BERN
STEIN
SHUR

Bernstein, Shur,
Sawyer & Nelson, P.A.
100 Middle Street
PO Box 9729
Portland, ME 04104-5029

T (207) 774-1200
F (207) 774-1127

Mary E. Costigan
(207) 228-7147 direct
mcostigan@bernsteinshur.com

July 30, 2018

Mark Stebbins
Land Division Director
Bureau of Land Resources
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

RE: Notice of Violation, Town of York – EIS #2018-061-L

Dear Mark:

I am writing in my capacity as Town Attorney for the Town of York, in response to the Notice of Violation issued to the Town on June 27, 2018. In response to the NOV, enclosed is an application for a Coastal Sand Dune Permit regarding the replacement of the seawall at Long Sands Beach. We understand that submission of the application satisfies the corrective action required in the NOV. For reasons set forth in more detail below, we do not believe that monetary penalties should be included as part of the final resolution of this matter because the Town was initially informed by the Department that a permit was not necessary for the seawall replacement. We therefore request that the Department consider the enclosed application as final resolution of the NOV.

The seawall replacement is part of a larger project involving the construction of a new public bathhouse, for which all necessary permits were obtained. No permit was obtained from the Department for the seawall replacement portion of the project because the Town was advised that a permit was not necessary. Upon further investigation the Department determined that a permit was, in fact, necessary and we have therefore submitted the enclosed application for your review and consideration. This permit application is for the replacement of approximately 4100 feet of seawall, 300 feet of which has been constructed to full height. An additional 400 feet of seawall toe of slope has been constructed to repair undermined seawall. It is therefore partially after-the-fact and partially for work yet-to-be-constructed.

In March of 2015, a pre-application meeting was held to discuss the proposed bathhouse project. Attendees included the Town's engineer for the project, Steve

Bradstreet, Town employees, and Bill Bullard from the Department. As shown in the March 19, 2015 minutes of the meeting, enclosed with the permit application, Mr. Bullard advised the Town and its consultants that as long as the seawall footprint and elevation remained the same or lower, no permit was necessary for the seawall. The Town and its consultants, in reliance on Mr. Bullard statement, continued with permitting for the project without applying for a permit for the seawall. Had Mr. Bullard advised that a permit was necessary, the Town would have applied for a permit for the wall along with all other permit applications filed for the project. Also enclosed with the attached permit application is an email chain with Cameron Adams showing the progression of Department advice regarding the seawall replacement, beginning with Mr. Adams stating that he "did not see any big issues" and progressing to a site visit that resulted in the NOV.

The replacement seawall is located within the same footprint as the existing seawall and is no higher than the existing wall. The toe of the existing wall has become exposed and undermined due to wave action. The smooth impermeable slope of the existing seawall exacerbates wave run-up and overtopping hazards, endangering properties on the landward size of Long Beach Avenue with high velocity overtopping flows and debris.[1] Overtopping flows are also damaging to existing freshwater wetland habitats and increase the threat of flooding behind the frontal dune system. On the beach side of the seawall, the existing smooth slope enhances wave reflection, exacerbating erosion of the beach. Pursuant to Chapter 355, Section 5(E), the proposed replacement seawall will be less damaging to the coastal sand dune system, existing wildlife habitat and adjacent properties than replacing the existing structure with a structure of the same dimensions and in the same location. We therefore request that the Department approve the enclosed application and issue a permit for the seawall replacement.

Thank you for your consideration. Please contact me or Steve Bradstreet should you have any questions.

Sincerely,

Mary E. Costigan

cc: Stephen Burns
Stephen Bradstreet
Dean Lessard
Marybeth Richardson

[1] See April 18, 2018 video of debris on the road after a storm event at https://youtu.be/05xF3wMQjGQ

Department of Environmental Protection
Bureau of Land & Water Quality
17 State House Station
Augusta, Maine 04333
Telephone: 207-287-3901

FOR DEP USE_____
ATS #_____
L- _____
Total Fees: _____
Date: Received _____

APPLICATION FOR A COASTAL SAND DUNE PERMIT

➔**PLEASE TYPE OR PRINT IN *BLACK INK ONLY***

1. Name of Applicant:	Town of York, Dean Lessard	**5. Name of Agent: (if applicable)**	Stephen Bradstreet Ransom Consulting, Inc.
2. Applicant's Mailing Address:	115 Chase Pond Road York, ME 03909	**6. Agent's Mailing Address:**	400 Commercial Street, Suite 404 Portland, ME 04101
3. Applicant's Daytime Phone #:	207-363-1010	**7. Agent's Daytime Phone #:**	207-772-3891
4. Applicant's E-mail Address:	dlessard@yorkmaine.org	**8. Agent's e-mail address**	stephen.bradstreet@ransomenv.com

9. Location of Project (Nearest Road, Street, Rt.#)	Long Beach Avenue	**10. Town:**	York	**11. County:**	York

12. Type of Dune:	☒ Front (D-1) ❑ Back (D-2)	**13.Type of Project:**	❑ New Building or Addition ❑ Vertical Addition ❑ Reconstructed Building ☒ Other Modification to Seawall	**14. FEMA Flood Zone:**	❑ A-Zone ❑ AO-Zone ❑ B-Zone ☒ V-Zone ❑ Shaded X-Zone ❑ Non-Flood (C-Zone

15.Variance Request:	❑ Section 8A ❑ Section 8B		
16. Type of Vegetation on Lot:	☒ Native 100 % of Lot Covered ❑ Lawn/Landscaped _____ % of Lot Covered	**17.Adjacent to or in Essential or Significant Habitat:** :	☒ Yes ❑ No

18. Brief Project Description:	Modify seawall to change from smooth sloped revetment to stepped revetment

19.Size of Lot and % of Existing and Proposed Coverage **Note: One acre = 43,560 sq. ft**	NA Square feet _____ % existing building coverage _____ % proposed building coverage _____ % existing development coverage _____ % proposed development coverag	**20.Proposed Foundation Type:**	❑ Post or Pilings ❑ Frost wall ❑ Full ❑ FEMA Flow Throug

21. Title, Right or Interest:	❑ own	❑ lease	❑ purchase option	❑ written agreement State Highway

22. Deed Reference Numbers	Book #: NA	Page #: NA	**23. Map and Lot Numbers (Town Tax Map):**	Map #: NA	Lot #: NA	
24. DEP Staff Previously Contacted:	Cameron Adams		**25. UTM Easting:**	368353	**26. UTM Northing:**	4780160
27. Resubmission of Application?	❑ Yes➔ ☒ No	**If yes, previous application #**		**After the Fact:**	☒ Yes ❑ No	
28. Written Notice o Violation?	☒ Yes ➔ ❑ No	**If yes, name of DEP enforcemer staff involved:**	Mark Stebbins	**Previous project manager:**	❑ Ye ❑ N	

29. Detailed Directions to the Project Site:	See Attached

30. Basic Attachments: Note: A copy of the complete application must be submitted to the municipality.

☑ Fee	☑ Copy of Beach & Dune Geology Aerial Photo
☑ Agent Letter of Authorization	☑ Flood Insurance Rate Map
☑ Documentation of Title, Right or Interest	☑ Photographs of Lot
☑ Topographic Map	☑ Project Description
	☑ Project Drawings

31. FEES, Amount Enclosed:	$500.00
Does agent have an ownership interest in project? If yes, what is the interest?	❑ Yes ☒ No

SIGNATURES/CERTIFICATIONS ON PAGE 2

SIGNATURE PAGE: THIS PAGE MUST BE SUBMITTED ALONG WITH THE FORM ON THE PREVIOUS PAGE.

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT**.**

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following:

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nr a permit be issued.

DEP SIGNATORY REQUIREMENT "

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in the application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

"Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent.

_____	_____
SIGNATURE OF APPLICANT, if agent involved	DATE
Stephen J Brady	07/30/18
_____	_____
SIGNATURE OF AGENT/APPLICANT	DATE

NOTE: Any changes in activity plans must be submitted to the DEP in writing and must be approved by the DEP prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

Town of York

186 York Street
York, Maine 03909-1314

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

Fax
(207)363-1009
(207)363-1019

www.yorkmaine.org

July 27, 2018

Mark Stebbins
Department of Environmental Protection
312 Canco Road
Portland, Maine 04103

RE: Long Beach Avenue
Sea wall & sidewalk Improvements
York, Maine

Dear Mr. Stebbins:

As applicant for the subject project, I authorize Ransom Consulting, Inc. to act as the Town's agent for completing, signing and submitting any applications required for this project. They are also authorized to address any comments you may have related to the application and its supplemental documents.

Thank you for your assistance in this permitting process

Sincerely,

Dean Lessard P.E.
Public Works Director
Town of York

Dune Permit Application
Long Beach Avenue
Seawall Modification
Town of York, ME

Block 14
Flood Zone identified as VE

Block 16
Although the "Native " box is checked, there is no vegetation within the project area. The area is covered by stone and grout. The proposed project will cover the existing stone seawall revetment with concrete steps.

Block 19
No lot size or % coverage has been identified as the project location is within the limits of the existing mapped sand dune system which is land held by the Town of York.

Block 20
None of the listed foundation types are applicable to the proposed work. Details can be found on the plans included in the permit application.

Block 21
It is assumed that the project site falls under the general heading of "lands held by the Town of York". The existing outfalls are maintained by the Town of York (applicant).

Block 22
It is assumed that the project site falls under the general heading of "lands held by the Town of York". The existing outfalls are maintained by the Town of York (applicant).

Block 29
I-95 to Exit 7 to south on Route 1. Left on to Route 1A (York St.). Follow until York St. changes to Long Beach Avenue. The seawall being modified is on the east side of Long Beach Avenue extending from a point approximately 250 feet south of the intersection with Juniper road, approximately 1700 feet north to the intersection with Oceanside Ave., just south of the Bathhouse.

RANSOM
Consulting Engineers and Scientists

Regional Locator Map

Notes

1. Data Source: USGS National Map Seamless Server, 24K DRG, 1/3" NED
2. USGS Quad Name: Wells

Scale and Orientation

0 1,000 2,000

1 inch = 2,000 feet

Prepared For

Town of York
186 York Street
York, Maine

Site Address

Long Beach Avenue
York, Maine

151.06011 | June 2018

Location Map

G:\Data\ME\Project\151_06011\Maps\Figure_1.mxd

Maine Geological Survey

Address: 22 State House Station
Augusta, Maine 04333

Telephone: 207-287-2801
E-mail: mgs@maine.gov

Home page: http://www.maine.gov/doc/nrimc/nrimc.htm

See back for description of map units.

Coastal Sand Dune Geology

Long Beach, North, York, Maine

by Peter A. Slovinsky and Stephen M. Dickson

Open-File No. 11-74

2011

Maine Geological Survey

Address: 22 State House Station
Augusta, Maine 04333

Telephone: 207-287-2801
E-mail: mgs@maine.gov

Home page: http://www.maine.gov/doc/nrimc/nrimc.htm

See back for description of map units.

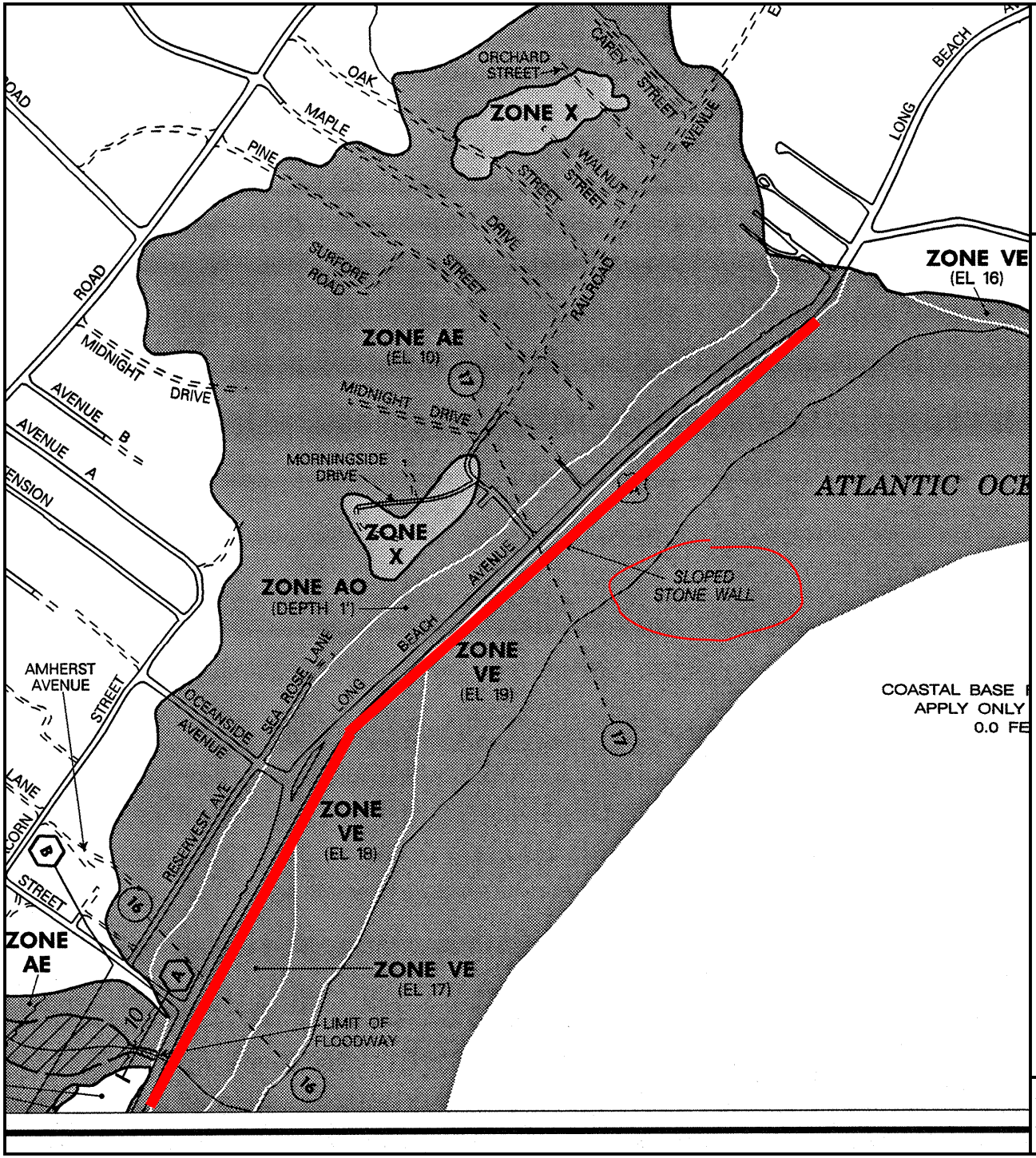
Coastal Sand Dune Geology

Long Beach, Central, York, Maine

by Peter A. Slovinsky and Stephen M. Dickson

Open-File No. 11-73

2011



APPROXIMATE SCALE

500 0 500 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

TOWN OF
YORK,
MAINE
YORK COUNTY

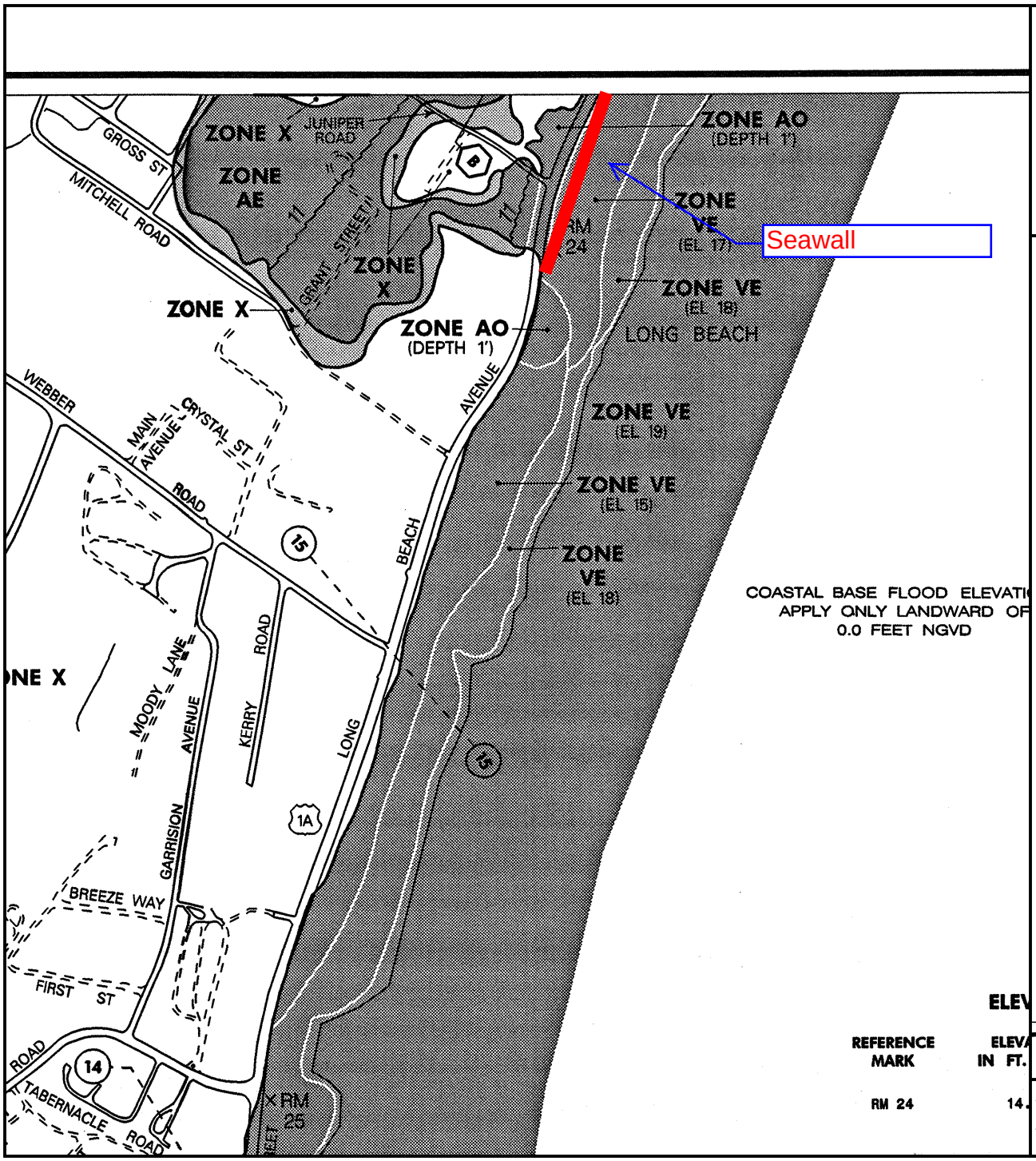
PANEL 26 OF 32

(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY - PANEL NUMBER
230159 0026 D

MAP REVISED:
JUNE 17, 2002

Federal Emergency Management Agency



insurance agent or call the National Flood Insurance Prograr

APPROXIMATE SCALE

500 0

NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

TOWN OF
YORK,
MAINE
YORK COUNTY

PANEL 28 OF 32

(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY - PANEL NUMBER
230159 0028 D

MAP REVISED:
JUNE 17, 2002

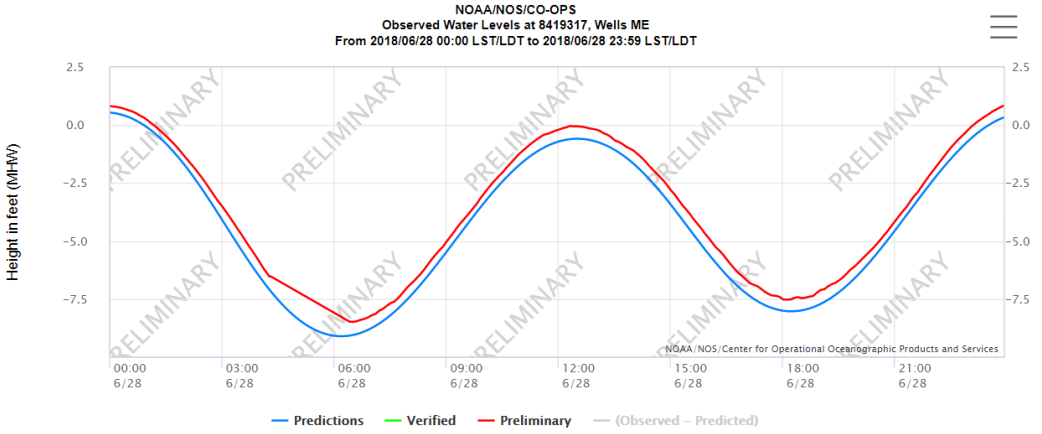
Federal Emergency Management Agency

TABLE OF CONTENTS

PHOTOS

Photo Locations

Photographs taken by Nathan Dill, June 28, 2018 between 11:30 am and 12:30 am EDT.
Directions and Photo locations are approximate.



Observed tide near Mean High Water at Wells, NOS station 8419317.

looking south from location 1 (20180628_113832.jpg)

Looking west from location 1 (20180628_113839.jpg)

Looking north from location 1 (20180628_113823.jpg)

Looking South from location 2 (20180628_114358.jpg)

Looking west from location 2 (20180628_114354.jpg)

Looing north from location 2 (20180628_114345.jpg)

Looking south from location 3 (20180628_114809.jpg)

Looking west from location 3 (20180628_114831.jpg)

Looking north from location 3 (20180628_114820.jpg)

Looking southwest from location 4 (20180628_115424.jpg)

Looking west from location 4 (20180628_115436.jpg)

Looking north from location 4 (20180628_115433.jpg)

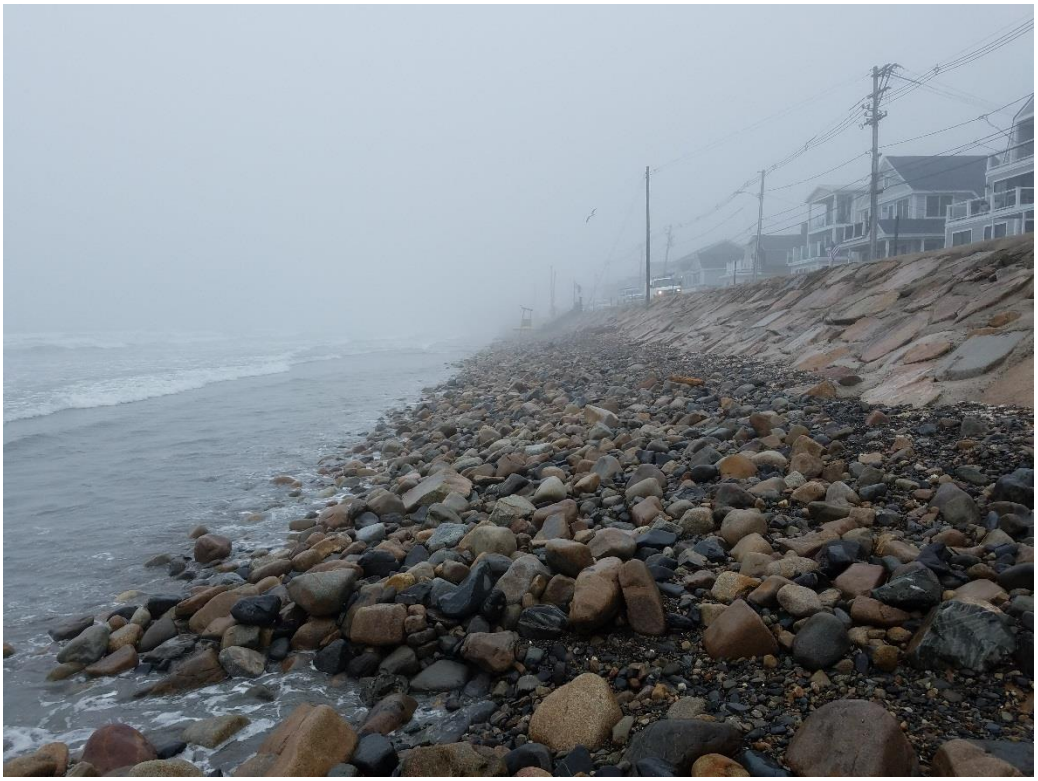
Looking south from location 5 (20180628_115803.jpg)

Looking west from location 5 (20180628_115805.jpg)

Looking north from location 5 (20180628_115756.jpg)

Looking south from sidewalk near location 5 (20180628_120104.jpg)

Looking north from sidewalk near location 5 (20180628_120104.jpg)



Looking south from location 6 (20180628_122707.jpg)

Looking west from location 6 (20180628_122711.jpg)

Looking north from location 6 (20180628_122715.jpg)

Looking south from location 7 (20180628_122948.jpg)

Looking southwest from location 7 (20180628_122950.jpg)

Looking north from location 7 (20180628_122955.jpg)

Looking south from sidewalk near location 7 (20180628_123108.jpg)

WAVE RUN-UP ANALYSIS

Ransom Consulting, Inc.
Project 151.06011

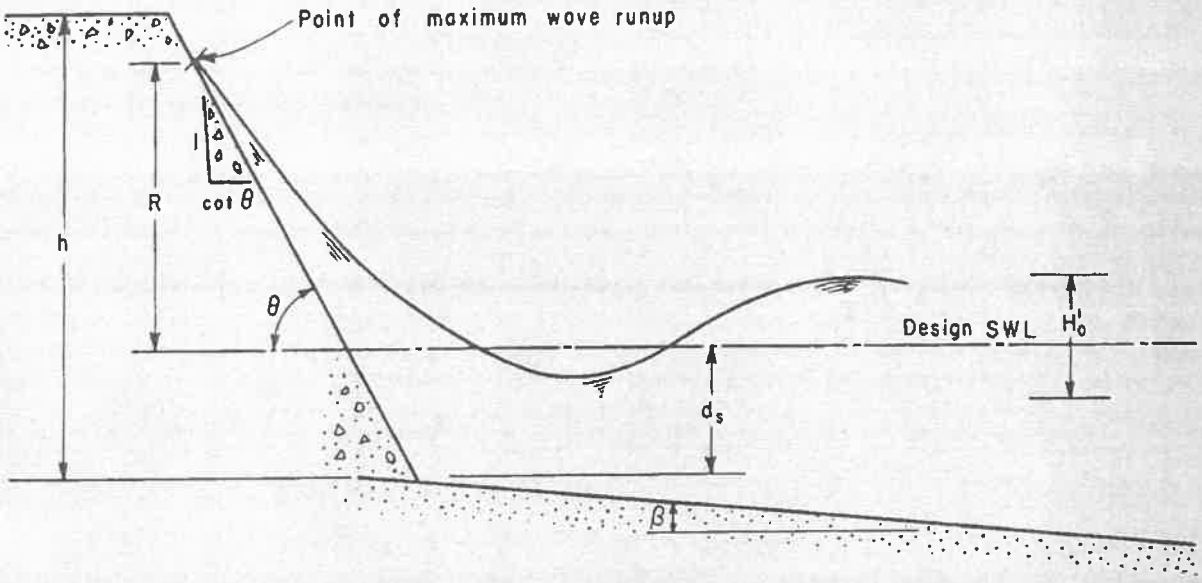


Figure 7-7. Definition sketch: wave runup and overtopping.

shown in Figures 7-14 through 7-18. Effects of using graded riprap on the face of an impermeable structure (as opposed to quarrystone of uniform site for which Figure 7-15 was obtained) are presented in Figure 7-19 for a 1 on 2 graded riprap slope. Wave rundown for the same slope is also presented in Figure 7-19. Runup on *permeable rubble slopes* as a function of structure slope and H_o'/gT^2 is compared with runup on smooth slopes in Figure 7-20. Corrections for scale effects, using the curves in Figure 7-13, should be applied to runup values obtained from Figures 7-8 through 7-12 and 7-14 through 7-18. The values of runup obtained from Figure 7-19 and 7-20 are assumed directly applicable to prototype structures without correction for scale effects.

As previously discussed, Figures 7-8 through 7-20 provide design curves for smooth and rough slopes, as well as various wall configurations. As noted, there are considerable data on smooth slopes for a wide range of d_s/H_o' values, whereas the rough-slope data are limited to values of $d_s/H_o' > 3$. It is frequently necessary to determine the wave runup on permeable rubble structures for specific conditions for which model tests have not been conducted, such as breaking waves for $d_s/H_o' < 3$. To provide the necessary design guidance, Battjes (1974), Ahrens (1977a), and Stoa (1978) have suggested the use of a roughness and porosity correction factor that allows the use of various smooth-slope design curves for application to other structure slope characteristics. This roughness and porosity correction factor, r , is the ratio of runup or relative runup on rough permeable or other nonsmooth slope to the runup or relative runup on a smooth impermeable slope. This is expressed by the following equation:

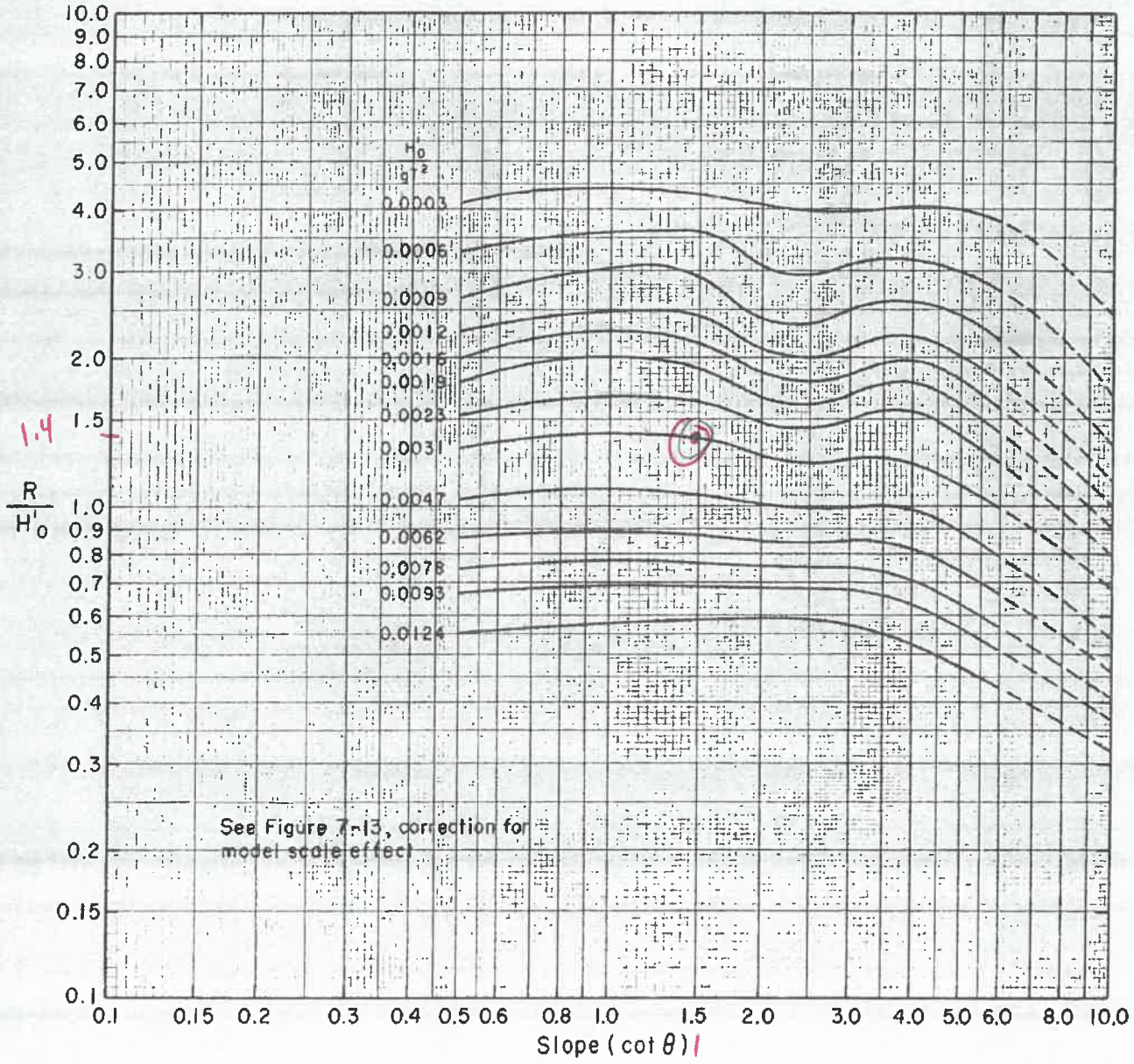


Figure 7-8. Wave runup on smooth, impermeable slopes when $d_s/H'_o = 0$ (structures fronted by a 1:10 slope).

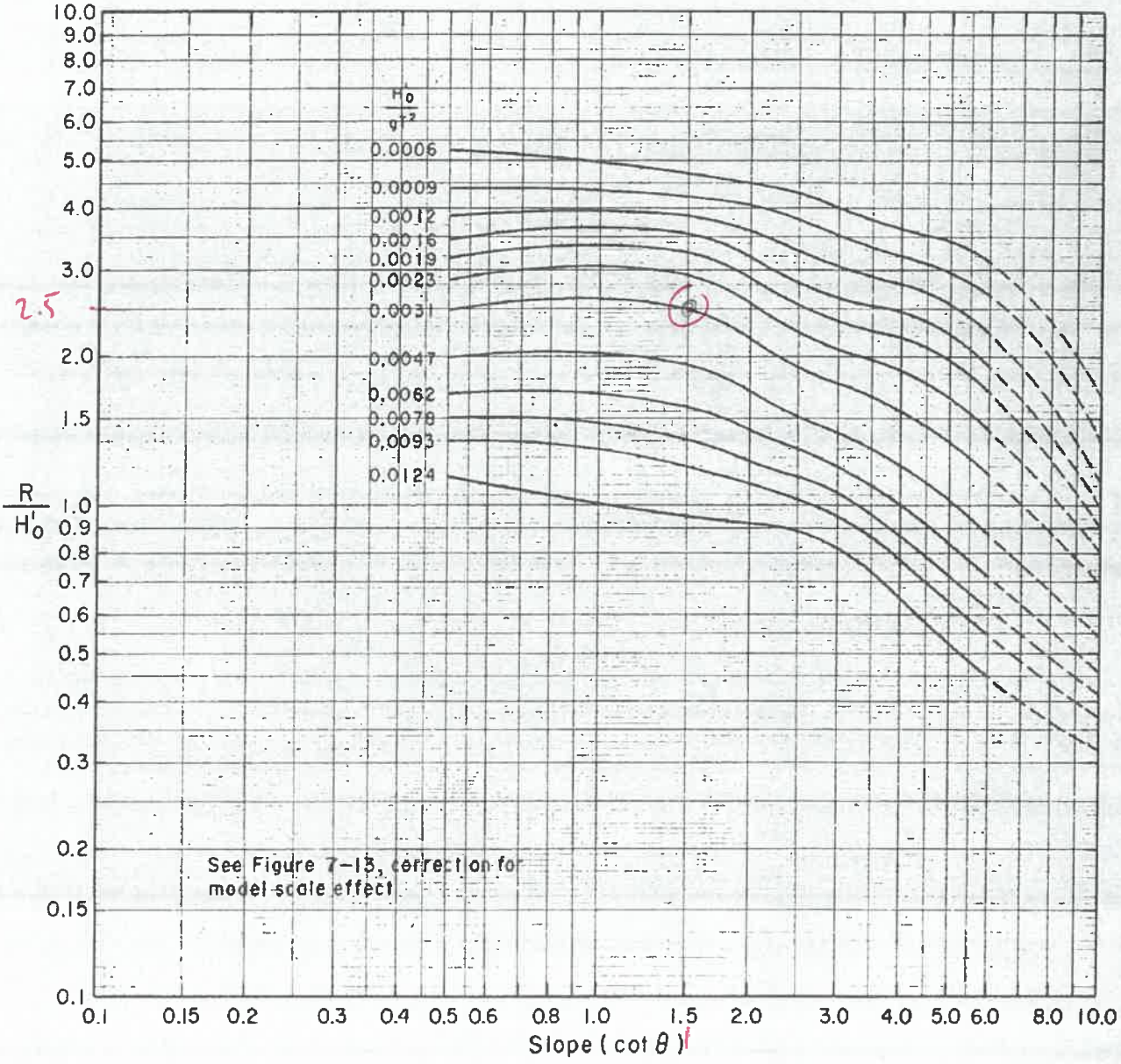


Figure 7-9. Wave runup on smooth, impermeable slopes when $d_s/H_o' \approx 0.45$ (structures fronted by a 1:10 slope).

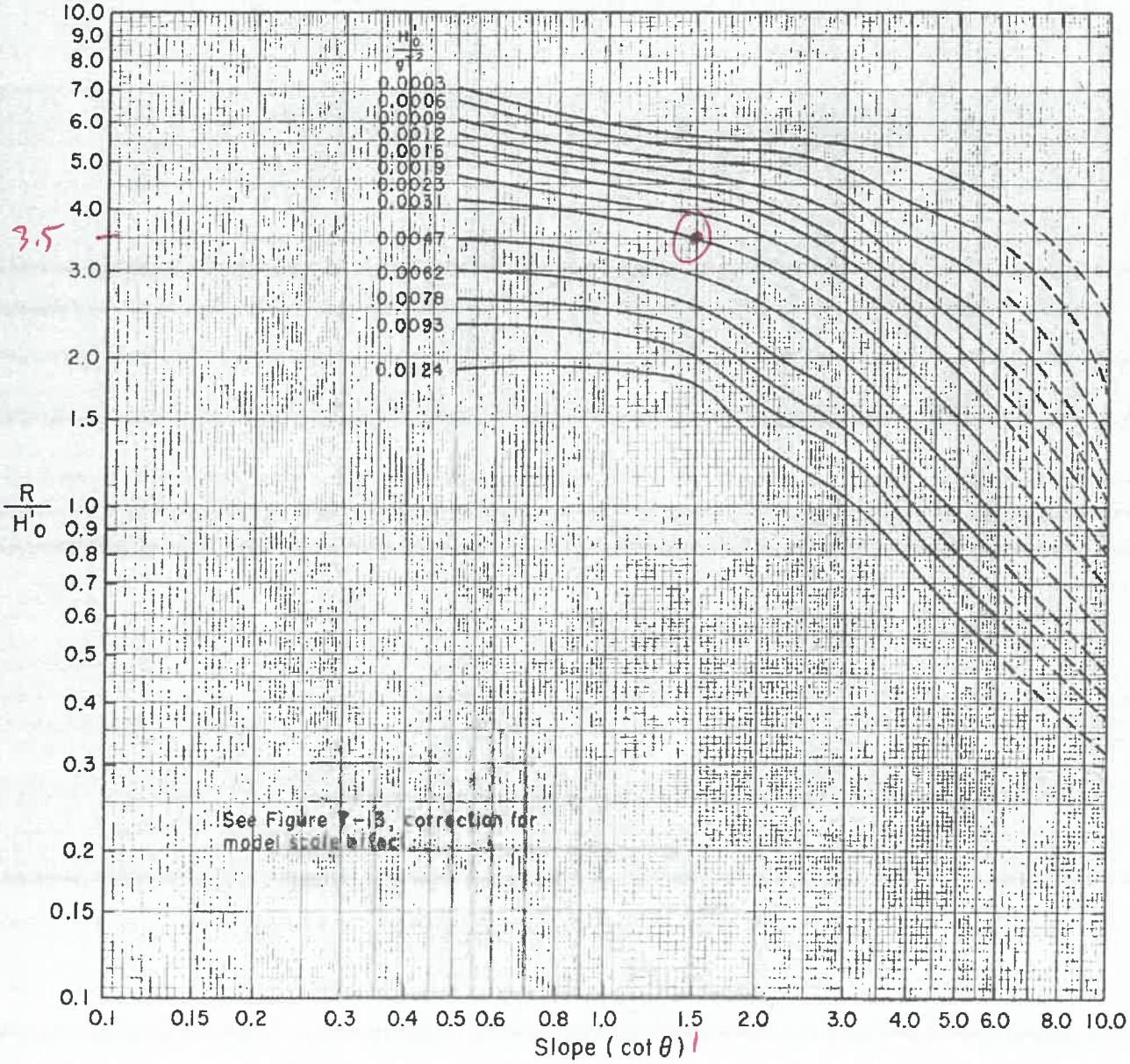


Figure 7-10. Wave runup on smooth, impermeable slopes when $d_s/H'_o \approx 0.80$ (structures fronted by a 1:10 slope).

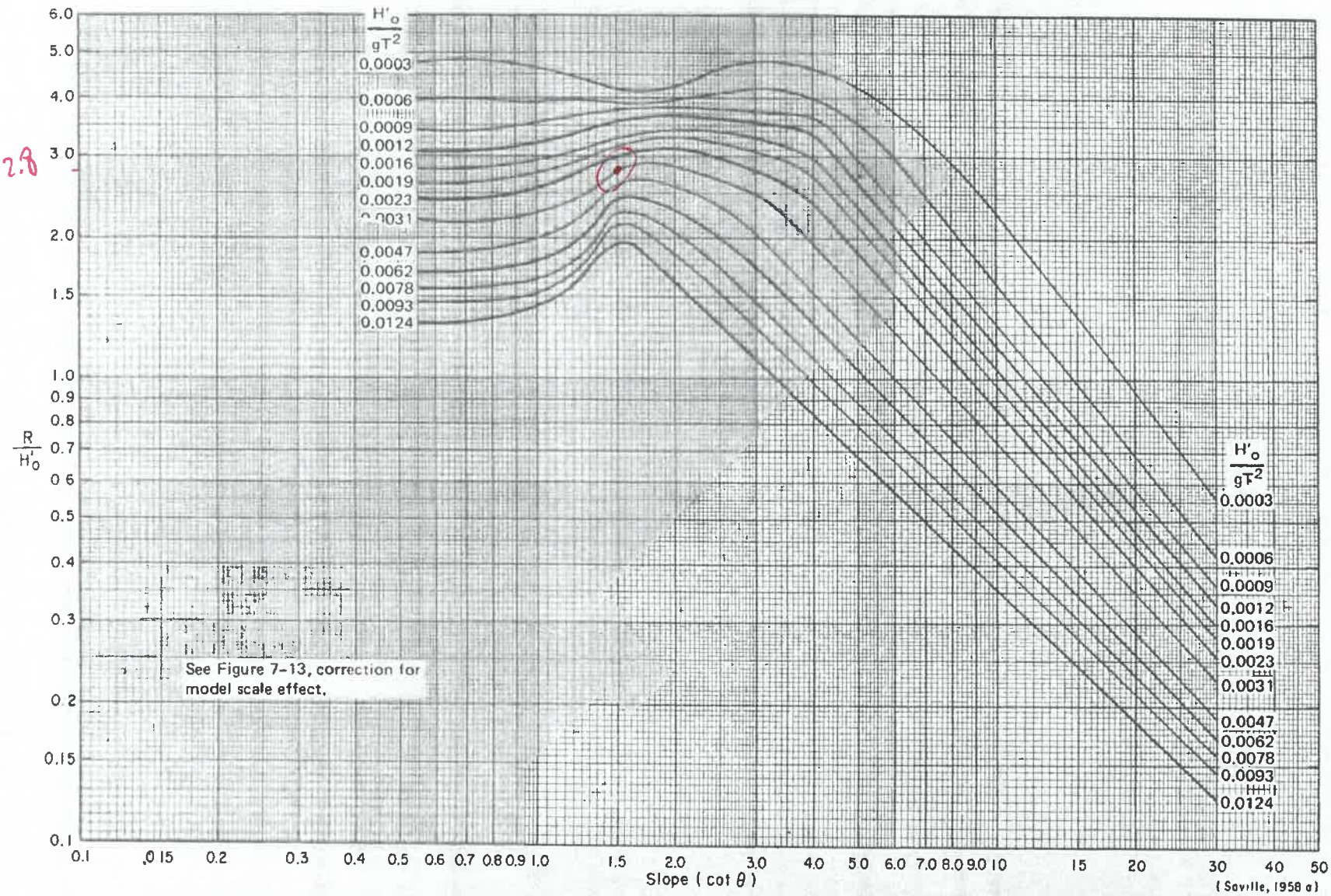


Figure 7-11. Wave runup on smooth, impermeable slopes when $d_s/H'_o \approx 2.0$.

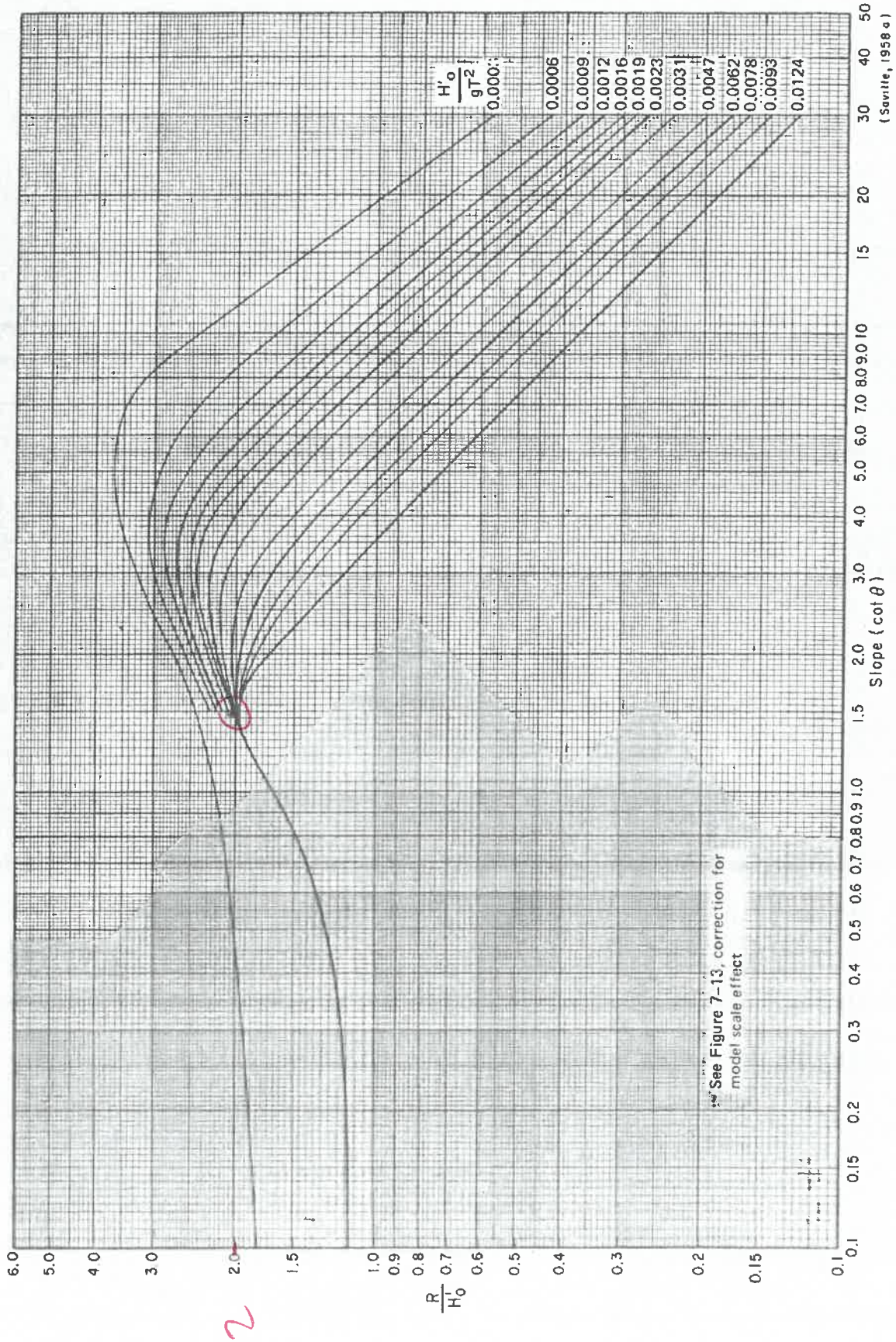
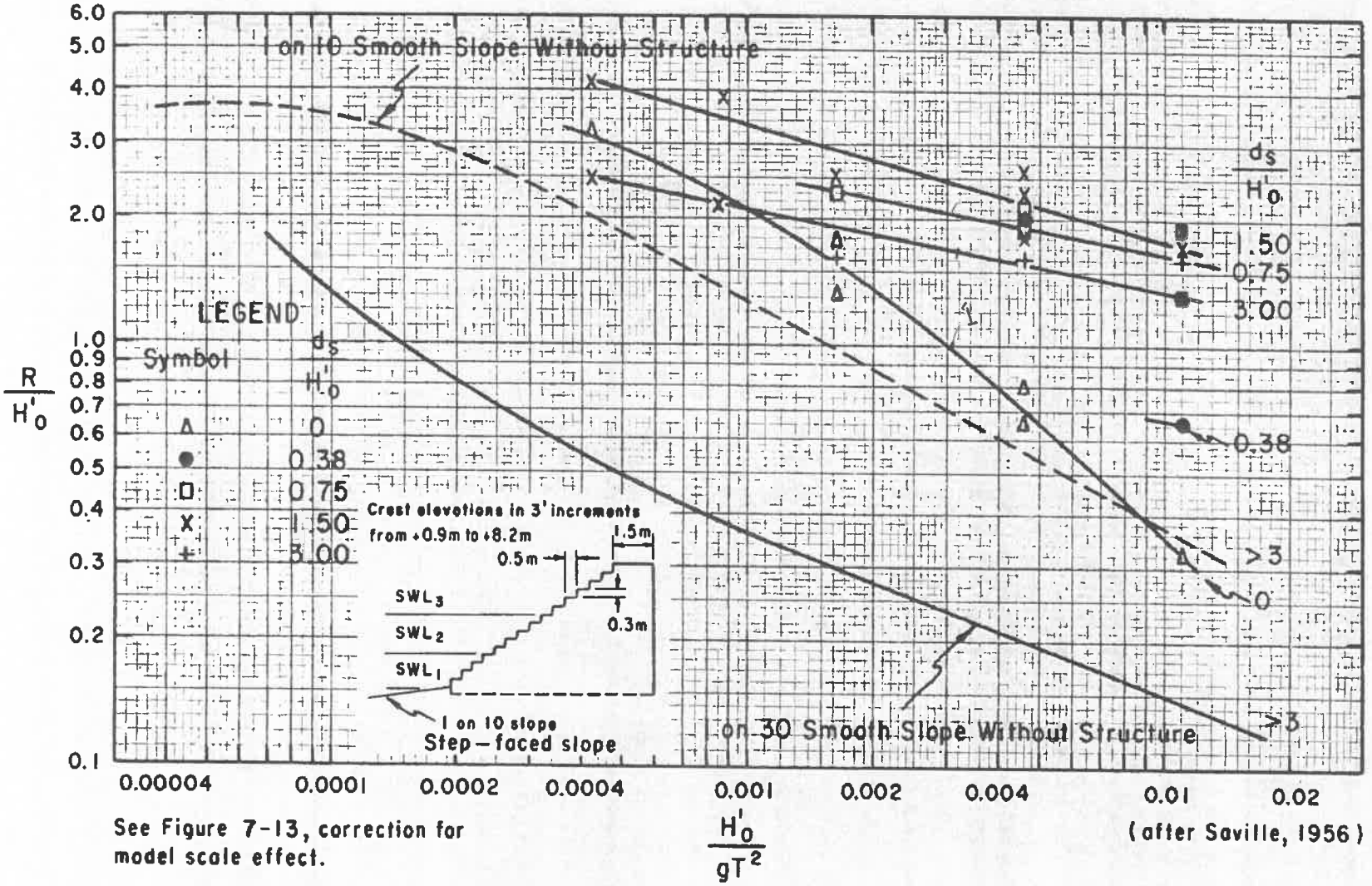


Figure 7-12. Wave runup on smooth, impermeable slopes when $d_s/H'_o \geq 3.0$.



See Figure 7-13, correction for model scale effect.

(after Saville, 1956)

Figure 7-16. Wave runup on impermeable, stepped, 1:1.5 slope versus H'_o/gT^2 .

$$r = \frac{R \text{ (rough slope)}}{R \text{ (smooth slope)}} = \frac{R/H_o' \text{ (rough slope)}}{R/H_o' \text{ (smooth slope)}} \qquad (7\text{-}7)$$

Table 7-2 indicated the range of values of r for various slope characteristics.

This roughness and porosity correction factor is also considered applicable, as a first approximation, in the analysis of wave runup on slopes having surface materials with two or more different roughness values, r. Until more detailed guidance is available, it is suggested that the percentage of the total slope length, ℓ, subjected to wave runup of each roughness value be used to develop an adjusted roughness correction value. This is expressed by the equation

$$r \text{ (adjusted)} = \frac{\ell_1}{\ell} r_1 + \frac{\ell_2}{\ell} r_2 + \frac{\ell_3}{\ell} r_3 + \cdots \qquad (7\text{-}8)$$

where ℓ is the total slope length, ℓ_1 is the length of slope where the roughness value r_2 applies, ℓ_2 is the length of slope where the roughness value r_2 applies, and so on. This procedure has obvious deficiencies as it does not account for location of the roughness on the structure and the varying interaction of slope roughness characteristics to the depth of water jet running up the structure slope.

Table 7-2. Value of r for various slope characteristics (after Battjes, 1974).

Slope Surface Characteristics	Placement	r
Smooth, impermeable	------	1.00
Concrete blocks	Fitted	0.90
Basalt blocks	Fitted	0.85 to 0.90
Gobi blocks	Fitted	0.85 to 0.90
Grass	------	0.85 to 0.90
One layer of quarrystone (impermeable foundation)	Random	0.80
Quarrystone	Fitted	0.75 to 0.80
Rounded quarrystone	Random	0.60 to 0.65
Three layers of quarrystone (impermeable foundation)	Random	0.60 to 0.65
Quarrystone	Random	0.50 to 0.55
Concrete armor units (~ 50 percent void ratio)	Random	0.45 to 0.50

The use of the figures to estimate wave runup is illustrated by the following example.

RANSOM
Consulting, Inc.

Byfield, Massachusetts	978-465-1822
Providence, Rhode Island	401-433-2160
Portsmouth, New Hampshire	603-436-1490
Portland, Maine	207-772-2891
Hamilton, New Jersey	609-584-0090

PROJECT NO. _____ SITE _____

SHEET NO. _____ OF _____

CALCULATED BY NLD DATE _____

CHECKED BY _____ DATE _____

SCALE _____

REFERENCE: 1984 USACE SHORE PROTECTION MANUAL

RUNUP ON STEPPED SLOPE VS SMOOTH SLOPE

ASSUME: WAVE STEEPNESS = $\frac{H_o}{5T^2}$ = 0.0031

REVETMENT SLOPE = 1.5 : 1 H : V

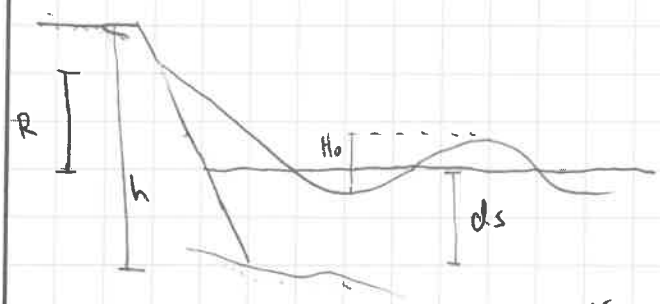


Fig. 7-14

$r = \frac{R_{rough}}{R_{smooth}}$ = RUNUP REDUCTION FACTOR

eqn (7-7)

Fig.	d_s/H_o	R/H_o (smooth)	R/H_o (stepped)	r
7-8	0	1.4	1	0.71
7-9	0.45	2.5	~ 1.5	~ 0.6
7-10	0.8	3.5	2.1	0.6
7-11	2.0	2.8	2.1	0.75
7-12	3.0	2	1.7	0.85

ALL < 1

RUNUP IS REDUCED BY STEPS

PROJECT DESCRIPTION

Ransom Consulting, Inc.
Project 151.06011

Summary

The project involves modification of an existing seawall at Long Beach in York, Maine. The area of modification is within the footprint of the existing seawall located between the beach and Long Beach Avenue (U.S. Route. 1A) extending south from Cape Neddick approximately 4100 feet to just north of the Sun & Surf Restaurant at 264 Long Beach Avenue. The project exists within the frontal dune system as identified on the Maine Geological Survey Coastal Sand Dune Geology maps (see attachment 3). The project involves modifying the geometry of the existing structure to enhance hydraulic roughness and wave energy dissipation, and so to reduce potential damage to the coastal dune system, wildlife habitat and adjacent properties.

The State of Maine recognizes sand dune systems as significant resources that provide many benefits. These include protection of the shoreline during storm events, important wildlife habitat, recreational opportunities, and scenic beauty. The state also recognizes that seawalls and other structures can cause harm to the dune system by interrupting the natural exchange of sediment between dunes and the adjacent beach. As such, an individual permit is required for the proposed seawall modification. Permission from the Department of Environmental Protection is required because the project will change the dimensions of the existing seawall, and it is understood that permission requires the replacement structure to be less damaging to the coastal dune system, wildlife habitat, and adjacent properties[1].

The proposed seawall modification is intended to meet those criteria by improving the wave energy dissipation performance of the structure through an increase in geometric roughness. The modification will transform the existing structure from a smoothly faced sloping revetment into a more dissipative stepped revetment. When compared to smooth revetments, stepped revetments have been shown to significantly reduce wave run-up heights and wave overtopping flows, lessening damage to adjacent properties. Stepped revetments may also reduce reflected wave energy during storm conditions, which would be less damaging to the dune system and wildlife habitat.

Existing Conditions

The existing seawall, which protects the adjacent roadway from erosion, is a sloped stone revetment constructed of angular boulders that have been grouted in place to create a relatively smooth impermeable surface with an approximate slope of 1.5:1 (H:V). The toe elevation of the existing revetment ranges from approximately 6 feet NAVD88 at the southern end of the project area to approximately 10 feet NAVD88 at the northern end, and is often buried under sediment (sand, gravel, cobbles). The top of the revetment is level with the sidewalk along Long Beach Avenue and ranges in elevation from about 12 feet NAVD88 at the south end to about 16 feet NAVD88 at the north end. Water level elevations pertinent to the seawall are listed in Table 1. A comparison of these water levels to the existing structure elevations indicates that the mean water level will only exceed the toe of the structure during storm events (note, wave setup may add a foot or more to the mean water level during storms). During normal tidal conditions the seawall is only subject to minor wave run-up during high tides when sufficient wave action is present. During past storms the toe of the revetment has become exposed and undermined due to wave action. In it's present state, during storm events, the smooth

[1] State of Maine, Department of Environmental Protection, Natural Resources Protection Act, Chapter 355, section 5(e)

impermeable slope of the seawall exacerbates wave run-up and overtopping hazards, endangering properties on the landward size of Long Beach Avenue with high velocity overtopping flows and debris. Overtopping flows are also damaging to existing freshwater wetland habitats on the western side of Long Beach Avenue as they tend to wash sediment, saltwater, pollutants, and other debris into the wetland habitat (e.g. garbage, asphalt, petroleum products, propane tanks, dumpsters, etc.). Additionally, overtopping flows increase the threat of flooding behind the frontal dune system, which can cause sewage overflows resulting in increased hazards to public health and safety as well as damage to wildlife habitat. On the beach side of the seawall, the existing smooth revetment enhances wave reflection during storm conditions, which tends to increase the total wave energy in front of the structure, in turn exacerbating erosion of the beach.

Table 1. Water levels pertinent to Long Sands Beach Seawall.

Return period or Datum[2]	**Water Level (NAVD88-feet)**	**Water level with 2 feet of Sea Level Rise (NAVD88-feet)**
100-yr Still Water Level	9.2	11.2
1-year Still Water level	6.9	7.9
Highest Astronomical Tide	6.5	8.5
Mean Higher High Water	4.4	6.4
Mean High Water	4.0	6.0
Mean Sea Level	-0.4	1.6
Mean Low Water	-4.8	-2.8
Mean Lower Low Water	-5.14	-3.14

The frontal dune in the proposed project area has been fully developed over the years with the construction of Long Beach Avenue, the existing seawall, and numerous structures along Long Beach Avenue. In this condition the primary dune is unable to exchange sediment naturally with the adjacent beach, and the existing structure has likely contributed to beach erosion during storm conditions.

Proposed Project

The proposed project involves constructing a series granite faced cast-in-place concrete steps on top of the existing revetment. This includes four 18" high steps from the revetment toe to the sidewalk. Step widths are approximately 27" to maintain the existing 1.5:1 (H:V) overall structure slope. The height of the structure will not be increased. Details of the revetment construction are provided in the attached drawings (see Attachment 7). The aim of the proposed project is to modify the form of the seawall to enhance dissipation of wave energy during storm events, reducing the wave run-up and overtopping hazard. Increased wave energy dissipation is expected to have multiple benefits when compared to the existing conditions by reducing the level of damage that the existing structure causes to properties, wildlife habitat, and the dune system. Modification of the existing revetment from its existing state to a

[2] 100-year Still Water level taken from Preliminary Flood Insurance Study for York County, FEMA, April 14, 2017; 1-year water level from NOAA Portland NOS tide station (8418150); Other tidal datums from NOAA Wells NOS station (8419317) 1983-2001 tidal epoch.

stepped revetment also has the added benefit of increasing access to the beach, reducing slipping hazards to beachgoers who traverse the revetment, and increasing aesthetics.

Shoreline Change and Sea Level Rise Considerations

Natural beach-dune systems adapt to sea level rise by progressing and landward and upward through wave overwash and aeolian transport processes. However, the presence of the existing seawall and roadway at Long Sands Beach, and community commitments to maintain this infrastructure for the foreseeable future, will prevent this natural landward progression. Regardless of whether the existing structure is maintained as-is, or modified as proposed, it is expected that the shoreline will remain in place, even as sea level rises in the future.

Discussion of Dune System Impacts

When a wave encounters a coastal structure, the energy contained the wave is partly dissipated by turbulent interactions with the structure, partly reflected seaward, and partly transmitted by wave run-up and overtopping. The proportion of energy that dissipated, reflected, or transmitted depends on the geometry of the structure and the slope of the beach in front of it. The wave energy proportions also depend on the incoming wave characteristics and depth of water at the base of the structure. The hydraulic processes involved are complex and their analysis involves a large degree of uncertainty. For example, predictions of wave overtopping volumes that are off by a factor of two or more are not unreasonable. Due to this complexity, purely analytical approaches to evaluating wave dissipation, reflection, and transmission in real world conditions are difficult at best. Instead empirical techniques based on observations from actual structures and physical modeling are employed for engineering evaluations[3].

Considering wave energy as a conserved quantity, it is apparent that an increase in wave energy dissipation that would result from increased roughness of the structure face must lead to a corresponding decrease in the transmitted and/or reflected wave energy. For stepped revetments, the wave run-up and overtopping processes have been more extensively studied than the reflection processes. Thus, it is easier to demonstrate that the proposed stepped revetment will reduce damage to adjacent property than it is to demonstrate benefits of reduced wave reflection. Although available information is limited, some recent literature does suggest that stepped revetments can reduce reflected wave energy when compared to smooth slopes, particularly when wave heights are large relative to the step height, as would occur at Long Sands Beach during storm conditions.

The ability of stepped slope revetments to reduce wave run-up and overtopping when compared to smooth sloped revetments has been extensively studied through field observations and physical modeling studies. For example, the 1984 United States Army Corps of Engineers (USACE) Shore Protection Manual provides a series of nomographs for estimating wave run-up on a variety revetment types based on physical model studies of Saville (1955)[4]. The SPM nomographs estimate wave run-up

[3] Seelig, W. N., and J.P. Ahrens. Estimation of Wave Reflection and Energy Dissipation Coefficients for Beaches, Revetments, and Breakwaters. Technical Paper No. 81-1, February 1981. United States Army Corps of Engineers Coastal Engineering Research Center.

[4] USACE, 1955. Laboratory Data On Wave Run-up and Overtopping on Shore Structures. Technical Memorandum No. 64. Beach Erosion Board Corps of Engineers, October 1955.

on a stepped revetment will be reduced by a factor of 0.6 to 0.85 when compared to a smooth sloped revetment, assuming typical storm wave conditions, and depending on the mean water level depth at the revetment toe (see attached). Because wave overtopping is a function of the wave run-up height, a reduction in wave run-up will also lead to a reduction in wave overtopping, which creates a significant hazard along Long Beach in the Town of York.

The process of wave reflection from stepped revetments is less well understood. Kerpen (2017)[5] recently conducted a comprehensive review of the literature on wave interactions with stepped coastal revetment structures. This review found more than 20 studies that unanimously demonstrate stepped revetments provide a reduction in wave run-up and overtopping, when compared to smooth revetments. In contrast the review only identified 2 studies that investigated wave reflection from stepped revetments (Suzuki et al. 2003[6], and McCartney 1976[7]). Suzuki et al. (2003) conducted a series of scale model test with a stepped revetment that had a 3:1 (H:V) slope with steps that were a fraction of the incident wave height. Tests were conducted with mean water level at the base of the steps and for deeper conditions. The results of their tests showed that the wave reflection was essentially the same for stepped and smooth slopes when the water level was at the base of the slope, and that reflection was reduced by the stepped slope for deeper water levels. McCartney (1976) simply suggests that wave reflection from a 'gabion-stacked' revetment is relatively low. Considering the dearth of available information on wave reflection from stepped revetments, Kerpen (2017) conducted additional scale model experiments and found that the wave reflection from stepped revetments depends on the ratio of the incoming wave height to the step size. The findings suggest that for cases where the where the wave height is greater than half the step size (i.e. 9" or larger for the proposed project at Long Sands Beach), the wave energy reflection is reduced compared to reflection from a smooth slope; while for cases with smaller wave heights the reflection increases as the structure presents more like a vertical wall.

Considering that the structure is typically only subjected to wave action during storm conditions when waves are relatively large, and that large episodic erosion events exacerbated by the seawall are also associated with storms, the transformation from a smooth sloped structure to stepped structure is expected to have a beneficial impact on beach erosion, lessening damage to the dune system when compared to the existing structure. During calmer periods of time when waves are smaller, water levels are not typically high enough to interact with the structure, thus during those times the modification of the structure will have no differential impact on dune processes when compared to the existing seawall. As sea level rises the likelihood of experiencing small waves at the structure will increase. Because small waves (less than 9") will see the structure as a vertical wall, this may tend to increase localized scour at the base of the structure during calm periods, requiring maintenance to prevent the base of the structure from becoming undermined. However, this type of maintenance will also be required for the existing structure as sea level rises, so there is no clear detriment to the stepped structure in that sense.

---

[5] Kerpen, N. B. 2017. Wave-Induced Responses of Stepped Revetments, a Dissertation for obtaining the degree of Doctor of Engineering from the Faculty of Civil Engineering and Geodesy of the Gottfried Welhelm Leibniz University of Hannover.

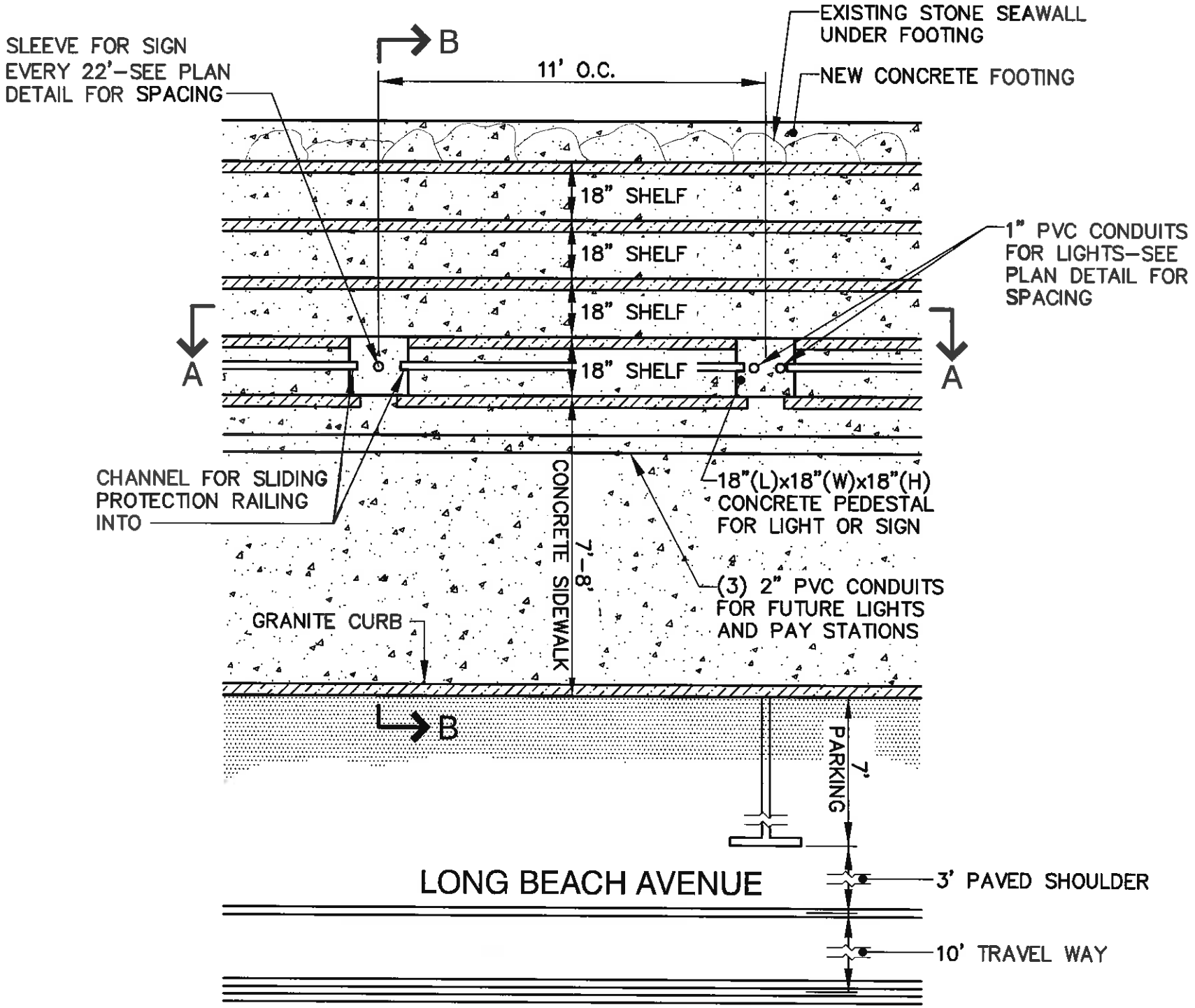
[6] Suzuki, T., M. Tanaka, and A. Okayasu. 2003. Laboratory experiments on wave overtopping over smooth and stepped gentle slope seawalls. Asian and Pacific Coasts, 2003.

[7] McCartney, B. L. 1976. Survey of coastal revetment types, volume 76-7 of miscellaneous Report. Coastal Engineering Research Center, Fort Belvoir, VA.

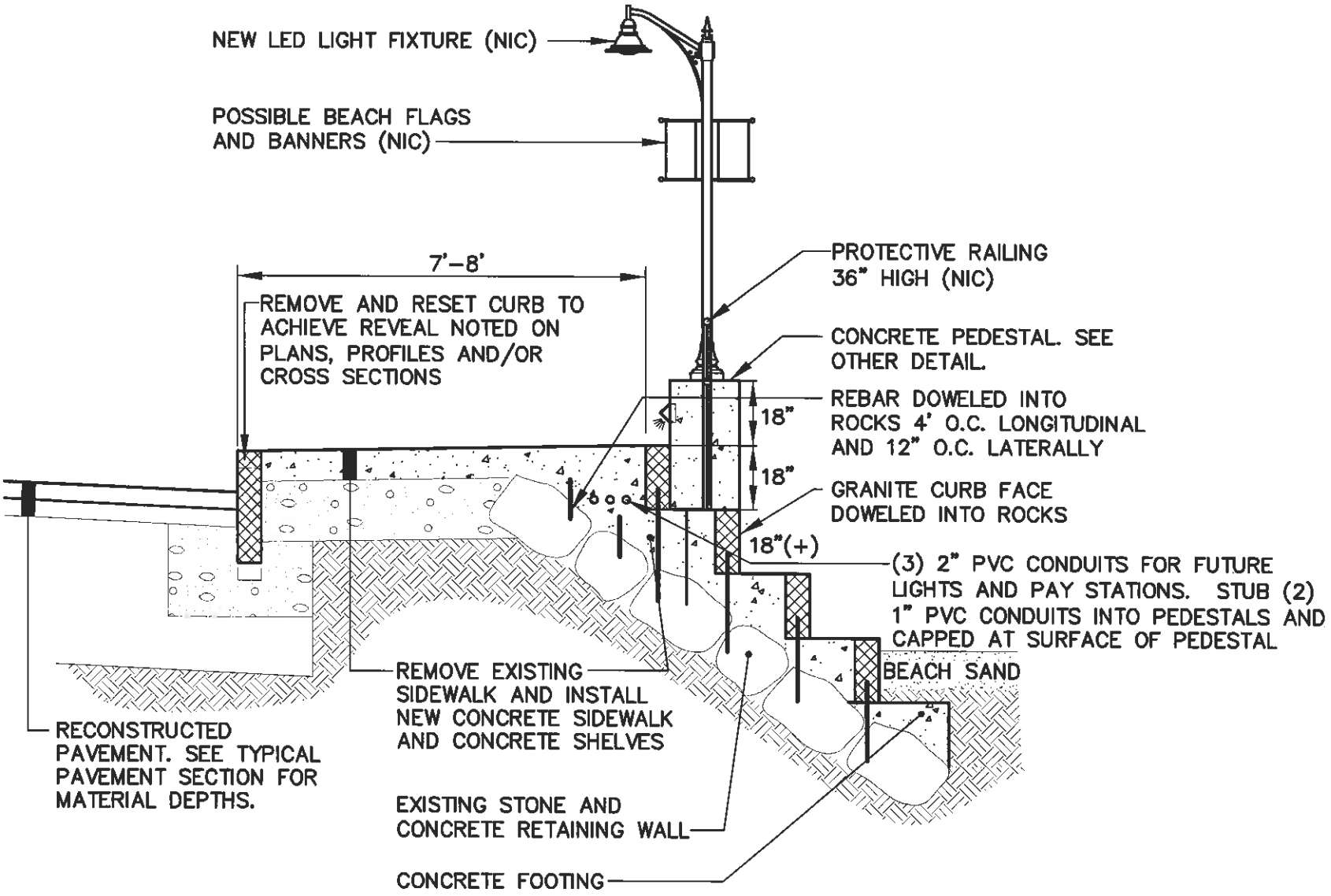
It is clear that modification to create a stepped structure will reduce the potential for damaging wave run-up and overtopping. It is also apparent that wave reflection and associated impacts on the dune system should be reduced during storm conditions when the water level is at or above the structure and waves are relatively large. While there is potential for increased wave reflection under relatively calm conditions with sea level rise, maintenance of the structure (e.g. adding beach fill when needed to prevent undermining), which would also be required with the existing structure, would negate the negative impacts. So overall the stepped structure is expected to be less damaging than the existing structure to the dune system, wildlife habitat, and adjacent properties.

PROJECT DRAWINGS

Ransom Consulting, Inc.
Project 151.06011



SIDE WALK DETAIL

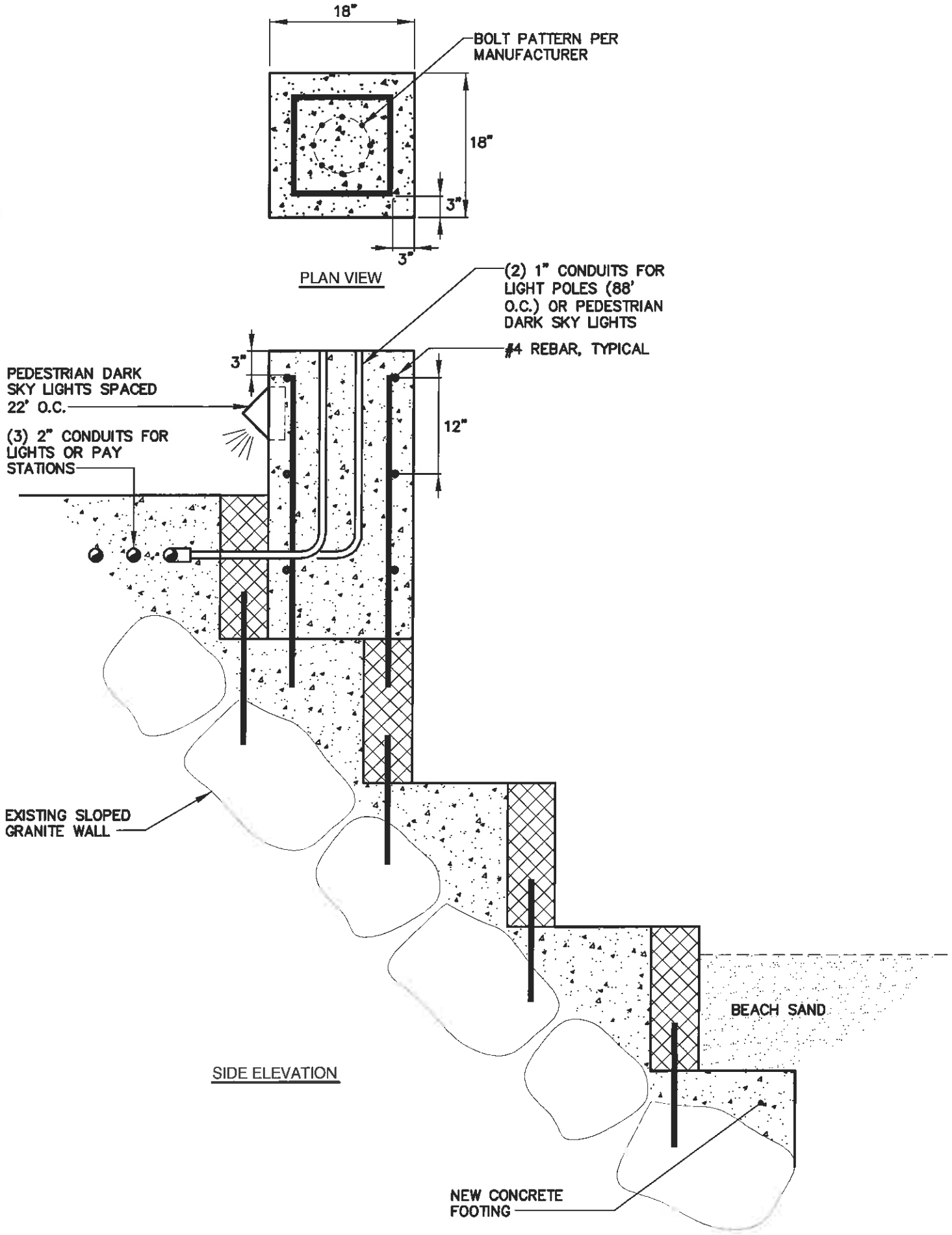


NOTE

1. CONTRACTOR SHALL CONSULT WITH DPW AND DESIGN ENGINEER FOR THE EXACT LOCATIONS OF PEDESTALS IN NEW STEPPED SEAWALL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE STEPPED SEAWALL, PEDESTALS, SLEEVES AND CONDUIT WITHIN THE LIMITS OF WORK. THE CONTRACTOR SHALL PLACE TWO 1" PVC CONDUITS WITHIN CONCRETE SIDEWALK WITH BRANCH SERVICES AT EACH PEDESTAL. THE CONTRACTOR IS NOT RESPONSIBLE FOR LIGHT POLES, FIXTURES, BANNERS, FENCES OR CONDUCTORS

SECTION B-B

NOT TO SCALE



CONCRETE PEDESTAL DETAIL

ADDITIONAL BACKGROUND INFORMATION

NOV

Rec'd June 29, 2018
SHB

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

Certified Mail #: 7015 3430 0000 5094 2403

June 27, 2018

Steve Burns, Town Manager
Town of York
186 York Street
York, ME 03909

Re: Notice of Violation, Town of York, York – EIS #2018-061-L

Dear Mr. Burns:

Enclosed is a Notice of Violation ("NOV") alleging your failure to comply with Maine's Natural Resources Protection Act. The NOV relates to violations documented during a site inspection by Department staff on May 16, 2018 at Long Sands Beach. These violations are more fully described in the attached NOV. The Department offers technical assistance which may assist you in returning to compliance and avoiding further enforcement action. If you require technical assistance concerning this NOV please contact the case manager identified below by email at mark.n.stebbins@maine.gov or by phone at (207)592-4810.

A NOV is an administrative notice that is required by Maine law to be sent to parties the Department believes is responsible for violations of the State's laws, Department's rules, and/or orders prior to initiating civil enforcement actions. The nature and circumstances surrounding the violations discovered has led DEP to conclude that final resolution of this matter should include monetary penalties as part of a civil penalty action. The necessary next steps to finally resolving this matter will be discussed once you contact me within the timeframe provided for in the NOV. Thank you for your attention to this matter.

Sincerely,

Mark Stebbins
Land Division Director
Bureau of Land Resources

cc: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

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

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

web site: www.maine.gov/dep

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land Resources
312 Canco Road
Portland, Maine 04103
Telephone: (207) 822-6300

Notice of Violation

PART I: GENERAL INFORMATION

ALLEGED VIOLATOR'S NAME:	DOCKET NUMBER:
Town of York	**EIS 2018-061-L**
ALLEGED VIOLATOR'S MAILING ADDRESS:	DATE ISSUED:
186 York Street, York, ME 03909	**June 27, 2018**
PHYSICAL LOCATION OF VIOLATIONS:	CERTIFIED MAIL NUMBER:
Long Sands Beach, York	**7015 3430 0000 5094 2403**
POINT OF CONTACT (IF DIFFERENT FROM ALLEGED VIOLATOR):	TELEPHONE NUMBER:
Steve Burns, Town Manager	**(207) 363-1000**

PART II: INFORMATION CONCERNING THE ALLEGED VIOLATION

YOU OR YOUR COMPANY IS BELIEVED TO BE RESPONSIBLE FOR THE FOLLOWING VIOLATION(S) OF MAINE'S ENVIRONMENTAL LAWS, RULES, OR DEPARTMENT ORDERS.

SUMMARY OF FACTS ALLEGED AS BASIS FOR VIOLATION(S):

On May 16th, 2018, Department staff inspected the Long Sands Beach seawall bordering Long Beach Avenue in York. The seawall is contained within the frontal dune of a coastal sand dune system. Coastal dune systems are protected natural resources pursuant to the *Natural Resources Protection Act* (NRPA), 38 M.R.S. §480-B(8). Staff observed that several hundred feet of the existing sloped riprap and concrete seawall had been expanded vertically and replaced with large granite and concrete steps that are centered in front of the new public bath house. Municipal representatives stated that the steps are designed to reduce wave run-up that occurs with the sloped design of the existing riprap seawall onto Long Beach Avenue. A review of Department records reveals that no permits have been obtain for this activity.

The *Natural Resources Protection Act*, 38 M.R.S. § 480-C, requires that a person must first obtain a permit from the Department before beginning any construction, repair, or alteration of any permanent structure located in, on, or over any protected natural resource.

LIST SPECIFIC VIOLATIONS BY APPLYING FACTS TO SPECIFIC STATUTE(S), RULE(S), OR ORDER(S) VIOLATED:
38 M.R.S. § 480-C:

1. ***Prohibition.*** *A person may not perform or cause to be performed any activity listed in subsection 2 without first obtaining a permit from the department if the activity is located in, on or over any protected natural resource or is located adjacent to any of the following:*

DISTRIBUTION:	Case File	X	Enforcement Director	X	AG's Office		EPA		Other:_____	

A. A coastal wetland, great pond, river, stream or brook or significant wildlife habitat contained within a freshwater wetland; or

B. Freshwater wetlands consisting of or containing:

(1) Under normal circumstances, at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for artificial ponds or impoundments; or

(2) Peatlands dominated by shrubs, sedges and sphagnum moss.

A person may not perform or cause to be performed any activity in violation of the terms or conditions of a permit.

2. Activities requiring a permit. *The following activities require a permit:*

A. Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials;

B. Draining or otherwise dewatering;

C. Filling, including adding sand or other material to a sand dune; or

D. Any construction, repair or alteration of any permanent structure.

By constructing, repairing, and altering a permanent structure in a coastal sand dune system without first obtaining a permit from the Department, the Town of York violated the *Natural Resources Protection Act*, 38 M.R.S. § 480-C.

REQUESTED CORRECTIVE ACTION(S):

By July 30, 2018, either:

(1) Submit an after-the-fact Individual NRPA application acceptable for processing to the Department for the alterations made to the seawall and any additional alterations that may be proposed.

Or;

(2) In combination with the above-mentioned action or as a separate action, submit a restoration plan to the Department to reduce the altered structure or portions of the altered structure back to the original dimensions before the activity began.

TIMELY COOPERATION ON THE CORRECTIVE ACTIONS REQUESTED IN THIS NOV, AND CONTACTING THE CASE MANAGER BY PHONE OR IN WRITING WITHIN 7 DAYS OF RECEIVING THIS NOV, ARE TWO FACTORS THAT MAY AFFECT THE AMOUNT OF MONETARY PENALTIES DEP EXPECTS TO PURSUE IN THIS MATTER. THE DEPARTMENT OFFERS TECHNICAL ASSISTANCE WHICH MAY ASSIST YOU IN CORRECTING VIOLATIONS AND PREVENTING FUTURE VIOLATIONS. IF YOU REQUIRE TECHNICAL ASSISTANCE CONCERNING THIS NOTICE OF VIOLATION PLEASE CONTACT THE CASE MANAGER IDENTIFIED BELOW.

PART III: DEPARTMENT ENFORCEMENT CONTACT

ENFORCEMENT CASE MANAGER:	TELEPHONE NUMBER:
Mark Stebbins	**(207) 592-4810**

State of Maine, Department of Environmental Protection

By: Mark Stebbins

MEETING MINUTES WITH BILL BULLARD

Ransom Consulting, Inc.
Project 151.06011

RANSOM
Consulting
Engineers
and Scientists

Memo

400 Commercial Street, Suite 404, Portland, Maine 04101, Tel (207) 772-2891, Fax (207) 772-3248

Byfield, Massachusetts □ Portsmouth, New Hampshire □ Hamilton, New Jersey □ Providence, Rhode Island

www.ransomenv.com

Date:	March 19, 2015
To:	Town Staff and Team Members
From:	Steve Bradstreet
Subject:	Long Sands Beach Master Plan DEP Meeting Minutes
Attendees:	Steve Bradstreet, Dean Lessard, Mike Sullivan, Maureen McGlone, Bill Bullard

---

DISCUSSION

Bathhouse

- Steve gave a brief introduction of the bathhouse improvements and why they were necessary. Bill acknowledged the need and started the discussion regarding permitting.
- Bill Bullard brought in a copy of the State's Dune Map showing that the existing bathhouse and road are in a Frontal Dune (D-1).
- It appears that the dune layer on the survey plan was turned off and does not show up on our plans.
- Dean asked that the PDFs of the survey and minutes of this meeting be forwarded to him.
- Bill Bullard noted that there is a height restriction of 35 feet and a restriction for obstructing views from adjacent properties (ie each side property). Bill did not think that this would be an issue because there are no adjacent properties whose views would be obstructed.
- Bill initially thought that the building would need to be raised 3 feet above highest natural grade elevation in the existing area, but Bill found an exemption within Chapter 355, §6, ¶6.G (pg 27), for detached buildings that are used for storage sheds, public bathhouses, and garages. The bathhouse will be allowed to be removed with the foundation kept as part of the seawall.
- Discussion then focused on the building itself and the public space in front and across the street. Steve noted that currently everything is building, sidewalk, road or paved median. The new road alignment would allow for public space that had a combination of green and hardscape with benches, bike racks, trash receptacles and planting areas. Bill noted that all plantings shall be native plantings.

- Dean mentioned that there may be a trellis type structure to shade bathroom users waiting in line or over bench areas. Bill was concerned that it may be considered a permanent structure and not considered as part of a "reconstruction" of the bathhouse. Dean then showed photos of awning type structures that Bill thought would be allowed if they are only seasonal (less than 7 months). Roof overhangs and awnings would be allowed.
- Bill would need a copy of right, title or interest for this property. Bill also noted that this is a standalone permit and would not be combined with the culvert replacements.

Culverts

- Culverts are shown on Ransom sheets C-101 and C-105.
- Bill suggested that we use the permit that was submitted for the northern outfall pipe as a guide to preparing these. Ransom will obtain a copy from Dean.
- The two outfalls can be permitted together.
- Bill asked if the culverts and bathhouse have been funded and Dean replied yes.

General

- Bill noted that the fee schedule would be $379 + $95 for a total of $474. This fee would be for the bathhouse with the same fee for the culverts.
- Bill noted that they will not allow any new seawalls or seawall expansions.
- The footprint of the seawall could be reduced.
- Dean noted that the existing seawall in this area was granite slabs laid at a slope and mortared in place. The concern is that wave action rides up the smooth surface to the sidewalk and road. Dean asked if the surface can be stepped or "roughened" to minimize the potential for wave run up. Bill said that as long as the seawall footprint and elevation remained the same or lower, that there would be no issue. This modification around the bathhouse can be part of the bathhouse permit.
- Building elevations will be required as part of the application.

BATHHOUSE DUNE PERMIT

Ransom Consulting, Inc.
Project 151.06011

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

January 2017

Town of York
Attn: Dean Lessard
115 Chases Pond Road
York, ME 03909

RE: Coastal Sand Dune Application, York, DEP #L-26753-4J-D-N

Dear Mr. Lessard:

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

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at (207) 523-9807 or at david.cherry@maine.gov.

Sincerely,

David Cherry, Project Manager
Bureau of Land Resources

pc: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

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

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

web site: www.maine.gov/dep

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

TOWN OF YORK	) NATURAL RESOURCES PROTECTION ACT
York, York County	) SAND DUNE ALTERATION
BATHHOUSE RECONSTRUCTION	)
L-26753-4J-D-N (approval)	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S. Sections 480-A et seq. and Chapter 355 (Coastal Sand Dune Rules), the Department of Environmental Protection has considered the application of TOWN OF YORK with the supportive data, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: In Department Order #L-26753-4H-A-N/L-26753-4E-B-N/L-26753-TW-C-N, dated October 30, 2015, the Department approved the installation of two outfall pipes in locations designated as Area J and Area L beneath Long Beach Ave.

B. Summary: The applicant owns 15,682 square feet of property on Long Beach Avenue in the Town of York. The applicant proposes to demolish an existing 518-square foot bathhouse and construct a 1,999-square foot bathhouse building, which incorporates an exempt expansion over existing impervious area pursuant to 38 M.R.S. §480-Q(31). The existing bathhouse is approximately 18 feet in height and the new building will be approximately 22 feet in height. The area where the former bathhouse was located will be covered with approximately 518 square feet of deck. The proposed bathhouse building will be located 10 feet further landward on existing impervious area and will have a total structure area of 2,517 square feet. The property will remain 100% developed with the proposed reconstruction and expansion. The project is shown on a plan titled "Grading and Drainage Plan," prepared by Ransom Consulting, Inc. and dated June 2016, with a most recent revision date of September 22, 2016.

C. Public Comments: The Department received three letters from abutting landowners about the proposed project and concerns included increases in traffic, lack of bathroom services on the beach to accommodate public use, potential impacts from sewer overflow during flood events, negative impacts from enlargement of sewer pipes, obstructed views, and potential roadway erosion problems from the new foundation. The Department determined that the above concerns were not related to effects of the project itself or not relevant to the applicable standards under the Natural Resources Protection Act (NRPA).

D. Current Use of the Site: The lot is identified as Lot 152-A on Map 33 of the Town of York's tax maps. The property is developed with a 518-square foot bathhouse, with a foundation that is incorporated into an existing seawall.

2. STANDARDS FOR ALL PROJECTS:

A. TIMEFRAME FOR BUILDING RECONSTRUCTION: The building to be reconstructed existed on, or lawfully existed within one year of, the date on which the application was accepted for processing by the Department.

B. DEVELOPMENT ON INDIVIDUAL LOTS: The applicant's lot is currently 100% developed. The applicant does not propose to change the development coverage on the lot. The proposed building will not extend seaward of a line drawn between the seaward-most point of buildings on adjacent properties to such an extent that it will significantly obstruct the view from an adjacent building. The Department finds that the proposed project meets the standards for development on individual lots.

C. SHORELINE CHANGES: The applicant's lot is located in a front dune, erosion hazard area of a coastal sand dune system. The applicant does not propose to raise the building, as it is exempt from doing so under Section 6(G) of Chapter 355.

D. BUILDING SIZE RESTRICTIONS: The proposed building will not be greater than 35 feet in height and will be no greater than the existing building footprint except for an exempt expansion discussed in Finding 3C.

E. SEAWALLS OR SIMILAR STRUCTURES: The applicant does not propose to construct a new seawall or expand an existing seawall.

F. DESIGNATED ESSENTIAL HABITAT AND SIGNIFICANT WILDLIFE HABITAT: According to the Department's Geographic Information System database there are no mapped Essential or Significant Wildlife Habitats located on or adjacent to the site.

G. FENCES: Because the applicant's lot is in a frontal dune, the Department finds that no new closed fences, stone walls, or similar structures may be placed on the lot to allow for the free movement of sand, wind and water.

H. LEGAL ACCESS: Because there are no rights of way or other legal access ways across the applicant's lot, the Department finds that the project will not interfere with legal access to or use of the public resources.

I. MITIGATION AND ENHANCEMENT: The applicants' lot is located in a section of frontal dune that is completely developed with paved road and parking with a continuous seawall along the beach. Because of the location of the applicant's lot in relationship to the frontal dune and the beach, and because of existing development in the vicinity of the applicant's lot, the Department finds that restoring dune topography or dune vegetation on

the developed areas of the applicant's lot will have little effect on the natural supply or movement of sand or gravel or reduce the erosion hazard to the sand dune system.

3. STANDARDS FOR FRONTAL DUNE PROJECTS-RECONSTRUCTED BUILDING:

A. NEW CONSTRUCTION IN FRONTAL DUNES: The proposed project does not involve new construction in the frontal dune.

B. CONSTRUCTION IN THE V-ZONE: The building to be reconstructed is not located within a V-Zone.

C. RECONSTRUCTION OF A BUILDING NOT SEVERELY DAMAGED BY WAVE ACTION: The reconstructed building is being moved 10 feet farther back from the beach and the area of the footprint of the reconstructed building does not exceed the area of the footprint of the previously existing building. The proposed height of the building will be 22 feet and does not exceed the maximum height allowed of 35 feet, in accordance with Section 5(D) of Chapter 355.

The footprint of the building proposed for reconstruction includes an approximately 1,481-square foot addition over an existing paved roadway and parking area. While Chapter 355, Section 6(D) prohibits the expansion of the footprint of the existing building in the frontal dune, minor expansions of structures in the coastal sand dune system are exempt from review under the Natural Resources Protection Act pursuant to 38 M.R.S. § 480-Q(31), provided that:

1. The footprint of the expansion is contained within an existing impervious area;
2. The footprint of the expansion is no further seaward than the existing structure;
3. The height of the expansion is within the height restriction of any applicable law or ordinance; and
4. The expansion conforms to the standards for expansion of a structure contained in the municipal shoreland zoning ordinance adopted pursuant to article 2-B.

The proposed expansion would increase the footprint of the existing building, which the Department finds constitutes a minor expansion. The expansion would be located on an area that is currently impervious and the reconstructed building will be moved further landward by 10 feet. The applicant submitted evidence that the proposed structure is exempt from local shoreland zoning standards for expansion as it is considered a water dependent use.

D. SAND AND WATER MOVEMENT: The reconstructed bathhouse is not required to be elevated on post or pilings pursuant to Section 6(G) of the Chapter 355.

The Department finds that the proposed project meets the standards for a frontal dune project.

5. OTHER CONSIDERATIONS:

No new fill may be placed on the site except for structural fill material used for the structures approved by this order. Regrading of the site is limited to that shown on the approved plans.

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

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

A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.

B. The proposed activity will not cause unreasonable erosion of soil or sediment.

C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

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

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

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

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

H. The proposed activity will not unreasonably interfere with the natural supply or movement of sand within or to the sand dune system or unreasonably increase the erosion hazard to the sand dune system.

I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S. Section 480-P.

THEREFORE, the Department APPROVES the above noted application of TOWN OF YORK to reconstruct a bathhouse as described in Finding 1, 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. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

4. No fill shall be added to the site other than the structural fill material necessary for the structures approved. Regrading of the site shall be limited to that shown on the approved plans.

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 IN AUGUSTA, MAINE, THIS 8TH DAY OF JANUARY, 2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
For: Paul Mercer, Commissioner

Filed
JAN 0 9 2017
State of Maine
Board of Environmental Protection

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

DC/L26753DN/ATS#80888

SAND DUNE STANDARD CONDITIONS

A. Shoreline recession. If the shoreline recedes such that a coastal wetland, as defined under 38 M.R.S.A. § 480-B(2), extends to any part of the structure, including support posts, but excluding seawalls, for a period of six months or more, then the approved structure along with appurtenant facilities must be removed and the site must be restored to natural conditions within one year.

B. Removing debris. Any debris or other remains from damaged structures on the property must be removed from the coastal sand dune system.

C. Dune restoration. Within one year after completion of construction, the applicant shall restore any areas of dune vegetation and topography that are disturbed during construction on the lot and that exceed the size of the development area permitted by the department in accordance with Sections 5(B), 6(B)(5) and 9(A)(2). Dune vegetation includes, but is not limited to American beach grass, rugosa rose, bayberry, beach pea, beach heather and pitch pine.

D. Approval of variations from plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted by the applicant. Any variation from these plans, proposals and supported documents is subject to review and approval prior to implementation.

E. Compliance with all applicable laws. The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.

Note: Applicants should obtain and incorporate into their proposed project any standards or limitations contained in local floodplain ordinances.

F. Compliance with all permit terms and conditions. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this permit. All preconstruction terms and conditions must be met before construction begins.

G. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant must reapply for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits must state the reasons why the activity was not begun within four years from the granting of the initial permit and the reasons why the applicant will be able to begin the activity within four years from the granting of a new permit, if so granted. Reapplication for permits may include information submitted in the initial application by reference, but must include documentation of any changes on the site. If construction is begun within the four-year time frame, this approval is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.

H. Permit included in contract bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.

I. Permit shown to contractor. Work done by a contractor pursuant to this permit may not begin before the applicant has shown the contractor a copy of this permit.

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

Erosion Control for Homeowners

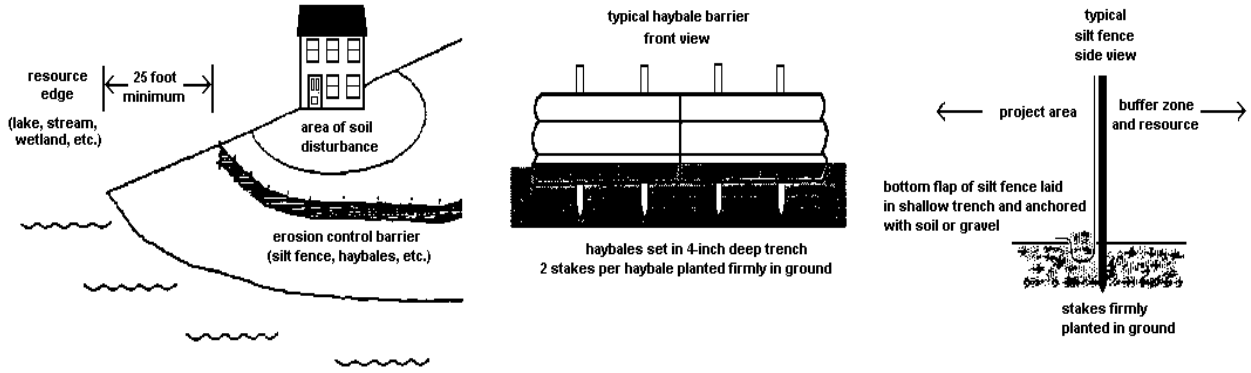
Before Construction

1. If you have hired a contractor, make sure you discuss your permit with them. Talk about what measures they plan to take to control erosion. Everybody involved should understand what the resource is, and where it is located. Most people can identify the edge of a lake or river. However, the edges of wetlands are often not so obvious. Your contractor may be the person actually pushing dirt around, but you are both responsible for complying with the permit.

2. Call around to find where erosion control materials are available. Chances are your contractor has these materials already on hand. You probably will need silt fence, hay bales, wooden stakes, grass seed (or conservation mix), and perhaps filter fabric. Places to check for these items include farm & feed supply stores, garden & lawn suppliers, and landscaping companies. It is not always easy to find hay or straw during late winter and early spring. It also may be more expensive during those times of year. Plan ahead -- buy a supply early and keep it under a tarp.

3. Before any soil is disturbed, make sure an erosion control barrier has been installed. The barrier can be either a silt fence, a row of staked hay bales, or both. Use the drawings below as a guide for correct installation and placement. The barrier should be placed as close as possible to the soil-disturbance activity.

4. If a contractor is installing the erosion control barrier, double check it as a precaution. Erosion control barriers should be installed "on the contour", meaning at the same level or elevation across the land slope, whenever possible. This keeps stormwater from flowing to the lowest point along the barrier where it can build up and overflow or destroy the barrier.



During Construction

1. Use lots of hay or straw mulch on disturbed soil. The idea behind mulch is to prevent rain from striking the soil directly. It is the force of raindrops hitting the bare ground that makes the soil begin to move downslope with the runoff water, and cause erosion. More than 90% of erosion is prevented by keeping the soil covered.

2. Inspect your erosion control barriers frequently. This is especially important after a rainfall. If there is muddy water leaving the project site, then your erosion controls are not working as intended. You or your contractor then need to figure out what can be done to prevent more soil from getting past the barrier.

3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.

After Construction

1. After your project is finished, seed the area. Note that all ground covers are not equal. For example, a mix of creeping red fescue and Kentucky bluegrass is a good choice for lawns and other high-maintenance areas. But this same seed mix is a poor selection for stabilizing a road shoulder or a cut bank that you don't intend to mow. Your contractor may have experience with different seed mixes, or you might contact a seed supplier for advice.

2. Do not spread grass seed after September 15. There is the likelihood that germinating seedlings could be killed by a frost before they have a chance to become established. Instead, mulch the area with a thick layer of hay or straw. In the spring, rake off the mulch and then seed the area. Don't forget to mulch again to hold in moisture and prevent the seed from washing away or being eaten by birds or other animals.

3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.

Why Control Erosion?

To Protect Water Quality

When soil erodes into protected resources such as streams, rivers, wetlands, and lakes, it has many bad effects. Eroding soil particles carry phosphorus to the water. An excess of phosphorus can lead to explosions of algae growth in lakes and ponds called blooms. The water will look green and can have green slime in it. If you are near a lake or pond, this is not pleasant for swimming, and when the soil settles out on the bottom, it smothers fish eggs and small animals eaten by fish. There many other effects as well, which are all bad.

To Protect the Soil

It has taken thousands of years for our soil to develop. It usefulness is evident all around us, from sustaining forests and growing our garden vegetables, to even treating our septic wastewater! We cannot afford to waste this valuable resource.

To Save Money ($$)

Replacing topsoil or gravel washed off your property can be expensive. You end up paying twice because State and local governments wind up spending your tax dollars to dig out ditches and storm drains that have become choked with sediment from soil erosion.

DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: March 2012 **Contact: (207) 287-2811**

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner: (1) in an administrative process before the Board of Environmental Protection ("Board"); or (2) in a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

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

HOW TO SUBMIT AN APPEAL TO THE BOARD

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

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status*. The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested*. The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

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

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

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

EMAIL CORRESPONDANCE REGARDING NOV

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Tuesday, April 10, 2018 3:22 PM
To: Stephen J. Bradstreet
Subject: RE: York Beach Seawall

Steve – please also make sure to include the detail about how the face of the seawall is proposed to be changed to prevent wave run-up. Thanks,

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, April 10, 2018 10:50 AM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Subject: RE: York Beach Seawall

Cameron
I will get you the photos and show you the updated erosion control around the bathhouse.
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Tuesday, April 10, 2018 10:09 AM
To: Stephen J. Bradstreet <stephen.bradstreet@ransomenv.com>
Subject: RE: York Beach Seawall

Thanks Steve – I have been in touch with the EPA staff person who referred the complaint to me and updated them that I did not see any big issues. I will stick the packet you send me in the case file. Please include some photos of the improved erosion and sed controls around the bath house project. Thanks,

Cam

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Friday, April 06, 2018 7:36 AM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: York Beach Seawall

Cameron
Thank you for meeting with us on Tuesday. I just wanted you to know that we are pulling the items together that you requested regarding the seawall construction. Dean is downloading his photos, I have some photos and I will send you some details of the stepped seawall design. We were confident that the construction of the stepped seawall did not need permitting based on previous conversations with Bill Bullard, but we were glad that you confirmed it based on what you saw and we described. Thank you. Once Dean has downloaded his photos, we will send you a complete package.
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Tuesday, May 01, 2018 5:33 PM
To: Stephen J. Bradstreet
Cc: Dean Lessard (dlessard@yorkmaine.org); Mike Sullivan (msullivan@yorkmaine.org); Amber Harrison; Sirois, Alison
Subject: RE: York Beach Seawall

Steve and Dean,

I asked for these plans so that I could make a judgement about the design's conformance with the coastal sand dune rules before work on the stepping began. The only final decision we came to on site was that the ongoing replacement of the footing was ok under the maintenance and repair exemption, since there was no change in dimensions proposed. The stepping plan you described was also not supposed to change the dimensions of the wall in any direction (including "height, length, or thickness" as described in the rules). My goal in reviewing the plans was to ensure the design and your description were consistent in meeting this condition. Seeing the design and the work that has taken place thus far, I have concerns that this requirement has not been met. However, I am going to leave that decision to my supervisors. I will be sending them this information and will be in touch with their response.

-Cameron

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, May 01, 2018 3:16 PM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>
Subject: York Beach Seawall

Cameron

Sorry this took so long to get to you. Based on our discussion at our site visit with you and Town representatives on April 3rd, we are providing photos of the undermined seawall, the formwork for the new footing that is placed at the toe of the existing wall, the pouring of the footing, the placement of a new vertical step over the existing sloped seawall and one photo of a new erosion control sock that you noted was deteriorated and needed to be replaced.

As we discussed, the seawall footprint could not be expanded but we could change the face to vertical steps rather than the sloped face. The attachment also provides details of the new seawall construction. There is a plan view, a cross section and then a specific detail of anchoring the granite face into the sloped granite seawall.

I trust this is the information you were looking for. I visit the site weekly and keep an eye on the erosion protection around the bathhouse. If there is anything else you need, please let me know.

Steve

RANSOM
Consulting
Engineers
and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Wednesday, May 02, 2018 10:44 AM
To: Stephen J. Bradstreet
Cc: Dean Lessard (dlessard@yorkmaine.org); Mike Sullivan (msullivan@yorkmaine.org); Amber Harrison; Sirois, Alison; Stebbins, Mark N
Subject: RE: York Beach Seawall
Attachments: Chapter_355_Coastal_Sand_Dune_Rules.pdf

Good morning,

I met with my supervisors this morning to discuss your design for updates to the seawall on Long Sands Beach. They determined that the ongoing alteration to the wall does indeed change the dimensions of the structure and will therefore require a sand dune permit. Part of the requirement for alterations to a seawall is that the new design be less damaging to the dune system, wildlife habitats, and any adjacent properties. Typically that is where we loop in our geologists at the Maine Geological Survey to comment on the project.

My supervisors and I thought a site visit to discuss the project would be appropriate. If you agree, I think we should set that up and loop in MGS to cover as much as we can up front. Please let us know your thoughts. I have attached the sand dune rules and copied the relevant language below.

E. Seawalls and similar structures. No new seawall or similar structure may be constructed. No existing seawall or similar structure may be altered or replaced except as provided below, and as allowed under Chapter 305, *Permit By Rule* and 38 M.R.S.A. §480-W.

> (1) **Permanent alteration of different dimensions or location**. With a permit from the department, a seawall or similar structure may be replaced with a structure of different dimensions or in a different location that is farther landward if the department determines that the replacement structure would be less damaging to the coastal sand dune system, existing wildlife habitat and adjacent properties than replacing the existing structure with a structure of the same dimensions and in the same location.

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Adams, Cameron D
Sent: Tuesday, May 01, 2018 5:33 PM
To: 'Stephen J. Bradstreet' <stephen.bradstreet@ransomenv.com>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>; Amber Harrison <aharrison@yorkmaine.org>; Sirois, Alison <Alison.Sirois@maine.gov>
Subject: RE: York Beach Seawall

Steve and Dean,

I asked for these plans so that I could make a judgement about the design's conformance with the coastal sand dune rules before work on the stepping began. The only final decision we came to on site was that the ongoing replacement of the footing was ok under the maintenance and repair exemption, since there was no change in dimensions proposed. The stepping plan you described was also not supposed to change the dimensions of the wall in any direction (including

"height, length, or thickness" as described in the rules). My goal in reviewing the plans was to ensure the design and your description were consistent in meeting this condition. Seeing the design and the work that has taken place thus far, I have concerns that this requirement has not been met. However, I am going to leave that decision to my supervisors. I will be sending them this information and will be in touch with their response.

-Cameron

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, May 01, 2018 3:16 PM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>
Subject: York Beach Seawall

Cameron

Sorry this took so long to get to you. Based on our discussion at our site visit with you and Town representatives on April 3rd, we are providing photos of the undermined seawall, the formwork for the new footing that is placed at the toe of the existing wall, the pouring of the footing, the placement of a new vertical step over the existing sloped seawall and one photo of a new erosion control sock that you noted was deteriorated and needed to be replaced.

As we discussed, the seawall footprint could not be expanded but we could change the face to vertical steps rather than the sloped face. The attachment also provides details of the new seawall construction. There is a plan view, a cross section and then a specific detail of anchoring the granite face into the sloped granite seawall.

I trust this is the information you were looking for. I visit the site weekly and keep an eye on the erosion protection around the bathhouse. If there is anything else you need, please let me know.

Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

To: stephen.bradstreet@ransomenv.com Remove this sender from my allow list
From: cameron.d.adams@maine.gov

You received this message because the sender is on your allow list.

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Wednesday, May 02, 2018 10:59 AM
To: Stephen J. Bradstreet
Cc: Dean Lessard (dlessard@yorkmaine.org); Mike Sullivan (msullivan@yorkmaine.org); Amber Harrison; Sirois, Alison; Stebbins, Mark N
Subject: RE: York Beach Seawall

Thanks Steve, I'll wait to hear from you.

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Wednesday, May 02, 2018 10:53 AM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>; Amber Harrison <aharrison@yorkmaine.org>; Sirois, Alison <Alison.Sirois@maine.gov>; Stebbins, Mark N <Mark.N.Stebbins@maine.gov>
Subject: RE: York Beach Seawall

Cameron
Thank you. I will talk to Dean Lessard and schedule a meeting. The reason for the stepped wall is to prevent damaging wave runup that has caused damage to properties because of water and rocks coming up over the existing seawall.
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Wednesday, May 02, 2018 10:44 AM
To: Stephen J. Bradstreet <stephen.bradstreet@ransomenv.com>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>; Amber Harrison <aharrison@yorkmaine.org>; Sirois, Alison <Alison.Sirois@maine.gov>; Stebbins, Mark N <Mark.N.Stebbins@maine.gov>
Subject: RE: York Beach Seawall

Good morning,

I met with my supervisors this morning to discuss your design for updates to the seawall on Long Sands Beach. They determined that the ongoing alteration to the wall does indeed change the dimensions of the structure and will therefore require a sand dune permit. Part of the requirement for alterations to a seawall is that the new design be less damaging to the dune system, wildlife habitats, and any adjacent properties. Typically that is where we loop in our geologists at the Maine Geological Survey to comment on the project.

My supervisors and I thought a site visit to discuss the project would be appropriate. If you agree, I think we should set that up and loop in MGS to cover as much as we can up front. Please let us know your thoughts. I have attached the sand dune rules and copied the relevant language below.

E. Seawalls and similar structures. No new seawall or similar structure may be constructed. No existing seawall or similar structure may be altered or replaced except as provided below, and as allowed under Chapter 305, *Permit By Rule* and 38 M.R.S.A. §480-W.

> (1) **Permanent alteration of different dimensions or location**. With a permit from the department, a seawall or similar structure may be replaced with a structure of different dimensions or in a different location that is farther landward if the department determines that the replacement structure would be less damaging to the coastal sand dune system, existing wildlife habitat and adjacent properties than replacing the existing structure with a structure of the same dimensions and in the same location.

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Adams, Cameron D
Sent: Tuesday, May 01, 2018 5:33 PM
To: 'Stephen J. Bradstreet' <stephen.bradstreet@ransomenv.com>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>; Amber Harrison <aharrison@yorkmaine.org>; Sirois, Alison <Alison.Sirois@maine.gov>
Subject: RE: York Beach Seawall

Steve and Dean,

I asked for these plans so that I could make a judgement about the design's conformance with the coastal sand dune rules before work on the stepping began. The only final decision we came to on site was that the ongoing replacement of the footing was ok under the maintenance and repair exemption, since there was no change in dimensions proposed. The stepping plan you described was also not supposed to change the dimensions of the wall in any direction (including "height, length, or thickness" as described in the rules). My goal in reviewing the plans was to ensure the design and your description were consistent in meeting this condition. Seeing the design and the work that has taken place thus far, I have concerns that this requirement has not been met. However, I am going to leave that decision to my supervisors. I will be sending them this information and will be in touch with their response.

-Cameron

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, May 01, 2018 3:16 PM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Mike Sullivan (msullivan@yorkmaine.org) <msullivan@yorkmaine.org>
Subject: York Beach Seawall

Cameron

Sorry this took so long to get to you. Based on our discussion at our site visit with you and Town representatives on April 3rd, we are providing photos of the undermined seawall, the formwork for the new footing that is placed at the toe of the existing wall, the pouring of the footing, the placement of a new vertical step over the existing sloped seawall and one photo of a new erosion control sock that you noted was deteriorated and needed to be replaced.

As we discussed, the seawall footprint could not be expanded but we could change the face to vertical steps rather than the sloped face. The attachment also provides details of the new seawall construction. There is a plan view, a cross section and then a specific detail of anchoring the granite face into the sloped granite seawall.

I trust this is the information you were looking for. I visit the site weekly and keep an eye on the erosion protection around the bathhouse. If there is anything else you need, please let me know.

Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Thursday, May 10, 2018 11:05 AM
To: Stephen J. Bradstreet
Cc: Dean Lessard (dlessard@yorkmaine.org)
Subject: RE: York Seawall

Hi Steve – I am trying to coordinate with my supervisor and some staff from Maine Geological Survey to join us. No one is available on the 17th but we are all free on the afternoon of the 16th. Could that work?

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, May 08, 2018 6:53 AM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: York Seawall

Cameron
I have spoken with Dean Lessard and am looking at May 17th at 3:30 to meet with you and others regarding the seawall. Does this date and time work for you or others?
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Thursday, May 10, 2018 4:27 PM
To: Stephen J. Bradstreet
Cc: Dean Lessard (dlessard@yorkmaine.org); Sirois, Alison
Subject: RE: York Seawall

Hi Steve – Unfortunately my supervisors and MGS do not have much overlapping free time in the coming weeks except for the 16th. Everyone wants to assess the structure as soon as possible, especially given that work is ongoing. If you can work it out to send a representative next week that would be great, but otherwise we may need to complete our own site visit to do a base level assessment and then have a separate conversation about permitting requirements after that.

-Cam

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Thursday, May 10, 2018 12:04 PM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: RE: York Seawall

Cameron
Dean and I are not available Wednesday afternoon. Would you like me to throw out some dates the following week?
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Thursday, May 10, 2018 11:05 AM
To: Stephen J. Bradstreet <stephen.bradstreet@ransomenv.com>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: RE: York Seawall

Hi Steve – I am trying to coordinate with my supervisor and some staff from Maine Geological Survey to join us. No one is available on the 17th but we are all free on the afternoon of the 16th. Could that work?

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, May 08, 2018 6:53 AM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: York Seawall

Cameron
I have spoken with Dean Lessard and am looking at May 17th at 3:30 to meet with you and others regarding the seawall. Does this date and time work for you or others?
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Monday, May 14, 2018 4:09 PM
To: Stephen J. Bradstreet
Cc: Dean Lessard (dlessard@yorkmaine.org); Sirois, Alison
Subject: RE: York Seawall

Hi Steve – thanks for trying to work it out to be there. I apologize for our inflexibility, we just do not want to delay getting down there especially given that construction is ongoing. Our plan is to be down there around 2:00 pm on Wednesday as that is the only time we are all available. You and/or the town may join us to walk everyone through the design or we could at least take a look on our own so the geologists can make their initial observations. Thanks,

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Monday, May 14, 2018 2:51 PM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Sirois, Alison <Alison.Sirois@maine.gov>
Subject: RE: York Seawall

Cameron
I am trying to work out the Wednesday meeting in by having someone fill in for me at another meeting. Either way you should see the site. I believe that we can support a case for the design we have shown that protects the abutting properties, minimizes environmental impacts of surge run-up and erosion deposition into the wetlands or collection systems behind the dune and is less damaging to the sand dune than if totally rebuilt.
I will let you know my exact schedule once I have made some adjustments.
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Thursday, May 10, 2018 4:27 PM
To: Stephen J. Bradstreet <stephen.bradstreet@ransomenv.com>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>; Sirois, Alison <Alison.Sirois@maine.gov>
Subject: RE: York Seawall

Hi Steve – Unfortunately my supervisors and MGS do not have much overlapping free time in the coming weeks except for the 16th. Everyone wants to assess the structure as soon as possible, especially given that work is ongoing. If you can work it out to send a representative next week that would be great, but otherwise we may need to complete our own site visit to do a base level assessment and then have a separate conversation about permitting requirements after that.

-Cam

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Thursday, May 10, 2018 12:04 PM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: RE: York Seawall

Cameron
Dean and I are not available Wednesday afternoon. Would you like me to throw out some dates the following week?
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Thursday, May 10, 2018 11:05 AM
To: Stephen J. Bradstreet <stephen.bradstreet@ransomenv.com>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: RE: York Seawall

Hi Steve – I am trying to coordinate with my supervisor and some staff from Maine Geological Survey to join us. No one is available on the 17th but we are all free on the afternoon of the 16th. Could that work?

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Tuesday, May 08, 2018 6:53 AM

To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: York Seawall

Cameron
I have spoken with Dean Lessard and am looking at May 17th at 3:30 to meet with you and others regarding the seawall. Does this date and time work for you or others?
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

Michaela E. Skelton

From: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Sent: Tuesday, April 10, 2018 10:09 AM
To: Stephen J. Bradstreet
Subject: RE: York Beach Seawall

Thanks Steve – I have been in touch with the EPA staff person who referred the complaint to me and updated them that I did not see any big issues. I will stick the packet you send me in the case file. Please include some photos of the improved erosion and sed controls around the bath house project. Thanks,

Cam

Cameron Adams
Environmental Specialist, Bureau of Land Resources
Maine Department of Environmental Protection
(207) 356-1643 (cell) | (207) 822-6300 (front desk)
Cameron.D.Adams@maine.gov | www.maine.gov/dep

From: Stephen J. Bradstreet [mailto:stephen.bradstreet@ransomenv.com]
Sent: Friday, April 06, 2018 7:36 AM
To: Adams, Cameron D <Cameron.D.Adams@maine.gov>
Cc: Dean Lessard (dlessard@yorkmaine.org) <dlessard@yorkmaine.org>
Subject: York Beach Seawall

Cameron
Thank you for meeting with us on Tuesday. I just wanted you to know that we are pulling the items together that you requested regarding the seawall construction. Dean is downloading his photos, I have some photos and I will send you some details of the stepped seawall design. We were confident that the construction of the stepped seawall did not need permitting based on previous conversations with Bill Bullard, but we were glad that you confirmed it based on what you saw and we described. Thank you. Once Dean has downloaded his photos, we will send you a complete package.
Steve

RANSOM Consulting Engineers and Scientists

Stephen J. Bradstreet, P.E.
Senior Project Manager/Principal
RANSOM CONSULTING, INC.
tel (207) 772-2891 ▪ cell (207) 653-8155
website | vCard | map

From: cameron.d.adams@maine.gov

You received this message because the sender is on your allow list.

PHOTOS OF SEAWALL UNDERMINING AND REPAIR

Ransom Consulting, Inc.
Project 151.06011

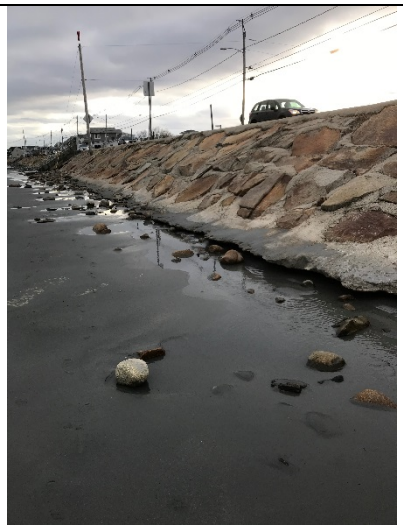


Photo 1: Undermining of existing seawall.

Photo 2: Undermining of existing seawall.

Photo 3: Undermining of existing seawall.

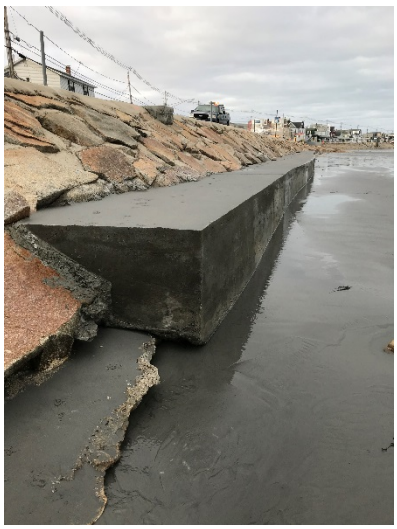


Photo 4: Undermining of existing seawall.

Photo 5: Staging for 3rd pour south of Bathhouse.

Photo 6: Forming for 4th pour north of Bathhouse.

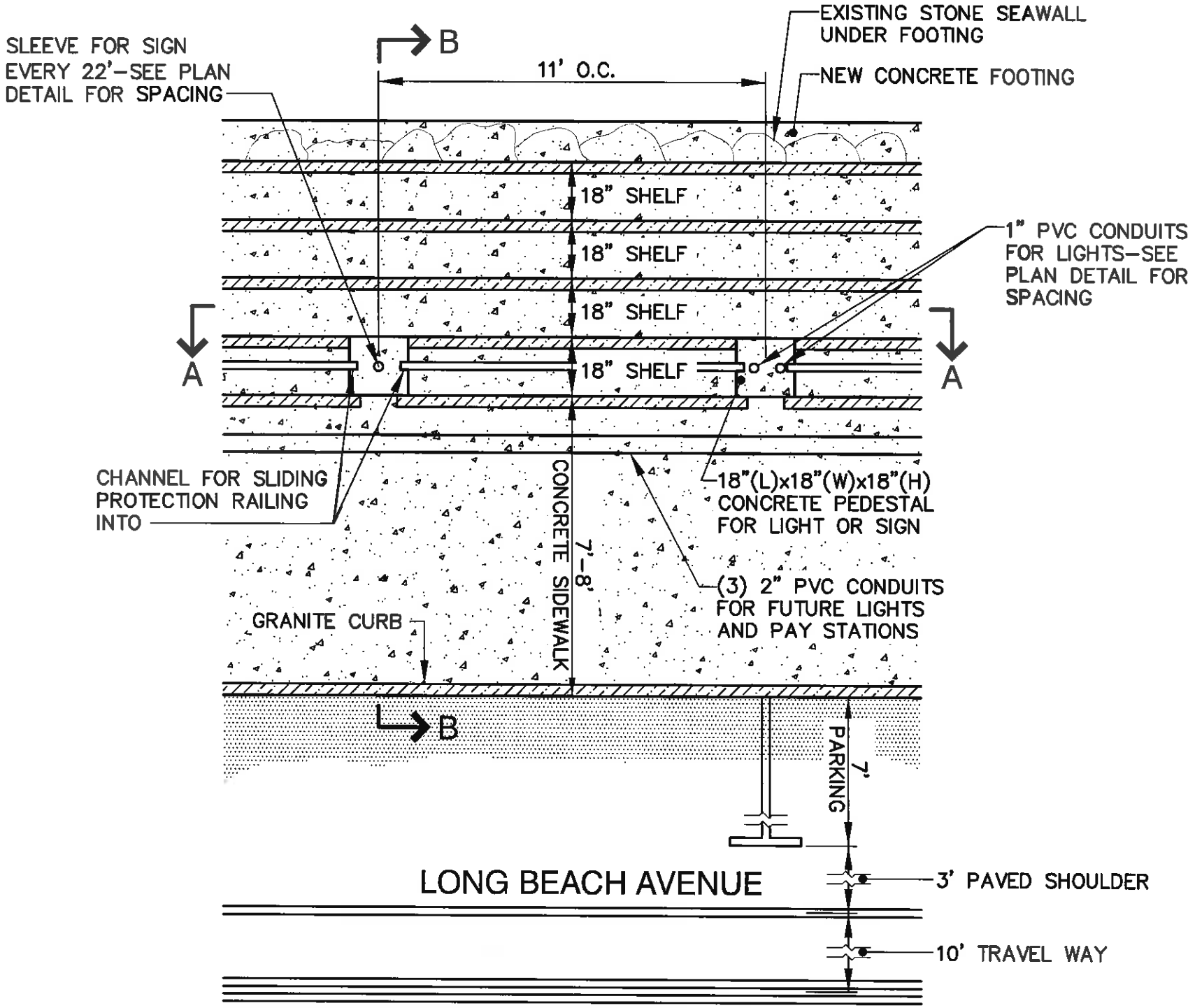
Photo 7: Forming for 4th pour north of Bathhouse.

Photo 8: 4th pour north of Bathhouse.

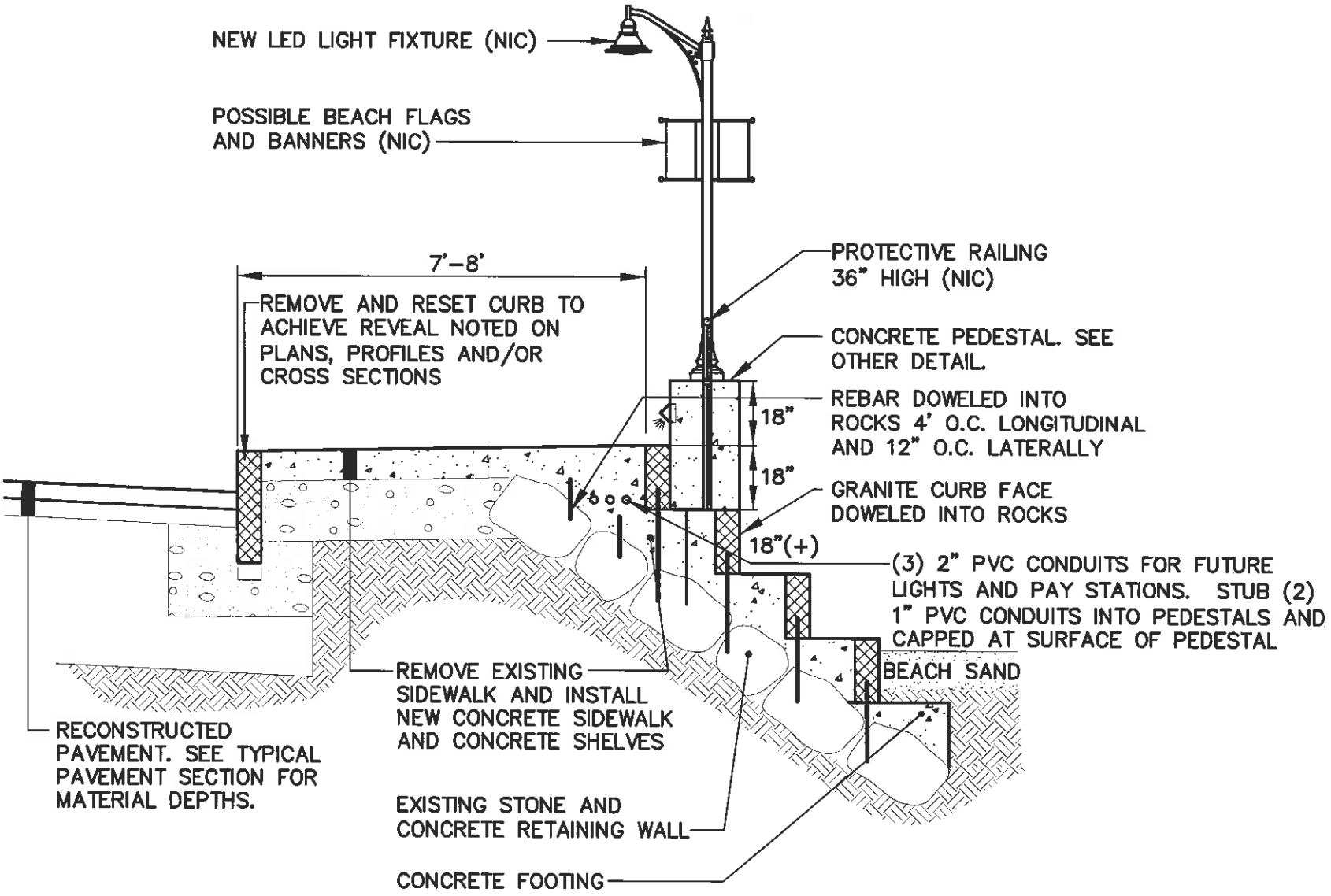
Photo 9: Placement of vertical granite step.

Photo 10: Pouring of concrete step.

Photo 11: Newly placed erosion control sock as requested by the DEP.



SIDE WALK DETAIL

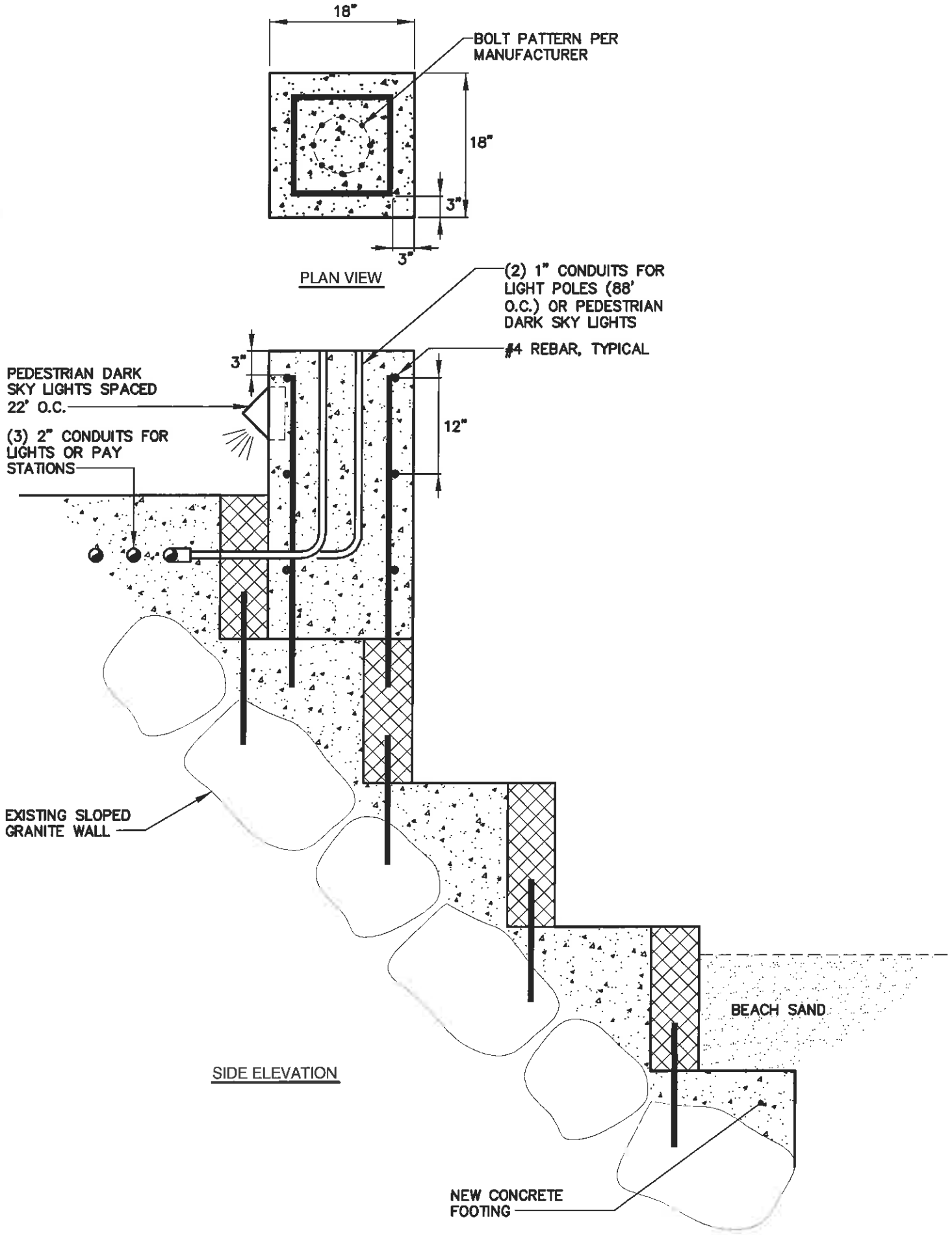


NOTE

1. CONTRACTOR SHALL CONSULT WITH DPW AND DESIGN ENGINEER FOR THE EXACT LOCATIONS OF PEDESTALS IN NEW STEPPED SEAWALL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE STEPPED SEAWALL, PEDESTALS, SLEEVES AND CONDUIT WITHIN THE LIMITS OF WORK. THE CONTRACTOR SHALL PLACE TWO 1" PVC CONDUITS WITHIN CONCRETE SIDEWALK WITH BRANCH SERVICES AT EACH PEDESTAL. THE CONTRACTOR IS NOT RESPONSIBLE FOR LIGHT POLES, FIXTURES, BANNERS, FENCES OR CONDUCTORS

SECTION B-B

NOT TO SCALE



CONCRETE PEDESTAL DETAIL

CULVERT PROJECT NRPA PERMIT

Ransom Consulting, Inc.
Project 151.06011

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

AVERY T. DAY
ACTING COMMISSIONER

October 2015

Town of York
Attn: Dean Lessard
115 Chases Pond Road
York, ME 03909

RE: Natural Resources Protection Act Application, York
DEP #L-26753-4H-A-N/L-26753-4E-B-N/L-26753-TW-C-N

Dear Mr. Lessard:

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

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at (207) 523-9807 or at david.cherry@maine.gov.

Sincerely,

David Cherry, Project Manager
Bureau of Land Resources

pc: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

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

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

web site: www.maine.gov/dep

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

TOWN OF YORK	) NATURAL RESOURCES PROTECTION ACT
York, York County	) SAND DUNE ALTERATION
OUTFALL REPLACEMENT	) COASTAL WETLAND ALTERATION
L-26753-4H-A-N (approval)	) SIGNIFICANT WILDLIFE HABITAT
L-26753-4E-B-N (approval)	) WATER QUALITY CERTIFICATION
L-26753-TW-C-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 the TOWN OF YORK with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. Summary: The applicant proposes to replace two existing stormwater drainage pipes and outfall structures located within a coastal wetland and a coastal sand dune system on Long Sands Beach. The two areas are identified by the applicant as Area J and Area L, and both areas are located in the frontal dune. Construction of Area J, approximately 272 linear feet, will consist of the complete removal of the existing outfall structure and 36-inch diameter metal drainage pipe and replacement with a three-foot high by six-foot wide box culvert and a 2,000-gallon precast concrete tank with a four-foot diameter, smooth interior pipe with a check valve. Portions of this outfall structure currently extend beyond the existing seawall. Area L contains approximately 73 linear feet of piping that will be replaced with two 24-inch PVC pipes with check valves. Temporary berms made from rock and sand material from the sites will be placed below the Highest Annual Tide (HAT) line to control tidal influence during construction. Upon completion of the new outfall structures, the berm materials will be used to backfill around the outfalls. The applicant intends to complete this work between October 15, 2015 and April 1, 2016 to avoid disruption during the tourist season. The project site is located on Long Beach Avenue in the Town of York.

B. Current Use of the Site: The project locations are located within the municipal right-of-way of Long Beach Avenue.

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

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

the proposed project site including an aerial photograph of the project site. Department staff visited the project site on October 20, 2015.

The proposed project is located adjacent to and within the Atlantic Ocean, which is a scenic resource visited by the general public, in part, for the use, observation, enjoyment and appreciation of its natural and cultural visual qualities. The applicant intends to excavate around the seawall and outfall structures to install the new infrastructure. All material will be kept on the beach and used to backfill around the outfall structures to reduce the visibility of the project from the scenic resource. The proposed structures will be located further landward and are anticipated to be more compatible with the view of the existing seawall from the water.

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

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

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

3. SOIL EROSION:

The applicant proposes to install the proposed stormwater outfall structures from Long Beach Avenue and in the beach area. Access to the intertidal area will be via an existing ramp located at the bathhouse, which is 600 feet to the north for Area J and 1,800 feet south of the bathhouse for Area L. Work will be timed around the tide cycle and berms will be employed as described in Finding 1 to avoid working in the water. Existing stone and sand that is removed from the impact area will be reused to backfill around the new structures. Stones remaining after construction will be placed at the end of the outfall for energy dissipation. Construction is timed to begin after October 15 and before April 1 to avoid work during the summer tourist season. To minimize tidal influence during construction, the applicant proposes to create a berm made of rock and sand material from the project site on the beach below each of the work areas.

The Maine Geological Survey (MGS) reviewed the proposed project and provided comments regarding the location of the berm being below the HAT line, how scouring at the new outfalls would be addressed, and reconstruction of the existing seawall after installation. The applicant addressed the comments by stating that the berm would be dismantled once the outfall structure is in place and the disturbed areas would be returned

to their previous condition. The temporary berms must be removed within 30 days of project completion.

Scouring would be addressed by using existing rocks from the project area to place around the outfall structures. The reconstructed portion of the seawall would not extend any further into the coastal wetland than the existing seawall. MGS also commented that, by bringing the outfall structures closer to the seawall, end-effect erosion would be minimized when compared with the existing outfall structures.

Based on the applicant's construction plan, the Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

4. HABITAT CONSIDERATIONS:

According to the Department's Geographic Information System (GIS) database the project is located within mapped Tidal Waterfowl and Wading Bird Habitat which is designated as Significant Wildlife Habitat under the Natural Resources Protection Act (NRPA).

The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the proposed project and found that there would be minimal impacts to wildlife as a result of the proposed project.

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

5. WATER QUALITY CONSIDERATIONS:

The applicant submitted an adequate construction and erosion and sedimentation control plan as discussed in Finding 3.

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

6. WETLANDS AND WATERBODIES PROTECTION RULES:

For Area J, the applicant proposes to directly alter 167 square feet of coastal wetland to install a 2,000-gallon concrete tank and to temporarily alter 1,328 square feet of coastal wetland to remove the existing outfall structure and place the berm below the work area. Currently, the outfall structure at Area J occupies approximately 259 square feet of coastal wetland. At Area L, the applicant proposes to temporarily alter 1,100 square feet of coastal wetland to remove the outfall structure from the seawall, install the new structure, and place the berm.

The Wetlands and Waterbodies Protection Rules, 06-096 CMR 310, interpret and elaborate on the NRPA criteria for obtaining a permit. The rules guide the Department in its determination of whether a project's impacts would be unreasonable. A proposed project would generally be found to be unreasonable if it would cause a loss in wetland area, functions and values and there is a practicable alternative to the project that would be less damaging to the environment. Each application for a NRPA permit that involves a coastal wetland alteration must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

A. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. The applicant submitted an alternatives analysis for the proposed project completed by Ransom Consulting, Inc. The project purpose is to replace the existing stormwater management system with one that is able to accommodate increased water runoff and storm surges. The applicant considered several options for Area J and Area L. For Area J, the applicant considered taking no action and replacing only the piping. The applicant found that taking no action would not improve the ability to drain the existing stormwater system within Long Beach Avenue. Replacing the piping was not considered because the existing outfall structure is currently undersized, which would severely limit discharge and exacerbate flooding problems.

Taking no action and replacing only the piping was also considered for Area L. For this area, the applicant found that not taking any action would not improve drainage. Replacing only the piping would accommodate water flows, but the existing headwall would need to be replaced and additional grading would be needed to accommodate the dual PVC pipes. Additionally, this alternative would not allow check valves to be installed that would prevent water from incoming tides from entering into the stormwater system.

B. Minimal Alteration. The amount of coastal wetland to be altered must be kept to the minimum amount necessary for meeting the overall purpose of the project. The applicant has minimized coastal wetland impacts to the greatest extent possible by locating the outfall at Area L within the existing opening in the seawall, by moving the outfall for Area J approximately 65 feet landward of the existing outfall, and by reusing the existing cobble and sand as backfill. The location and sizing of the proposed outfall structures would result in a reduction in overall footprint in the coastal sand dune system.

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

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

7. OTHER CONSIDERATIONS:

The proposed project is located the frontal dune of the coastal sand dune system. Because the proposed project is replacing an existing system and minimizing the overall footprint, the Department finds that the project will not unreasonably interfere with the natural supply or movement of sand within or to the sand dune system, or unreasonably increase the erosion hazard to the sand dune system provided the temporary berms are removed within 30 days of project completion.

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

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

A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.

B. The proposed activity will not cause unreasonable erosion of soil or sediment provided the temporary berms are removed as discussed in Finding 3.

C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

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

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

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

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

H. The proposed activity will not unreasonably interfere with the natural supply or movement of sand within or to the sand dune system, or unreasonably increase the erosion hazard to the sand dune system provided the temporary berms are removed as discussed in Findings 3 and 7.

I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES the above noted application of the TOWN OF YORK to replace stormwater outfall structures as described in Finding 1, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.

2. The Sand Dune Standard Conditions (revised 2006), a copy attached.

3. 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.

4. The applicant shall remove the temporary berms within 30 days of project completion.

5. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

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 IN AUGUSTA, MAINE, THIS 29TH DAY OF OCTOBER, 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Mark Bergan
For: Avery T. Day, Acting Commissioner

Filed
OCT 30 2015
State of Maine
Board of Environmental Protection

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

DC/L26753ANBNCN/ATS#79694, 79695, 79709

SAND DUNE STANDARD CONDITIONS

A. Shoreline recession. If the shoreline recedes such that a coastal wetland, as defined under 38 M.R.S.A. § 480-B(2), extends to any part of the structure, including support posts, but excluding seawalls, for a period of six months or more, then the approved structure along with appurtenant facilities must be removed and the site must be restored to natural conditions within one year.

B. Removing debris. Any debris or other remains from damaged structures on the property must be removed from the coastal sand dune system.

C. Dune restoration. Within one year after completion of construction, the applicant shall restore any areas of dune vegetation and topography that are disturbed during construction on the lot and that exceed the size of the development area permitted by the department in accordance with Sections 5(B), 6(B)(5) and 9(A)(2). Dune vegetation includes, but is not limited to American beach grass, rugosa rose, bayberry, beach pea, beach heather and pitch pine.

D. Approval of variations from plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted by the applicant. Any variation from these plans, proposals and supported documents is subject to review and approval prior to implementation.

E. Compliance with all applicable laws. The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.

Note: Applicants should obtain and incorporate into their proposed project any standards or limitations contained in local floodplain ordinances.

F. Compliance with all permit terms and conditions. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this permit. All preconstruction terms and conditions must be met before construction begins.

G. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant must reapply for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits must state the reasons why the activity was not begun within four years from the granting of the initial permit and the reasons why the applicant will be able to begin the activity within four years from the granting of a new permit, if so granted. Reapplication for permits may include information submitted in the initial application by reference, but must include documentation of any changes on the site. If construction is begun within the four-year time frame, this approval is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.

H. Permit included in contract bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.

I. Permit shown to contractor. Work done by a contractor pursuant to this permit may not begin before the applicant has shown the contractor a copy of this permit.

Natural Resources Protection Act (NRPA)
Standard Conditions

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

A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.

B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.

C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.

D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.

E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.

F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.

G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.

H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: March 2012 **Contact: (207) 287-2811**

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner: (1) in an administrative process before the Board of Environmental Protection ("Board"); or (2) in a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

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

HOW TO SUBMIT AN APPEAL TO THE BOARD

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

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status*. The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested*. The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

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

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

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

CULVERT PROJECT SAND DUNE PERMIT

Ransom Consulting, Inc.
Project 151.06011

Department of Environmental Protection
Bureau of Land & Water Quality
17 State House Station
Augusta, Maine 04333
Telephone: 207-287-3901

FOR DEP USE_____
ATS #_____
L- _____
Total Fees: _____
Date: Received _____

APPLICATION FOR A COASTAL SAND DUNE PERMIT

➔**PLEASE TYPE OR PRINT IN *BLACK INK ONLY***

1. Name of Applicant:	Town of York Dean Lessard	**5. Name of Agent: (if applicable)**	Stephen Bradstreet Ransom Consulting, Inc.
2. Applicant's Mailing Address:	115 Chases Pond Road York, ME 03909	**6. Agent's Mailing Address:**	400 Commercial Street, Suite 404 Portland, ME 04101
3. Applicant's Daytime Phone #:	207-363-1010	**7. Agent's Daytime Phone #:**	207-772-2891
4. Applicant's E-mail Address:	dlessard@yorkmaine.org	**8. Agent's e-mail address**	stephen.bradstreet@ ransomenv.com

9. Location of Project (Nearest Road, Street, Rt.#)	Long Beach Avenue	**10. Town:**	York	**11. County:**	York

12. Type of Dune:	☒ Front (D-1) ❑ Back (D-2)	**13.Type of Project:**	❑ New Building or Addition ❑ Vertical Addition ❑ Reconstructed Building ☒ Other	**14. FEMA Flood Zone:**	❑ A-Zone ❑ AO-Zone ❑ B-Zone ☒ V-Zone ❑ Shaded X-Zone ❑ Non-Flood (C-Zone

15.Variance Request:	❑ Section 8A ❑ Section 8B
16. Type of Vegetation on Lot:	☒ Native 100 % of Lot Covered ❑ Lawn/Landscaped _____ % of Lot Covered
17.Adjacent to or in Essential or Significant Habitat: :	☒ Yes ❑ No
18. Brief Project Description:	Replace existing stormwater piping and outfalls at two locations (Area L and Area J) along Long Beach Avenue.
19.Size of Lot and % of Existing and Proposed Coverage **Note: One acre = 43,560 sq. ft**	N/A Square feet _____ % existing building coverage _____ % proposed building coverage _____ % existing development coverage _____ % proposed development coverag
20.Proposed Foundation Type:	❑ Post or Pilings ❑ Frost wall ❑ Full ❑ FEMA Flow Throug
21. Title, Right or Interest:	❑ own ❑ lease ❑ purchase option ❑ written agreement

22. Deed Reference Numbers	Book #: N/A	Page #: N/A	**23. Map and Lot Numbers (Town Tax Map):**	Map #: N/A	Lot #: N/A		
24. DEP Staff Previously Contacted:	Bill Bullard		**25. UTM Easting:**	N/A	**26. UTM Northing:**	N/A	
27. Resubmission of Application?	❑ Yes ➔ ☒ No	**If yes, previous application #**		**After the Fact:**	❑ Yes ❑ No		
28. Written Notice o Violation?	❑ Yes ➔ ☒ No	**If yes, name of DEP enforcemer staff involved:**		**Previous project manager:**	❑ Ye ❑ N		

29. Detailed Directions to the Project Site:	See attached

30. Basic Attachments: Note: A copy of the complete application must be submitted to the municipality.

❒ Fee	❒ Copy of Beach & Dune Geology Aerial Photo
❒ Agent Letter of Authorization	❒ Flood Insurance Rate Map
❒ Documentation of Title, Right or Interest	❒ Photographs of Lot
❒ Topographic Map	❒ Project Description
	❒ Project Drawings

31. FEES, Amount Enclosed:	$474
Does agent have an ownership interest in project? If yes, what is the interest?	❑ Yes ☒ No

SIGNATURES/CERTIFICATIONS ON PAGE 2

SIGNATURE PAGE: THIS PAGE MUST BE SUBMITTED ALONG WITH THE FORM ON THE PREVIOUS PAGE.

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT**.**

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following:

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nr a permit be issued.

DEP SIGNATORY REQUIREMENT "

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in the application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

"Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent.

_____ _____

SIGNATURE OF APPLICANT, if agent involved DATE

_____ _____

SIGNATURE OF AGENT/APPLICANT DATE

NOTE: Any changes in activity plans must be submitted to the DEP in writing and must be approved by the DEP prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

Dune Permit Application
Long Beach Avenue
Outfall Area L and Outfall Area J
Town of York, ME

Block 14
Flood Zone identified as VE

Block 16
Although the "Native " box is checked, there is no vegetation within the non-structural portions of either project area. The areas are covered by stone and sand. At each project area the proposed outfalls will still be located within the same material. At Area L, the culvert outfall will be extended seaward; while at Area J, the outfall will be cut back.

Block 19
No lot size or % coverage has been identified as the project location is within the limits of the existing mapped sand dune system which is land held by the Town of York.

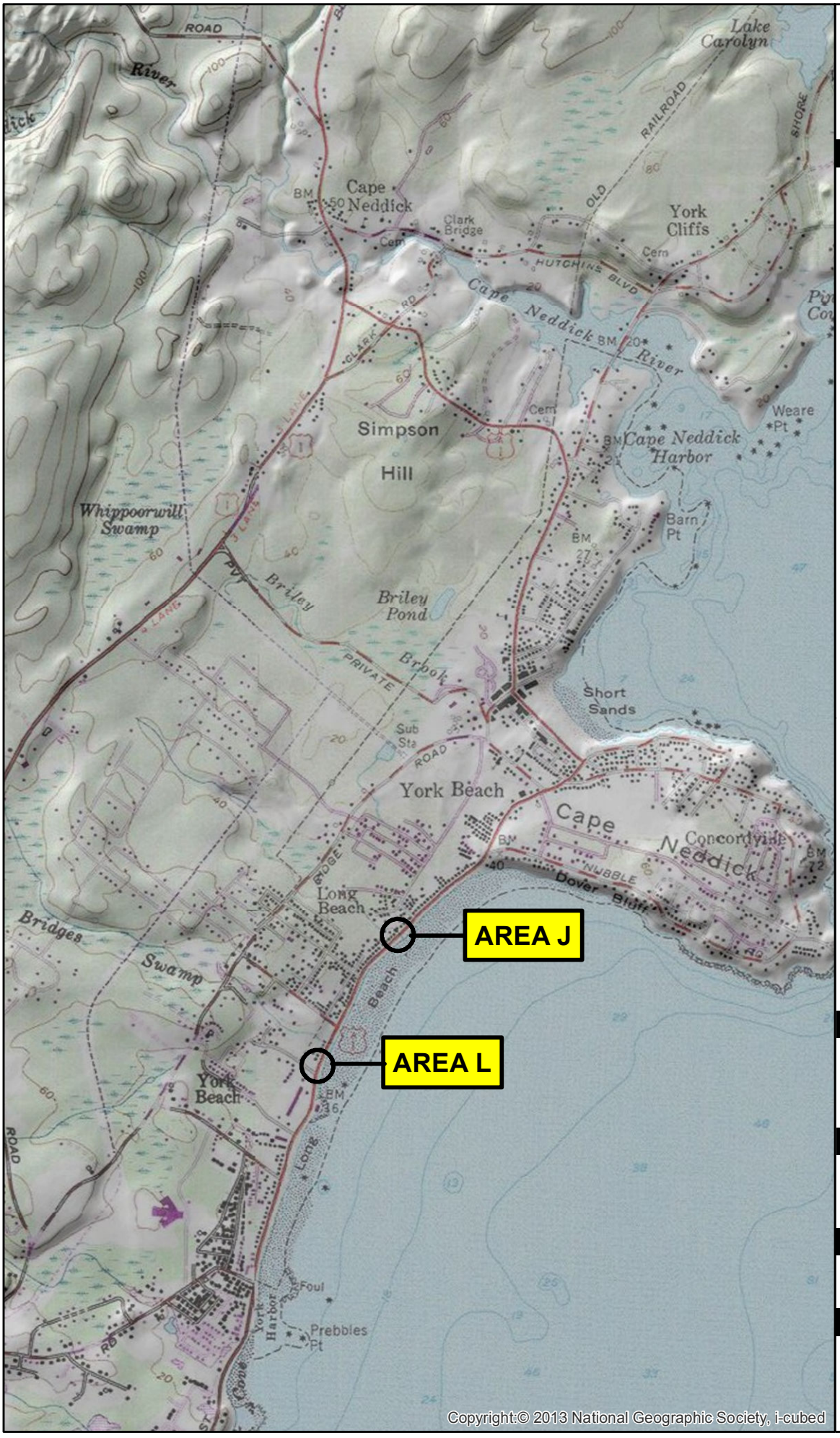
Block 20
None of the listed foundation types are applicable to the proposed work. The culvert at Area L will have a foundation base of ¾" stone wrapped in geotextile. The outfall at Area J will have a concrete slab foundation with a ¾" stone base wrapped in geotextile. Details can be found on the plans included in the permit application.

Block 21
It is assumed that the project site falls under the general heading of "lands held by the Town of York". The existing outfalls are maintained by the Town of York (applicant).

Block 22
It is assumed that the project site falls under the general heading of "lands held by the Town of York". The existing outfalls are maintained by the Town of York (applicant).

Block 24
A pre-application meeting was held on March 19, 2015 with Bill Bullard (MaineDEP); Dean Lessard and Michael Sullivan (Town of York); and Stephen Bradstreet and Maureen McGlone (Ransom Consulting, Inc)

Block 29
I-95 to Exit 7 to south on Route 1. Left on to Route 1A (York St.). Follow until York St. changes to Long Beach Avenue. Outfall Area L is just north of the Sun & Surf restaurant and the Anchorage Inn. Outfall Area J is just north of the existing Bath House.



RANSOM
Consulting Engineers and Scientists

Regional Locator Map

Notes

1. Data Source: USGS National Map Seamless Server, 24K DRG, 1/3" NED
2. USGS Quad Name: Wells

Scale and Orientation

0 1,000 2,000

1 inch = 2,000 feet

Prepared For

Town of York
186 York Street
York, Maine

Site Address

Long Beach Avenue
York, Maine

151.06011 | July 2015

Location Map

G:\Data\ME\Project\151_06011\Maps\Figure_1.mxd

Dune and NRPA Permit Applications
Long Beach Avenue
Outfall Area L and Outfall Area J
Town of York, ME

Project Description

The purpose of the project is to replace the existing stormwater drainage pipe and outfall structure at two locations (identified as Area L and Area J on attachments) along Long Sands Beach in the Town of York, Maine. Both new outfall structures will be located in the coastal sand dune system as it is not practical to remove them completely. Both structures will be made of precast concrete and will be founded on a minimum 12-inch thick base of ¾" crushed stone wrapped in geotextile. Structure details are shown on the design plans included as attachments to this permit application.

Area J: The proposed drainage and outfall structure at Area J will be constructed with precast concrete components, including the following:

- Box culvert (3' rise x6' span) with two (2) mitered bends
- Access openings (2 locations) in culvert with catchbasin frame and grates at mitered bends
- Holding tank with access
- Access riser with catchbasin frame and grate
- 48-inch HDPE storm pipe
- Tideflex Series TF-1 check valve
- Three sided bridge structure (10' rise x 10' span)
- Reinforced, precast concrete slab as cover
- Headwall cradle (2 pieces)

An existing outfall structure and drainage pipe will be removed in their entirety as part of the project. A previous stormwater study determined that the existing drainage pipe is undersized for the area draining to the pipe, and the recommendation was made to upsize the piping during outfall reconstruction. The existing 36" corrugated metal pipe will be replaced with a 3' high x 6' wide box culvert. The catch basin which exists in Long Beach Avenue just prior to the outfall will be removed and replaced with a precast concrete tank (2,000-gallon), a 4' diameter access opening in the tank cover with a 4' diameter access riser, and a catch basin frame and grate. Discharge will be through a 4' diameter, smooth interior pipe with a check valve to prevent flooding due to tidal influence. A new outfall structure will be constructed around the discharge pipe. The structure will be constructed at the same elevation as the existing sidewalk and will have an opening large enough to use mechanical equipment to remove seaweed and debris from around the discharge pipe and valve. A fabricated steel grate will be installed across the opening of the structure to limit access to the interior of the structure by beach goers.

Area L: The proposed drainage and outfall structure at Area L will be constructed with precast concrete components, including the following:

- Two (2) 24-inch PVC storm pipes
- Two (2) 24-inch Tideflex Series TF-1 check valves
- Three sided bridge structure (6' rise x 10' span)
- Reinforced, precast concrete slab as cover
- Headwall cradle (2 pieces)

An existing drainage pipe and headwall will be removed in their entirety as part of the project. A previous stormwater study determined that the existing drainage pipe is undersized for the area draining to the pipe, and the recommendation was made to upsize the piping. Additionally, the culvert will be placed more toward the center of the existing drainage channel and more in line with the flow direction of the channel. The existing 18" corrugated HDPE into 24" corrugated metal pipe will be replaced with two (2) 24-inch PVC pipes. The discharge location will be revised on the beach side, but will still be within the existing seawall. Discharge will be closer to the bedrock outcrop. Discharge will be through two (2) 24-inch diameter, smooth interior pipes with check valves to prevent flooding due to tidal influence. A new outfall structure will be constructed around the discharge pipes. The structure will be constructed at the same elevation as the existing sidewalk and will have an opening large enough to use mechanical equipment to remove seaweed and debris from around the discharge pipe and valve. A fabricated steel grate will be installed across the opening of the structure to limit access to the interior of the structure by beach goers.

There is no vegetation to be found within the project site at either Area J or Area L. Both are covered with stone of various sizes. The existing stone and sand that is removed from the impact area will be reused to backfill around the new structure. The seawall at Area L will be revised vertically to provide proper grading around the outfall; however, impacts will not extend beyond the existing toe of the seawall. Any stone remaining after the reconstruction of either outfall will be placed at the end of the outfall for energy dissipation.

It is anticipated that work will need to be coordinated around the tide cycle to avoid any construction in water. No silt fence will be installed on the beach. It is also anticipated that as much as work as possible will be done from Long Beach Avenue; however it is expected that a portion of the excavation work will require work from the beach area. Access will be via an existing ramp located at the bath house. Area J is approximately 600 feet north of the ramp access and Area L is approximately 1800 feet south. Work is proposed to begin after October 15, 2015 and expected to be completed before April, 2016 to avoid the summer tourist season.

Looking west from beach to sidewalk – Outfall Area L

Close up of 24” culvert outfall – Outfall Area L

Pictures by S. Bradstreet (Agent), 7/9/15

Looking west at inlet to 15” culvert – Area L

Looking east, close-up of 15” culvert inlet – Area L

Pictures by S. Bradstreet (Agent), 7/9/15

Looking east from sidewalk over dune – Outfall Area J

Looking west from the dune back toward the sidewalk – Outfall Area J

Pictures by S. Bradstreet (Agent), 7/9/15

Looking west to 36” culvert inlet – Area J

Looking north, close up of 36” culvert inlet – Area J

Pictures by S. Bradstreet (Agent), 7/9/15

PUBLIC NOTICE FILING AND CERTIFICATION 04/06

Department Rules, Chapter 2, require an applicant to provide public notice for all Tier 2, Tier 3 and individual Natural Resources Protect Act projects. In the notice, the applicant must describe the proposed activity and where it is located. **"Abutter"** for the purposes of the notice provision means any person who owns property that is BOTH (1) adjoining and (2) within one mile of the delineated project boundary, including owners of property directly across a public or private right of way.

1. **Newspaper:** You must publish the Notice of Intent to File in a newspaper circulated in the area where the activity is located. The notice must appear in the newspaper within 30 days prior to the filing of the application with the Department. You may use the attached Notice of Intent to File form, or one containing identical information, for newspaper publication and certified mailing.

2. **Abutting Property Owners:** You must send a copy of the Notice of Intent to File by certified mail to the owners of the property abutting the activity. Their names and addresses can be obtained from the town tax maps or local officials. They must receive notice within 30 days prior to the filing of the application with the Department.

3. **Municipal Office:** You must send a copy of the Notice of Intent to File and a **duplicate of the entire application** to the Municipal Office.

   ATTACH a list of the names and addresses of the owners of abutting property.

CERTIFICATION

By signing below, the applicant or authorized agent certifies that:

1. A Notice of Intent to File was published in a newspaper circulated in the area where the project site is located within 30 days prior to filing the application;
2. A certified mailing of the Notice of Intent to File was sent to all abutters within 30 days of the filing of the application;
3. A certified mailing of the Notice of Intent to File, and a duplicate copy of the application was sent to the town office of the municipality in which the project is located; and
4. Provided notice of, if required, and held a public informational meeting, if required, in accordance with Chapter 2, Rules Concerning the Processing of Applications, Section 13, prior to filing the application. Notice of the meeting was sent by certified mail to abutters and to the town office of the municipality in which the project is located at least ten days prior to the meeting. Notice of the meeting was also published once in a newspaper circulated in the area where the project site is located at least seven days prior to the meeting.

The Public Informational Meeting was held on N/A (Date).

Approximately N/A members of the public attended the Public Informational Meeting.

_____ _____

Signature of Applicant or authorized agent Date

PUBLIC NOTICE:
NOTICE OF INTENT TO FILE

Please take notice that

Town of York, Maine - Dean Lessard, Public Works Director
(*Name, Address and Phone of Applicant*)

115 Chases Pond Rd, York Maine 03909; 207-363-1010

is intending to file a Natural Resources Protection Act, Coastal Sand Dune permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A through 480-Z and the Coastal Sand Dune Rules, Chapter 355, on or about

August 31, 2015
anticipated filing date)

The application is for

Replacing existing stormwater piping and atfall at two locations
(description of the activity)

at the following location: Long Beach Avenue
(location)

A request for a public hearing or a request that the Board of Environmental assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in (*Portland, Augusta or Bangor*) (circle one) during normal working hours. A copy of the application may also be seen at the municipal offices in

York, Maine.
(*town*)

Written public comments may be sent to the Department of Environmental Protection, Division of Land Resource Regulation, Bureau of Land and Water Quality, 312 Canco Road, Portland, Maine 04103 or the appropriate regional office in Augusta and Bangor.

Dune and NRPA Permit Applications
Long Beach Avenue
Outfall Area L and Outfall Area J
Town of York, ME

Abutter's List

Area J:

151 Long Beach Avenue
Tax Map 31, Lot 11
David and Mary Bunker
22 Misty Lane
Westford, MA 01886

153 Long Beach Avenue
Tax Map 31, Lot 9
Jane M. McGrath
162 Warren Avenue
Quincy, MA 02170

155 Long Beach Avenue
Tax Map 31, Lot 8
Pearl L. Plaisted
PO Box 322
Berwick, ME 03901-0322

157 Long Beach Avenue
Tax Map 31, Lot 7
Yvonne D. Harris
65 Highland Road
Merrimac, MA 01860

159 Long Beach Avenue
Tax Map 31, Lot 6
James and Marianne Brandt
98 Colonial Avenue
Waltham, MA 02453

161 Long Beach Avenue
Tax Map 31, Lot 5
Richard Keller
PO Box 4105
Manchester, NH 03108

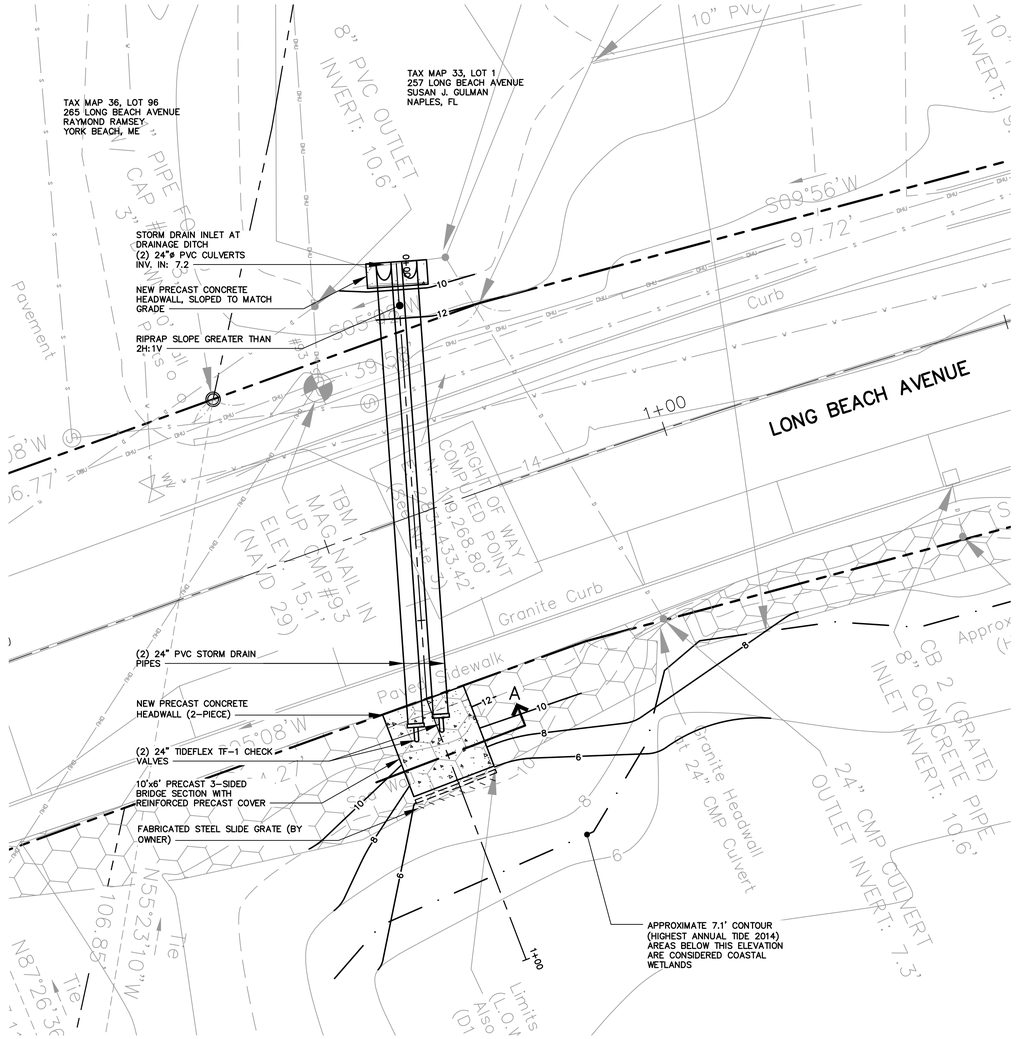
Area L:

251 Long Beach Avenue
Tax Map 33, Lot2
Deborah R. Migneault
251 Long Beach Avenue
York, ME 03909

257 Long Beach Avenue
Tax Map 33, Lot 1
Susan J. Gulman
583 6th Avenue North
Naples, FL 34102

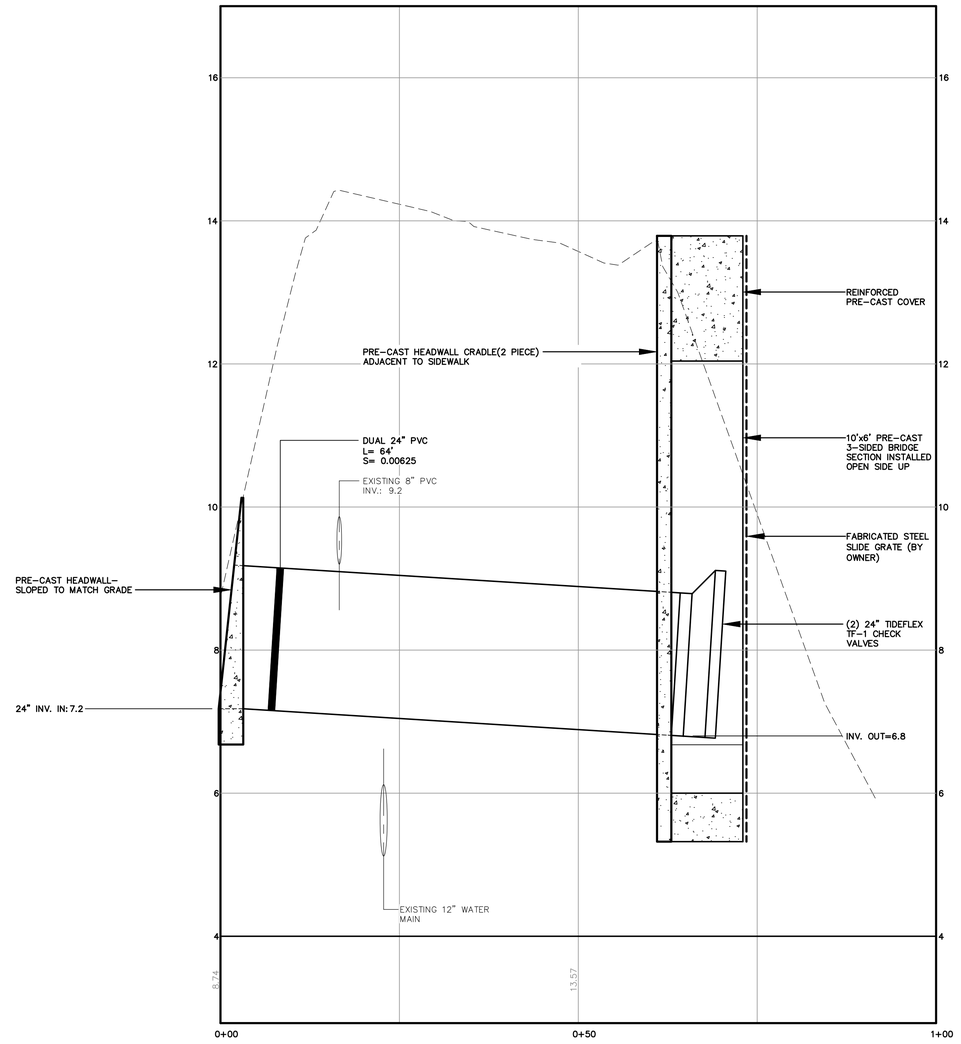
265 Long Beach Avenue
Tax Map 36, Lot 96
Raymond Ramsey
PO Box 1329
York Beach, ME 03910-1329

264 Long Beach Avenue
Tax Map 36, Lot 97
Raymond Ramsey
PO Box 1329
York Beach, ME 03910-1329



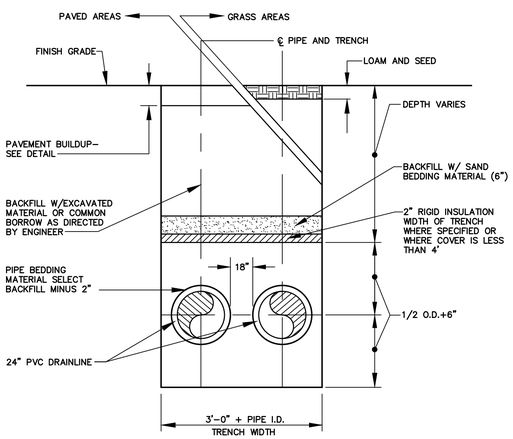
PLAN VIEW: OUTLET AREA L

STA 0+00 TO STA 1+00
SCALE: 1" = 10' (H)



PROFILE VIEW: OUTLET AREA L

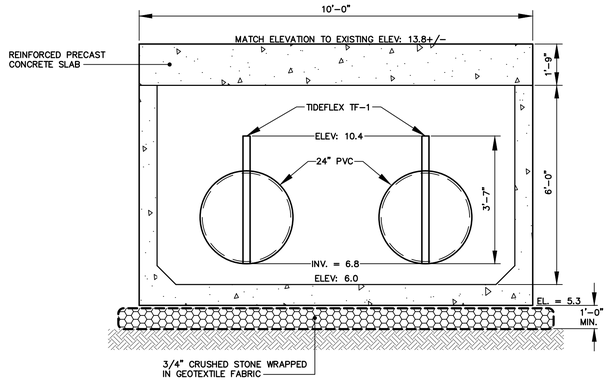
STA 0+00 TO STA 1+00
SCALE: 1" = 10' (H)
SCALE: 1" = 1' (V)



1. SAND BACKFILL AND RIGID INSULATION AS REQUIRED.

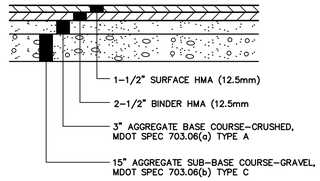
TYPICAL TRENCH DETAIL

NOT TO SCALE



SECTION A-A - OUTLET STRUCTURE @ OUTFALL L

NOT TO SCALE



TYPICAL PAVEMENT BUILDUP

NOT TO SCALE

SCALE

0 5 10 20

SCALE in FEET
1"=10'

Site:

LONG BEACH AVENUE IMPROVEMENTS

LONG BEACH AVENUE
YORK, MAINE

Prepared for:

TOWN OF YORK
186 YORK STREET
YORK, MAINE 03909

STATE OF MAINE
STEPHEN J. BRADSTREET
#5740
LICENSED PROFESSIONAL ENGINEER

CIVIL ENGINEER:
STEPHEN J. BRADSTREET, PE #5740
400 COMMERCIAL STREET, SUITE 404
PORTLAND, ME 04101
207-772-2891

RANSOM
Consulting Engineers and Scientists
400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

PLAN AND DETAILS OUTLET AREA L CULVERT REPLACEMENT

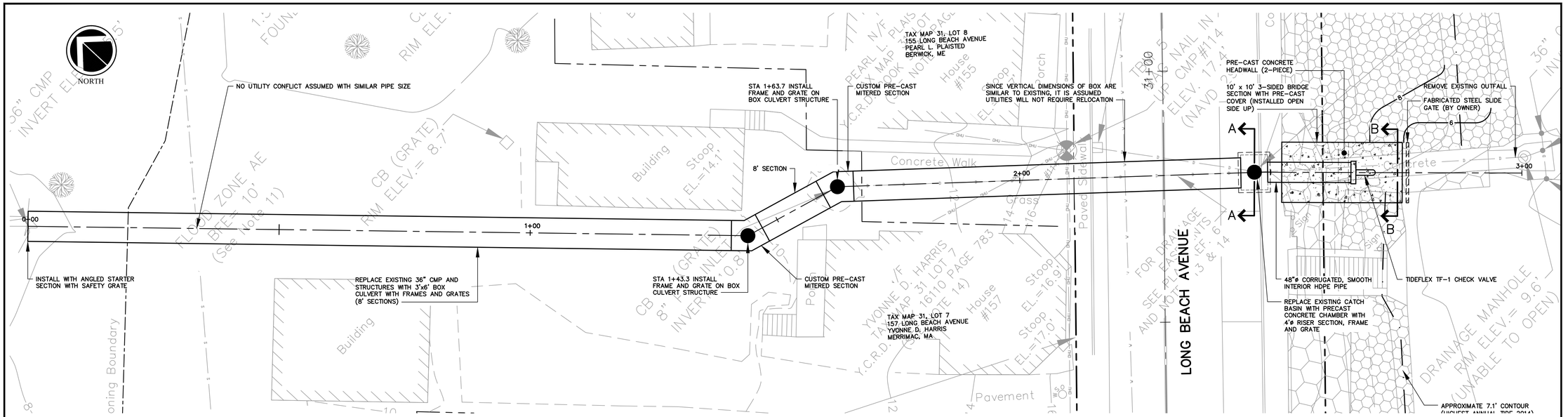
No.	Revision/Issue	Date
A	PRELIMINARY REVIEW	08/28/15

Design by: MPM	Checked by: SJB
Drawn by: JAR	Approved by: SJB
Project: 151.06001	Date: MARCH 2015

Sheet No:

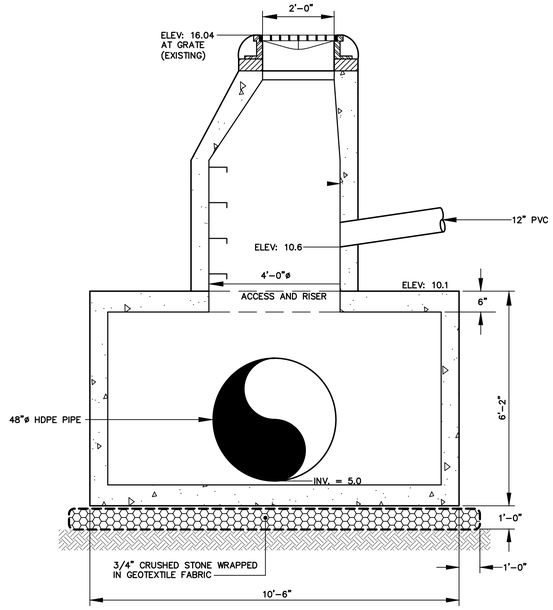
C-100

Sheet 1 of XX



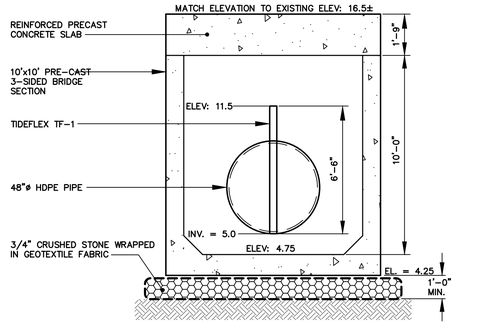
PLAN VIEW: OUTLET AREA J

STA 0+00 TO STA 3+00
SCALE: 1" = 10' (H)



SECTION A-A - OUTLET STRUCTURE @ OUTFALL J

NOT TO SCALE



SECTION B-B- OUTLET STRUCTURE @ OUTFALL J

NOT TO SCALE

SCALE

0 5 10 20

SCALE in FEET
1"=10'

Site:

LONG BEACH AVENUE IMPROVEMENTS

LONG BEACH AVENUE
YORK, MAINE

Prepared for:

TOWN OF YORK
186 YORK STREET
YORK, MAINE 03909

STATE OF MAINE
STEPHEN J. BRADSTREET #5740
LICENSED PROFESSIONAL ENGINEER

CIVIL ENGINEER:

STEPHEN J. BRADSTREET, PE #5740
400 COMMERCIAL STREET, SUITE 404
PORTLAND, ME 04101
207-772-2891

RANSOM
Consulting Engineers and Scientists
400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

PLAN AND DETAILS OUTLET AREA J CULVERT REPLACEMENT

No.	Revision/Issue	Date
A	PRELIMINARY REVIEW	08/31/15

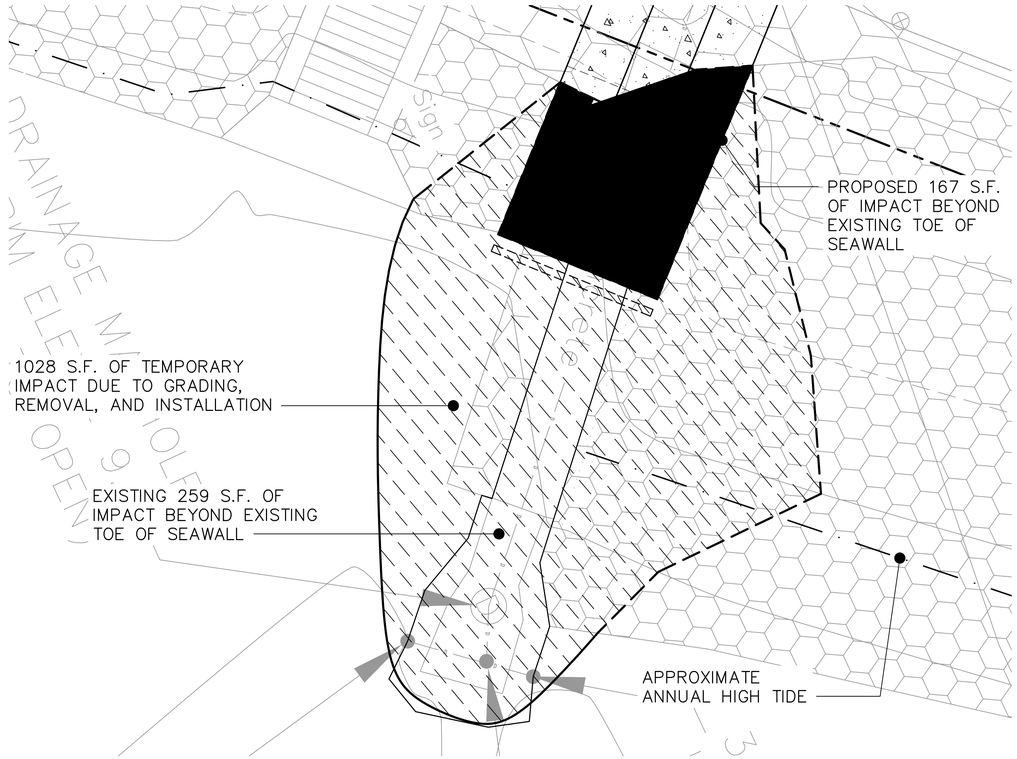
Design by:	Checked by:
MPM	SJB
Drawn by:	Approved by:
JAR	SJB
Project:	Date:
151.06001	MARCH 2015

Sheet No:

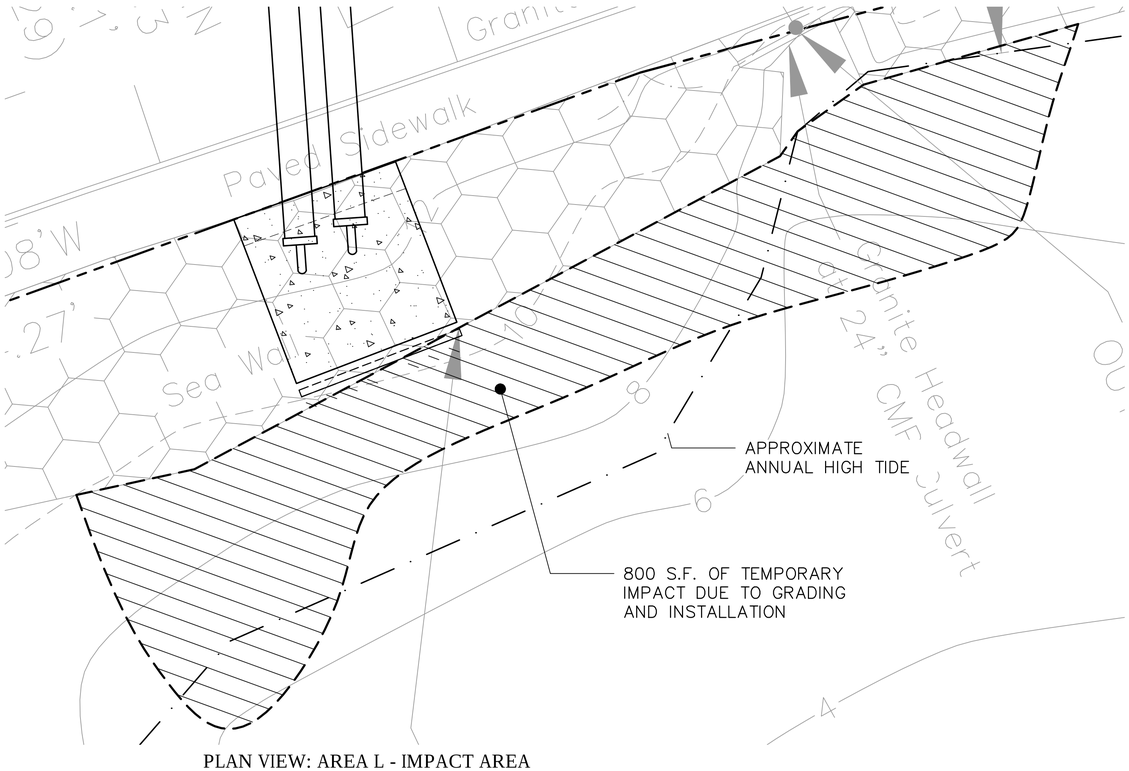
C-101

Sheet 2 of XX

NORTH



PLAN VIEW: AREA J - IMPACT AREA
SCALE: 1" = 5' (H)



PLAN VIEW: AREA L - IMPACT AREA
SCALE: 1" = 5' (H)

IMPACT PLAN NOTES

1. IMPACTS LANDWARD OF THE EXISTING SEAWALL TOE HAVE NOT BEEN INCLUDED IN IMPACT AREA CALCULATIONS.
2. REMOVAL IMPACTS ARE DEFINED AS AREA EXPECTED TO BE DISTURBED AS PART OF THE REMOVAL OF THE EXISTING STRUCTURE AND DRAINAGE PIPE.
3. INSTALLATION IMPACTS ARE DEFINED AS AREA EXPECTED TO BE DISTURBED AS A RESULT OF INSTALLATION OF THE NEW STRUCTURE WHICH IS NOT ALREADY INCLUDED AS REMOVAL IMPACTS.
4. GRADING IMPACTS ARE DEFINED AS THE AREA EXPECTED TO BE DISTURBED AS A RESULT OF GRADING THE COBBLES AND STONE OUTSIDE OF THE SEAWALL TOE TO FOLLOW THE PROPOSED GROUND CONTOURS.
5. FOR THE PURPOSES OF APPENDIX B IN THE APPLICATION, DIRECT IMPACT HAS BEEN CALCULATED AS THE INCREASED FOOTPRINT OF THE VISIBLE PORTION OF THE PROPOSED OUTFALL MINUS THE VISIBLE PORTION OF THE EXISTING OUTFALL. THIS SAME CALCULATION IS USED AS THE AREA OF FILL PROVIDED ON THE APPLICATION FORM. APPENDIX B, INDIRECT IMPACT HAS BEEN CALCULATED THE CUMULATIVE REMOVAL, INSTALLATION AND GRADING IMPACTS.
6. THE PORTIONS OF THE STRUCTURE VISIBLE BEYOND THE TOE OF SEAWALL HAVE BEEN HATCHED WITH DIFFERENT PATTERNS FOR EXISTING AND PROPOSED.
7. THERE IS NO VEGETATION FOUND WITHIN THE PROJECT AREA AND IT IS COVERED WITH STONE OF VARIOUS SIZES. THE EXISTING STONE AND SAND FOUND WITHIN AND SURROUNDING THE PROPOSED OUTFALL FOOTPRINT WILL BE REUSED TO BACKFILL AROUND THE SIDES OF THE NEW STRUCTURE. NO NEW STONE WILL BE BROUGHT TO THE SITE.

SCALE

0 2.5 5 10

SCALE in FEET
1"=5'

Site:

LONG BEACH AVENUE IMPROVEMENTS

LONG BEACH AVENUE
YORK, MAINE

Prepared for:

TOWN OF YORK
186 YORK STREET
YORK, MAINE 03909

STATE OF MAINE
STEPHEN J. BRADSTREET
#5740
LICENSED PROFESSIONAL ENGINEER

CIVIL ENGINEER:
STEPHEN J. BRADSTREET, PE #5740
400 COMMERCIAL STREET, SUITE 404
PORTLAND, ME 04101
207-772-2891

RANSOM
Consulting Engineers and Scientists
400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

IMPACT AREA
OUTLET AREAS J & L
CULVERT
REPLACEMENT

No.	Revision/Issue	Date
A	PRELIMINARY REVIEW	08/31/15

Design by:	Checked by:
MPM	SJB
Drawn by:	Approved by:
JAR	SJB

Project:	Date:
151.06001	MARCH 2015

Sheet No:
C-102
Sheet 3 of XX