

§480-O. Bulkheads and retaining walls on Scarborough River; permit requirements

Nothing in this article prohibits the rebuilding, replacement or new construction of a bulkhead, retaining wall or similar structure, provided that the applicant for a permit demonstrates to the department or municipality, as appropriate, that the following conditions are met. [PL 1989, c. 890, Pt. A, §40 (AFF); PL 1989, c. 890, Pt. B, §81 (AMD).]

1. Location. The bulkhead or similar structure to be constructed, rebuilt or replaced is located along some or all of the north-northeasterly property lines of land abutting the Scarborough River from the jetty to the Scarborough town landing. [PL 1987, c. 809, §2 (NEW).]

2. Termination. The terminus of any bulkhead or similar structure, including any wing wall, unless connected to another bulkhead or similar structure, shall terminate at least 25 feet from any abutting property. [PL 1987, c. 809, §2 (NEW).]

Any permit issued under this section for a bulkhead or similar structure that is not connected at both ends to another bulkhead or similar structure is subject to only the standard conditions applicable to all permits granted under this article as well as the following conditions. The permit applicant or applicants are responsible for reasonably maintaining the bulkhead or similar structure and for repairing damage to the frontal sand dune that occurs between the end of the bulkhead or similar structure and the Scarborough town landing and that is caused by the existence of the bulkhead or similar structure. The applicant or applicants shall submit a report prepared by a state-licensed geologist to the commissioner every 2nd year following issuance of the permit or until such time as the commissioner determines the report need not be filed or may be filed at longer intervals. The report must describe the status of the frontal sand dune between the end of the bulkhead or similar structure and the Scarborough town landing and contain whatever recommendations the geologist determines are reasonably required to maintain the frontal sand dune in that area. The applicant or applicants shall follow the recommendations. [PL 2019, c. 285, §15 (AMD).]

SECTION HISTORY

PL 1987, c. 809, §2 (NEW). PL 1989, c. 890, §§A40,B81 (AMD). PL 2019, c. 285, §15 (AMD).

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