



PORTLAND MAINE

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Planning & Urban Development Department

Jeff Levine, Director

Planning Division

Alexander Jaegerman, Director

October 11, 2012

Gary Berenson
267 Congress Street
Portland, ME 04101

John Leasure
6 Q Street
South Portland, ME 04106

RE: Staff Review Comments for Conditional Use and Level II Site Plan Review

Project Name:	Etz Chaim Synagogue Addition	Project ID:	2012-556
Applicant:	Etz Chaim Synagogue	CBL:	21-E-19
Planner:	Nell Donaldson		

Dear Mr. Leasure and Mr. Berenson:

Thank you for your application for a conditional use and Level II site plan review of the proposed additions to the Etz Chaim Synagogue at 267 Congress Street. The application is currently being reviewed under the provisions of the City of Portland's land use ordinance, particularly Sections 14-474, 14-118, 14-526, and 14-527. This letter outlines preliminary staff comments on the proposal.

Right, Title, and Interest

As noted in our prior telephone conversations, the city requests evidence of right, title, and interest for the subject property and resolution of the encroachment issues with the adjacent properties. Note that a Planning Board hearing will not be scheduled until these concerns are addressed.

Zoning Analysis

Marge Schmuckal, Zoning Administrator, submitted comments on the proposal with respect to both the R-6 and B-2b zones. Ms. Schmuckal's preliminary review comments are included as follows:

I have done my initial review on the additions to the ETZ Chaim Synagogue. The property is located in two separate zones. The front open land is located within the B-2b zone. The building at the rear of the property is located entirely in the R-6 Residential Zone. The R-6 zone requires conditional uses such as the synagogue to go before the Planning Board for any expansion of building and use.

At this time I am unable to complete a zoning assessment based on required information concerning the proposed property line relocation. Without documentation of the new property line, this project is not meeting the setback requirements of the R-6 zone.

The R-6 zone has a maximum building height of 45 feet. The proposed additions are under the maximum building height at about 38'.

I am awaiting further information to complete my review.

Site Plan Review

The site has been reviewed in accordance with the following site plan standards:

1. Transportation Standards

a. Impact on Surrounding Street Systems

No comments.

b. Access and Circulation

Please provide details regarding pedestrian access from parking to the building.

c. Public Transit Access

No comments.

d. Parking

Please clarify the parking arrangement, specifically where visitors to the site currently park. It appears that an easement exists to allow parking for the nearby MMC outpatient clinic on the property. A copy of this easement, including terms, should be provided.

e. Transportation Demand Management

No comments.

2. Environmental Quality Standards

a. Preservation of Significant Natural Features

No comments.

b. Landscaping and Landscape Preservation

Jeff Tarling, the city's arborist, has found that no additional landscaping is needed.

c. Water Quality/Storm Water Management/Erosion Control

Comments from David Senus, consulting civil engineer, are as follows:

- 1) *The applicant should provide a pavement repair detail for work within the City Right-of-Way.*
- 2) *In accordance with Section 5 of the City of Portland Technical Manual, a Level II development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards; it is the intent of Section 5.II.C. of the Technical Manual to supersede the applicability requirements of the Chapter 500 standards.*
 - a) *Basic Standards: The Applicant has provided an Erosion & Sediment Control Plan which contains notes and details to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500 in conformance with the Basic Standards.*
 - b) *General Standards: The Applicant is proposing a roof drip edge filtration strip to provide water quality treatment for the roof additions on the project. We find the applicant's proposal to be an acceptable means of meeting the intent of the General Standards.*
 - c) *Flooding Standard: We anticipate that additional runoff generated from the proposed increase in impervious area will be insignificant, and will be largely detained and potentially infiltrated in the roof drip edge filtration strip. As such, we support a waiver from meeting the requirements of the flooding standard for any potential increase in runoff from the site.*
- 3) *The Stormwater Management Plan should include a stormwater inspection and maintenance plan for all stormwater BMP's developed in accordance with MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.*

3. Public Infrastructure and Community Safety Standards

a. *Consistency with Related Master Plans*

No comments.

b. *Public Safety and Fire Prevention*

Captain Chris Pirone, of the city's Fire Prevention Bureau, notes that a sprinkler system will be required.

c. *Availability and Capacity of Public Utilities*

David Margolis-Pineo, of the city's Department of Public Services, provided the following comments:

1. *The applicant should note on the plans that as a result of the proposed installation of the 6" water line, a 21" spruce tree will likely be removed. Please indicate whether and where a replacement will be provided.*
2. *There is an abandoned curb cut through which the applicant is proposing to install a new 6" water line. The applicant is requested to eliminate the abandoned curb cut after the 6" water line has been installed. The granite bugs should be taken to the City stockyard on outer Congress St. where at that location granite curbing can be found to fill in that cut. Please note that a monetary contribution in an amount equivalent to the above described work may be considered by the city, pending city discussions related to sidewalk renovation along this entire block of Congress Street.*

In addition, please confirm that the placement of this water line in the above referenced easement is consistent with the terms of the easement.

4. Site Design Standards

a. *Massing, Ventilation, and Wind Impact*

No comments.

b. *Shadows*

No comments.

c. *Snow and Ice Loading*

Please provide notes regarding snow storage and removal, particularly in the area of the southwesterly addition, which is proximate to the adjacent building.

d. *View Corridors*

No comments.

e. *Historic Resources*

No comments.

f. *Exterior Lighting*

Details on exterior lighting, including any additional proposed building lights, should be provided.

g. *Noise and Vibration*

Information on the HVAC and mechanical equipment should be provided with the plans.

h. *Signage and Wayfinding*

Details on any additional signage proposed should be provided.

i. *Zoning-Related Design Standards*

Design standards for the B-2b zone can be found in the City of Portland *Design Manual*. These standards include provisions related to materials, scale, and composition. Given the existing nature of the building and the placement of the building, which technically lies in the R-6 zone, the B-2b design standards will not be

applied in this case. It should be noted that both the existing building and the proposed addition generally conform to the B-2b design standards and that efforts are being made to promote compatibility with the surrounding residential and commercial neighborhoods.

Additional Submittals Required

- Evidence of utility capacity
- Construction management plan
- Site Plan
 - Proposed loading & servicing areas
 - Proposed snow storage and removal
 - Proposed trash & recycling
 - Erosion controls, including location of silt fencing
 - Exterior lighting
 - Proposed signage
 - Limits of disturbance

Please ensure that all plans are stamped and that plan details reflect standards from the current City of Portland *Technical Manual*.

Survey comments from the Department of Public Works are included as *Attachment 5*.

Note that the Planning Authority may request additional information during the continued review of the proposal according to applicable laws, ordinances and regulations.

Planning Staff Recommendation

Please submit one (1) complete paper set and one (1) complete electronic set of revised plans, along with documentation, to address the comments above. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made.

Please let me know if you have questions or would like a meeting with reviewers to clarify the above points. I can be reached on 874 8723 or hcd@portlandmaine.gov.

Sincerely,



Neil Donaldson,
Planner

Attachments

1. Zoning review 10-10-12 (email from Marge Schmuckal)
2. City Arborist review 9-14-12 (email from Jeff Tarling)
3. Civil engineer review 8-29-12 (memo from David Senus, PE)
4. Department of Public Services review 8-31-12 (email from David Margolis-Pineo)
5. Survey comments 8-22-12 (from Bill Clark)

Cc: Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
David Senus, Woodard & Curran
David Margolis-Pineo, Department of Public Services
Tom Errico, T Y Lin
Jeff Tarling, City Arborist

Helen Donaldson - 267 Congress Street

From: Marge Schmuckal
To: Helen Donaldson
Date: 10/10/2012 4:57 PM
Subject: 267 Congress Street

There is no module to input my zoning comments in One Solution, so here is an e-mail:

267 Congress Street - 021-E-019
2012-556 R-6 & B-2b Zones
10/10/2012

I have done my initial review on the additions to the ETZ Chiam Synagogue. The property is located in two separate zones. The front open land is located within the B-2b zone. The building at the rear of the property is located entirely in the R-6 Residential Zone. The R-6 zone requires conditional uses such as the synagogue to go before the Planning Board for any expansion of building and use.

At this time I am unable to complete a zoning assessment based on required information concerning the proposed property line relocation. Without documentation of the new property line, this project is not meeting the setback requirements of the R-6 zone.

The R-6 zone has a maximum building height of 45 feet. The proposed additions are under the maximum building height at about 38'.

I am awaiting further information to complete my review.

Marge Schmuckal
Zoning Administrator

Helen Donaldson - 267 Congress Street

From: Jeff Tarling
To: Helen Donaldson
Date: 9/14/2012 3:22 PM
Subject: 267 Congress Street

Hi Nell -

After reviewing the proposed plan for 267 Congress Street and visiting the site, no additional landscaping is needed. This is due to the existing landscape condition being more extensive than most site plans we look at. There is no room on the city sidewalk to add trees due to crosswalks and other site features.

Jeff

MEMORANDUM



TO: Nell Donaldson, Planner
FROM: David Senus, P.E. & Ashley Auger, E.I.T.
DATE: August 29, 2012
RE: 267 Congress Street, Final Level II Site Plan Application

Woodard & Curran has reviewed the Final Level II Site Plan Application for the ETZ Chaim Synagogue additions located at 267 Congress Street in Portland, Maine. The project includes two minor additions to the existing building structure and reconfiguration of site walkways, and will result in 1,261 square feet of new impervious area.

Documents Reviewed By Woodard & Curran

- Final Level II Site Plan Application and attachments dated June 29, 2012, prepared by Mr. Gary Berenson, on behalf of ETZ Chaim Synagogue.
- Engineering Plans, Sheets 1-3, revised August 3, 2012, prepared by Sebago Technics, Inc., on behalf of ETZ Chaim Synagogue.

Comments

- 1) The applicant should provide a pavement repair detail for work within the City Right-of-Way.
- 2) The brick driveway repair detail should be updated to be in conformance with Figure I-11 of the City of Portland Technical Manual. The depth of base gravel should be 12".
- 3) In accordance with Section 5 of the City of Portland Technical Manual, a Level II development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards; it is the intent of Section 5.II.C. of the Technical Manual to supersede the applicability requirements of the Chapter 500 standards.
 - a) Basic Standards: The Applicant has provided an Erosion & Sediment Control Plan which contains notes and details to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500 in conformance with the Basic Standards.
 - b) General Standards: The Applicant is proposing a roof drip edge filtration strip to provide water quality treatment for the roof additions on the project. We find the applicant's proposal to be an acceptable means of meeting the intent of the General Standards.
 - c) Flooding Standard: We anticipate that additional runoff generated from the proposed increase in impervious area will be insignificant, and will be largely detained and potentially infiltrated in the roof drip edge filtration strip. As such, we support a waiver from meeting the requirements of the flooding standard for any potential increase in runoff from the site.
- 4) The Stormwater Management Plan should include a stormwater inspection and maintenance plan for all stormwater BMP's developed in accordance with MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.

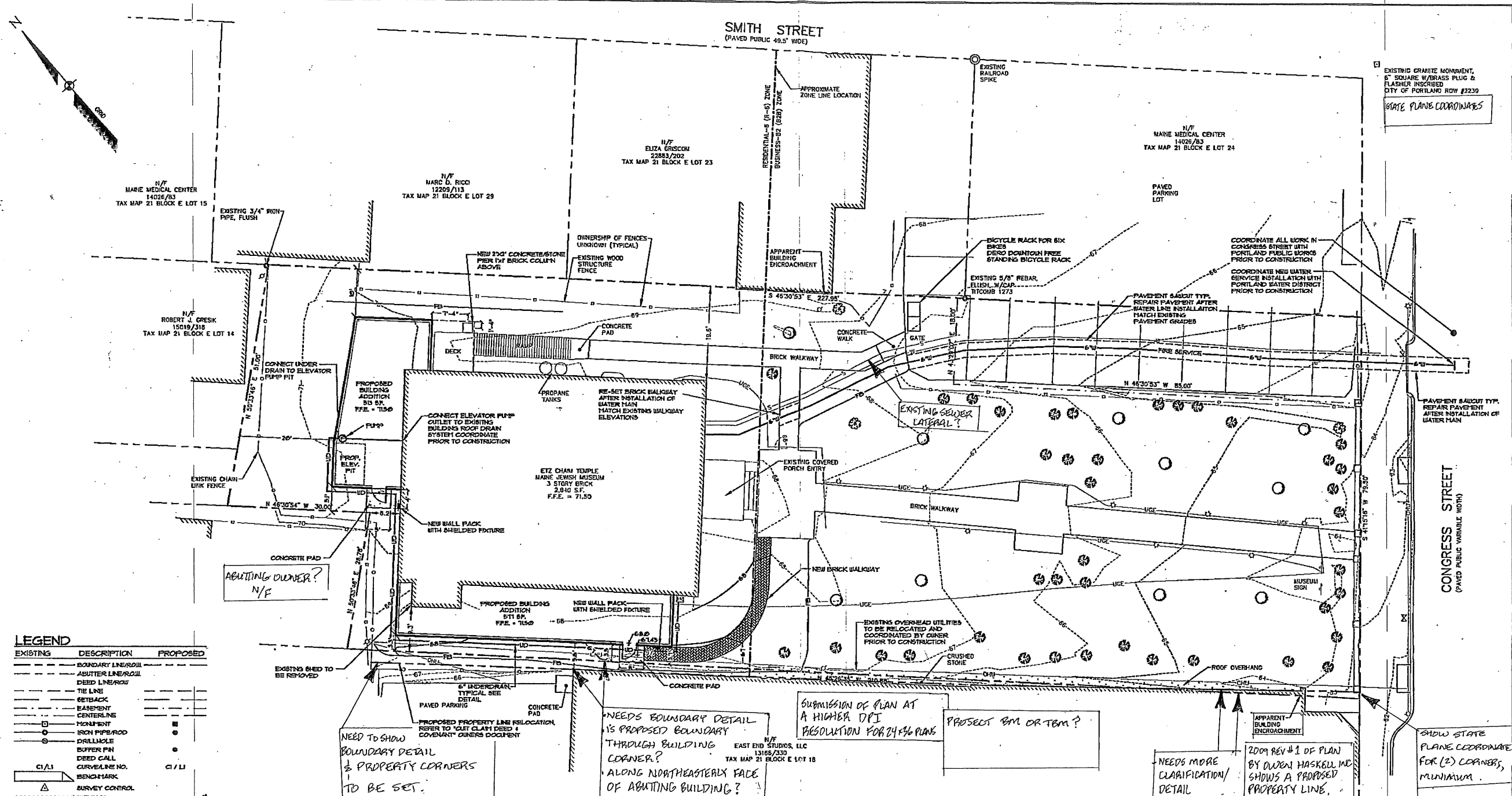
August 31, 2012

TO: Nelle Donaldson
Barbara Barhydt
FROM: David Margolis-Pineo
Dept. of Public Services
RE: Review Comments: 267 Congress Street – ETZ CHIAM SYNAGOGUE

The Department of Public Services has the following comments.

1. The applicant should note on the plans that as a result of the proposed installation of the 6" water line, a 21" spruce tree will likely be removed.
2. There is an abandoned curb cut through which the applicant is proposing to install a new 6" water line. The applicant is requested to eliminate the abandoned curb cut after the 6" water line has been installed. The granite curbs should be taken to the City stockyard on outer Congress St. where at that location granite curbing can be found to fill in that cut.
Thank you.

We have no further comments.

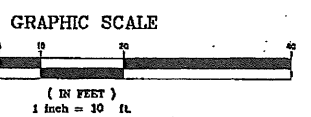


LEGEND

EXISTING	DESCRIPTION	PROPOSED
---	BOUNDARY LINE/ROOF	---
---	ABUTTER LINE/ROOF	---
---	DEED LINE/ROOF	---
---	TIE LINE	---
---	SETBACK	---
---	EASEMENT	---
---	CENTERLINE	---
---	MONUMENT	---
---	IRON PIPE/ROD	---
---	DRILLHOLE	---
---	BUFFER PIN	---
---	DEED CALL	---
---	CURVE/LINE NO.	---
---	BENCHMARK	---
---	SURVEY CONTROL	---
---	BUILDING	---
---	EDGE PAVEMENT	---
---	PAVEMENT PAINT	---
---	CURBLINE	---
---	CONTOURS	---
---	SPOT GRADE	---
---	CHAIN LINK FENCE	---
---	WIRE FENCE	---
---	STOCKADE FENCE	---
---	GAS	---
---	GAS GATE VALVE	---
---	GAS METER	---
---	WATER	---
---	WATER GATE VALVE	---
---	WATER SHUT OFF	---
---	SEWER	---
---	SEWER MH	---
---	STORM DRAIN	---
---	UNDERDRAIN	---
---	CATCH BASIN	---
---	DRAINAGE MH	---
---	OVERHEAD UTILITY	---
---	UNDERGROUND UTILITY	---
---	TRANSFORMER PAD	---
---	ELECTRICAL MANHOLE	---
---	TELEPHONE MANHOLE	---
---	LIGHT POLE/BALL	---
---	UTILITY POLE	---
---	GUY	---
---	FILTER BARRIER	---

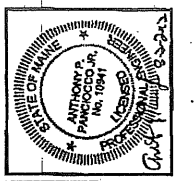
DEVELOPMENT CALCULATIONS

	EXISTING	PROPOSED
BUILDING AREA	2,840 SF.	3,530 SF.
INTERVIOUS AREA	6,266 SF.	1,571 SF.



GENERAL NOTES

- THE RECORD OWNER OF THE PARCEL IS CONGREGATION ETZ CHIAM BY DEED DATED SEPTEMBER 30, 1998 AND RECORDED AT THE GUNBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 1184, PAGE 103.
- THE PROPERTY IS DEPICTED AS LOT 18, IN BLOCK E ON THE CITY OF PORTLAND TAX MAP 21 AND IS LOCATED IN BOTH THE RESIDENTIAL-6 (R-6) ZONE AND THE BUSINESS-B2 (B2B) ZONE.
- SPACE AND BULK CRITERIA FOR THE RESIDENTIAL-6 (R-6) ZONING DISTRICT ARE AS FOLLOWS:
 MINIMUM LOT SIZE: 1500 SQUARE FEET (SMALL)
 MINIMUM STREET FRONTAGE: 40 FEET
 MINIMUM FRONT YARD: 10 FEET
 MINIMUM SIDE YARD: 10 FEET
 MINIMUM REAR YARD: 20 FEET
 MAXIMUM BUILDING HEIGHT: 45 FEET
 MAXIMUM LOT COVERAGE: 80%
 * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION
- SPACE AND BULK CRITERIA FOR THE BUSINESS-B2 (B2B) ZONING DISTRICT ARE AS FOLLOWS:
 MINIMUM LOT SIZE: NONE
 MINIMUM STREET FRONTAGE: 80 FEET
 MINIMUM FRONT YARD: NONE
 MINIMUM SIDE YARD: NONE
 MINIMUM REAR YARD: 20 FEET
 MAXIMUM BUILDING HEIGHT: 80 FEET
 MAXIMUM LOT COVERAGE: 90%
 * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION
- TOTAL AREA OF PARCEL IS APPROXIMATELY 11,130 SQUARE FEET AS DEPICTED ON PLAN REFERENCE 6A.
- BOUNDARY INFORMATION DEPICTED HEREON IS AS DEPICTED ON PLAN REFERENCE 6A. SEBAGO TECHNICS, INC. HAS NOT PERFORMED ANY RECORDS RESEARCH OR PERFORMED AN INDEPENDENT BOUNDARY SURVEY. THE BOUNDARIES HAVE BEEN TIED TO FOUND MONUMENTATION. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHNICS, INC. IN MARCH 2009.
- PLAN REFERENCES:
 A. "BOUNDARY SURVEY AT 265 CONGRESS STREET, PORTLAND, MAINE MADE FOR BENTON SCOTT ARCHITECTS, 5 MILK ST. PORTLAND, MAINE, DATED MAY 26, 2006 AND REVISED THROUGH JUNE 15, 2006 BY OWEN HASKELL, INC. JOB NO. 2209-044-P."
 B. PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, LEISURE FREQUENCY GPS OBSERVATIONS AND HAVE BEEN CONVERTED TO THE CITY OF PORTLAND DATUM. THE CONVERSION FROM NAVD83 TO NAD83 IS DERIVED FROM THE U.S. ARMY CORPS OF ENGINEERS SOFTWARE CORPSON 6.01 AND IS -2.72 FEET IN THIS LOCATION. THE CONVERSION FROM NAD83 TO THE CITY OF PORTLAND DATUM IS -0.03 FEET.
 C. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD AND AS MARKED BY DISHART OF MAINE IN MARCH 2009. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
 D. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF PORTLAND, MAINE, GUNBERLAND COUNTY, COMMUNITY-PLAN NUMBER 230621 0010 D AND 230621 0010S, HAVING AN EFFECTIVE DATE OF JULY 1, 1986. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS UNSHADED ZONE C, AREAS OF MINIMAL FLOODING.
 E. STREET AND ABUTTER INFORMATION DEPICTED HEREON ARE FROM PLAN REFERENCE 6A.



PROGRESS PRINT

REV.	BY:	DATE:	STATUS:
A	JRS	6-29-2012	SUBMITTED FOR SKETCH PLAN REVIEW
B	JRS	6-3-2012	SUBMITTED FOR SITE PLAN REVIEW

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO TECHNICS
 72 John Roberts Rd., Suite 1A
 South Portland, ME 04106
 WWW.SEBAAGOTECHNICS.COM
 201-888-3464

PROJECT NO.: 112255
 FIELD BOOK: NA
 DESIGN: JRS
 CHECK: JRS
 DRAWN: JRS
 APP: JRS

SITE, GRADING & UTILITY PLAN
 OF
ETZ CHIAM SYNAGOGUE
 267 CONGRESS STREET
 PORTLAND, MAINE
 JOHN H. LEASURE ARCHITECT, INC.
 SIX & STREET
 SOUTH PORTLAND, ME 04106

DATE: 6-27-2012 SCALE: 1"=10'

SHEET 1 OF 3

112255.dwg TAB: S-CU