which shows the distances between the project and abutters' landmarks (piers, floats, dolphins, etc.) and a clear demarcation of the applicant's property lines. **EXHIBIT 4**

8. List the names and address of all abutters and lessees or other persons having an interest in property on which the project is located. (Use a separate sheet if necessary)

- a. See attached letter for included list
- b. _____
- c. _____
- d. _____

9. Estimated cost of the project: \$7,500

10. For all permit applications involving projects that cost more than \$10,000, the applicant must submit a survey, **EXHIBIT 5** certified by a registered engineer or a registered land surveyor, which shows the location of the proposed project. The Board, at its discretion, may require surveys to be submitted regarding other projects in cases where the project is close to a channel, in a congested area, close to a property line, or in cases where similar factors are present.

11. Attach copies of all applications, regarding this project, which have been submitted to the U.S. Army Corps of Engineers, Maine Department of Environmental Protection, Maine Bureau of Submerged Lands, City Planning Board, Etc. **EXHIBIT 6**

12. Please note:

- a. Applications and Plans must be submitted no less than **14 days** before the Harbor Commission's next Workshop. Workshops are held on the **last Tuesday** of each month. However, there is no Workshop in December.
- b. The permit application fee and legal advertisement fee must be paid when the application is submitted. (See attached fee schedule)
- c. The applicant is required to submit **one** original and **five** copies of all applications, plans, drawings, letters, etc.

13. Notice to abutters: **EXHIBIT 7**

a. By filing this application with the Harbor Commission, the applicant certifies that a copy of the application (without exhibits), as well as information about the time, date, and location of the pertinent Harbor Commission Public Hearing, will be sent to all abutters, lessees, and other persons having an interest in the property on which the project is located. Notification must be made no less than **7 days** before the Harbor Commission's next Public Hearing. Public Hearings are held on the **second Thursday** of each month.

1. In the case of real property, the owners will be considered to be the parties listed by the Assessor of the City in which such property is located as the persons to whom taxes are assessed.

2. In the case of vessels, the owners will be considered to be the parties listed as the owners by the United States Coast Guard, the Maine Inland Fisheries & Wildlife Department, or any other governmental entity, whether foreign or domestic, with which the vessel is registered and which has jurisdiction over the vessel.

b. Notice to abutters, lessees and other users will be made by registered or certified mail, return receipt requested, and the Commission may determine when notice by publication or other means may be utilized.

14. Right, Title and Interest: **EXHIBIT 8**

a. Attach copy of documentation of right, title or interest in the property where the proposed marine construction is to occur. This may include a deed, option, purchase and sales contract, contract for sale, lease, or other appropriate documentation. A complete copy of the document must be provided; financial information may be deleted.

15. If this application is approved and a permit is issued:

- a. The permit must be posted at the construction site;
- b. The permit will require that the construction project be surrounded by a containment boom, unless the requirement has been waived, in writing, by the Harbor Commission;
- c. The permit may be limited by restrictions specific to the project;
- d. The permit will be subject to all applicable Local, State and Federal Laws & Rules;
- e. Nothing in the permit shall be construed to justify or authorize any invasion to the private rights of others;
- f. Nothing in the permit will limit or modify the authority of the Board of Harbor Commissioners within their applicable rules;
- g. Unless otherwise stipulated, the permit has an automatic expiration date of one year from the date of approval. Only if the Harbor Master has been notified in advance of the expiration date, may he/she issue a six-month extension upon review of the project;
- h. An as built set of construction plans will be required to be submitted on all projects.

16. The following statement appears on all permits granted by the Board of Harbor Commissioners:

“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 the work is done in conformance with the conditions and limitations of this authorization. Please be sure 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 the Harbor Commission Rules. 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.”

Date: 3/11/21

David Senus, PE

Name of Applicant (please Print)



Signature and Title of applicant or agent

207-517-1100 - Applicant's or Agent's Telephone Number

_____ - Applicant's or Agent's Fax Number

das@portlandforeside.com - Applicant's or Agent's Email Address