

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM**

DRC Copy

Phil DiPierro

2007-0081

Application I. D. Number

5/14/2007

Application Date

Single Family Home

Project Name/Description

Waycott Construction Inc

Applicant

PO Box 851, Saco, ME 04072

Applicant's Mailing Address

Jeff Waycott

Consultant/Agent

Applicant Ph: (561) 289-9027 Agent Fax:

Applicant or Agent Daytime Telephone, Fax

65 - 65 George St, Portland, Maine

Address of Proposed Site

157 A001001 (157-A-004001)

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail

Manufacturing Warehouse/Distribution Parking Lot Apt 0 Condo 0 Other (specify) _____

Proposed Building square Feet or # of Units _____

Acreeage of Site _____

Zoning _____

Check Review Required:

- | | | |
|---|---|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Zoning Conditional - PB | <input type="checkbox"/> Subdivision # of lots _____ |
| <input type="checkbox"/> Amendment to Plan - Board Review | <input type="checkbox"/> Zoning Conditional - ZBA | <input type="checkbox"/> Shoreland |
| <input type="checkbox"/> Amendment to Plan - Staff Review | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Flood Hazard |
| <input type="checkbox"/> After the Fact - Major | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Traffic Movement |
| <input type="checkbox"/> After the Fact - Minor | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| | | <input type="checkbox"/> Historic Preservation |
| | | <input type="checkbox"/> DEP Local Certification |
| | | <input type="checkbox"/> Site Location |
| | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Plan \$50.00 Subdivision _____ Engineer Review \$250.00 Date 5/14/2007

DRC Approval Status:

Reviewer _____

- Approved **Approved w/Conditions** Denied
See Attached

Approval Date 6/22/07

Approval Expiration _____

Extension to _____

Additional Sheets Attached

Condition Compliance

Phil DiPierro
signature

6/22/07
date

Performance Guarantee

Required*

Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- | | | | |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ | _____ | _____ |
| | date | amount | expiration date |
| <input type="checkbox"/> Inspection Fee Paid | _____ | _____ | |
| | date | amount | |
| <input type="checkbox"/> Building Permit Issue | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ | _____ | _____ |
| | date | remaining balance | signature |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ | <input type="checkbox"/> Conditions (See Attached) | _____ |
| | date | | expiration date |
| <input type="checkbox"/> Final Inspection | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ | _____ | _____ |
| | submitted date | amount | expiration date |
| <input type="checkbox"/> Defect Guarantee Released | _____ | _____ | |
| | date | signature | |

Conditions Section:

Add New Condition
From Default List

Add New Condition

Delete Condition

Close

All Site work (final grading, landscaping, loam and seed) must be completed prior to issuance of a certificate of occupancy.



Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.



All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a certificate of occupancy.



A sewer permit is required for your project. Please contact Carol Merritt at 874-8300, ext . 8822. The Wastewater and Drainage section of Public Works must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.



A street opening permit(s) is required for your site. Please contact Carol Merritt ay 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)



A drainage plan shall be submitted to and approved by Development Review Coordinator showing first floor elevation (FFE), sill elevation (SE), finish street/curb elevation, lot grading, existing and proposed contours, drainage patterns and paths, drainage swales, grades at or near abutting property lines, erosion control devices and locations and outlets for drainage from the property. Final grading must not negatively impact any abutters.



The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.



Erosion and Sedimentation control shall be established prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.



From: Michael Farmer
To: DiPierro, Philip
Date: 6/19/2007 2:32:40 PM
Subject: George St. residential lot

I have the following comments regarding the Stantec site plan, which was revised on 6/4/2007.

It is hard to identify a good solution to the drainage problems posed by this lot. My preference would be to eliminate the retaining wall, extend a storm drain up George Street from one of the existing catch basins at Clifton Street and install a field inlet near the front left corner of the lot, such that the inlet would benefit the lot being developed and the neighbor's lot. I think this represents the best solution for this lot; but, I have eliminated it from further consideration because it is probably too expensive for the applicant.

The proposed plan includes a concrete block retaining wall that may be offensive to the neighbor. I am not sure if we can prevent the builder from installing it on private land. But, I think we should tell the developer that the retaining wall should not be installed in the right of way. If he wants the retaining wall to be built in the right of way anyway, he needs to obtain a license from the City. A license agreement is similar to an easement. If the license is granted in this case, the homeowner would have a legal right to maintain the retaining wall in the right of way subject to the limits in the license agreement.

I am not enthusiastic about the proposal to install granite curbing in front of the neighbor's lot, but not in front of the lot being developed. If granite curbing is installed in front of the neighbor's lot, it should be extended across the lot being developed too, in which case the swale would have to be changed to direct water to the driveway. I would not object to deleting the granite curbing altogether from this project. I think filling and grading could achieve any drainage objectives that the curbing is intended to achieve.

The granite curb and pipe trench details do not agree with City standards.

Page III-3 of the Tech. standards (under Traffic) says that driveways to 1 and 2 family houses should be 20 feet apart.

Michael Farmer, Project Engineer
Dept. of Public Works
55 Portland Street
Portland, ME 04101
phone: 207-874-8845
fax: 207-874-8852

that meets the criteria of this subsection if it determines that there is a substantial public interest in the project. In the event that the planning authority determines that standards a. and b. of this subsection and at least four (4) of the remaining standards have been met, the planning authority shall review the site plan under the review standards in section 14-526 that are affected by the standards in this subsection that have not been met. An application that receives review by the Planning Board shall receive a complete review under the standards of section 14-526. The planning authority shall notify an applicant in writing that full or partial site plan review is required, the reasons for the decision, and the information that will be required for site plan review.

(Ord. No. 355-89, 7-17-89; Ord. No. 62-97, § 1, 8-18-97; Ord. No. 51-00, §5, 8-7-00; Ord. No. 227-01, 4-2-01)

Sec. 14-524. Application.

(a) This article shall apply to all proposals for development throughout the city, except proposals for development of detached single- and two-family dwellings and uses customarily accessory thereto on lots described on a recorded subdivision plat approved on or after June 5, 1968 (hereinafter an "exempt subdivision"). This article shall apply to any exempt subdivision where the Planning Board conditioned subdivision approval upon site plan approval of individual sites within the subdivision.

(b) With respect to all development of detached single-family dwellings and uses customarily accessory thereto on lots described in any subdivision which is not an exempt subdivision, such development shall be deemed minor development for purposes of this article regardless of its size. Development in a nonexempt subdivision shall not be subject to review under the standards set forth in section 14-526(a)(2), (3), (4), (6), (7), (9), (10), (12), (13), (14), and (15), except as provided in article III, or to conditions imposed under section 14-526(c) only, or to those submission requirements set forth in section 14-525 as relate solely thereto, but shall be exempt from the performance guarantee and inspection fee provisions set forth in section 14-525, except as provided by section 14-403. Except as provided herein, such development shall otherwise be fully subject to the provisions of this article.

- ✓ (1) The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways; and the incremental volume of traffic will not create or aggravate any significant hazard to safety at or to and including intersections in any direction where traffic could be expected to be impacted; and will not cause traffic congestion on any street which reduces the level of service below Level "D" as described in the 1985 Highway Capacity Manual published by the Transportation Research Board of the National Research Council, a copy of which manual is on file with the public works authority, or substantially increase congestion on any street which is already at a level of service below Level "D";
- (2) a. Where construction is proposed of new structures having a total floor area in excess of ten thousand (10,000) square feet but less than fifty thousand (50,000) square feet, or building additions having a total floor area in excess of five thousand (5,000) square feet, and the provisions for off-street parking under article III (zoning) do not require off-street parking or are determined to be insufficient, the site plan shall provide sufficient parking to satisfy the reasonably foreseeable demand for parking which will be generated by the proposed development;
- b. Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, the Planning Board shall establish the parking requirement for such structures. The parking requirement shall be determined based upon a parking analysis submitted by the applicant, which shall be reviewed by the city traffic engineer, and upon the recommendation of the city traffic engineer.
- (3) The bulk, location or height of proposed buildings and structures and the proposed uses thereof will not cause health or safety problems as to existing uses in the neighborhood, including without limitation health or safety problems resulting from any substantial reduction

in light and air, any significant wind impact, and any significant snow loading on any neighboring structure, where setbacks from property lines are not required by article III;

- (4) The bulk, location or height of proposed buildings and structure minimizes, to the extent feasible, any substantial diminution in the value or utility to neighboring structures under different ownership and not subject to a legal servitude in favor of the site being developed;
- (5) The development will not overburden the sewers, sanitary and storm drains, water, solid waste disposal or similar public facilities and utilities;
- (6) The on-site landscaping provides adequate buffering between the development and neighboring properties so as to adequately protect each from any detrimental features of the other;
- (7) The site plan minimizes, to the extent feasible, any disturbance or destruction of significant existing vegetation;
- (8) The site plan does not create any significant soil and drainage problems, whether on- or off-site, and adequately provides for control of erosion and sedimentation during construction and afterward;
- (9) The provision for exterior lighting will not be hazardous to motorists traveling on adjacent public streets; is adequate for the safety of occupants or users of the site; and such lighting will not cause significant glare or direct spillover onto adjacent properties and complies with the applicable specifications of the City of Portland Technical and Design Standards and Guidelines;
- (10) The development will not create fire or other safety hazards and provides adequate access to the site and to the buildings on the site for emergency vehicles;
- (11) The proposed development is designed so as to be consistent with off-premises infrastructure, existing or planned by the city;

SECTION III – TRAFFIC DESIGN STANDARDS AND GUIDELINES

completely contained within the facility, and vehicles located within one portion of the facility shall have access to all other portions without using the adjacent street system.

- (h) Off-street truck maneuvering: Where the use of a plot includes a truck loading, parking, or service facility, adequate space shall be provided such that all truck maneuvering is performed off the street.

B. Single and Two-Family (up to 4 spaces)

- (a) Minimum/maximum driveway width: Any site shall have a minimum twelve (12) foot driveway, where multi-units are proposed, a maximum twenty (20) foot driveway will be allowed.
- (b) Location of driveway: Driveways shall be located on the lot in a manner to provide a minimum twenty (20) foot spacing between existing or proposed driveways.

NOTE: Refer to "Guidelines for Driveway Design and Location", Institute of Transportation engineers, 1985 or current, for additional design guidelines (on file in Traffic Department).

C. Ingress Lanes (Slip lanes)

- (a) Ingress left-turn lanes requirements: A twelve (12) foot wide left-turn lane with appropriate storage and transition shall be provided at each driveway where the peak hour inbound left-turn volume is thirty (30) vehicles or more.
- (b) Ingress right-turn lanes: For any site, a twelve (12) foot wide right-turn lane with appropriate storage and transition shall be provided at each driveway where the highway average daily traffic exceeds 10,000 vehicles per day, permitted highway speeds exceed 35 miles per hour, and driveway volume exceeds 1,000 vehicles per day with at least forty (40) right-turn movements during peak periods. For any site, a right-turn lane as described in this subparagraph shall be provided at each driveway where right-turn ingress volumes exceed seventy-five (75) vehicles per peak hour.

3. STANDARDS: Parking Lot/Parking Space Design

- A. Parking space: The standard parking space is 9 feet wide by 19 feet long.
- B. Compact spaces: Any parking lot may be designed with a maximum allowance of 35 percent compact spaces over and above the required minimum number of spaces by the zoning ordinance. The space shall have a minimum design of 7-1/2 feet wide by 15 feet long.
- C. Parking lot layout: Lot layout shall conform to Figures III-1 and III-2.
- D. Aisles: Vehicular access shall be provided by one or more aisles, minimum widths of aisles are outlines in Figures III-1 and III-2.

Transmittal



Stantec

Stantec Consulting Services Inc.
22 Free Street Suite 205
Portland ME 04101-3900
Tel: (207) 775-3211
Fax: (207) 775-6434

To: Phil DiPiero
Company: Development Review Coordinator
Address: City Hall
Phone: N/A
Date: June 5, 2007
File: 195410265
Delivery: Hand Delivery

From: Katie Haley
 For Your Information
 For Your Approval
 For Your Review
 As Requested

Reference: Parcel 'A', George Street

Attachment:

Copies	Doc Date	Pages	Description
4	Rev 6/4/07	1	Site Plan, Parcel 'A' , George St. Prepared for Waycott Construction

STANTEC CONSULTING SERVICES INC.

Katie Haley
Planner
Tel: (207) 878-3313
Fax: (207) 775-6434
khaley@stantec.com

Dale and Priscilla Doucette
79 George Street
Portland, ME

Julia Volger
Bruce Brown
First Financial
2320 Congress Street,
Portland, ME

October 10, 2006

Dear Ms. Volger and Mr. Brown:

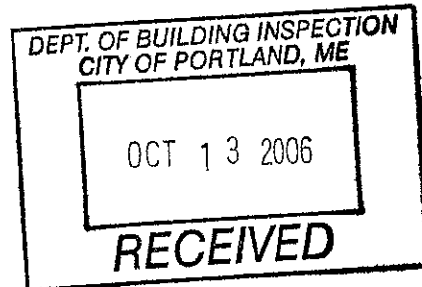
We learned from city records that yo
property at 65 George Street which
Portland. We understand that you a
your property in order to create an

We are concerned because any de
ours has the potential of increasi
you do build on the additional lot,
water onto our land will not be increased. If you
we feel you should inform potential buyers of our concern.
We have enjoyed living on George Street for the past 29 years and are
concerned about any impact on our property.

As neighbors, we would like to talk to you about your plans and our
concerns. Please feel free to call us at 772-5705.

Sincerely,

Dale Doucette
Dale A. Doucette
Priscilla Doucette
Priscilla B. Doucette
Cc Marge Smuckle
Laurie Dobson



Phil,
RE: 2007-0081
5/18/07
The New Single
Family Dwelling
Application

65 George St

Dale and Priscilla Doucette
79 George Street
Portland, ME

Julia Volger
Bruce Brown
First Financial
2320 Congress Street,
Portland, ME

October 10, 2006

Dear Ms. Volger and Mr. Brown:

We learned from city records that you purchased the former Malconian property at 65 George Street which abuts our property at 79 George Street in Portland. We understand that you are removing the addition to the house on your property in order to create an additional building lot.

We are concerned because any development of the lot that directly abuts ours has the potential of increasing the flow of water onto our property. If you do build on the additional lot, we want to be assured that the flow of water onto our land will not be increased. If you decide to sell the property, we feel you should inform potential buyers of our concern.

We have enjoyed living on George Street for the past 29 years and are concerned about any impact on our property.

As neighbors, we would like to talk to you about your plans and our concerns. Please feel free to call us at 772-5705.

Sincerely,

Dale Doucette

Dale A. Doucette

Priscilla Doucette

Priscilla B. Doucette

Cc Marge Smuckle

Laurie Dobson



From: Marge Schmuckal
To: Dale Doucette
Date: 7/27/2006 4:39:15 PM
Subject: Re: Change in house lot

65 George St

Dear Priscilla & Dale Doucette,
I am in receipt of your e-mail. As of this date, this office has not received any plans or a permit that suggest the splitting of any lots at 65 George Street.

The property you describe is located within an R-3 zone where the minimum lot size is 6,500 square feet. The property you described previously owned by John Malconian has a total of 19,789 square feet of land area. There is a possibility just based upon lot size, that this lot can be split. Please keep in mind that when I review such proposals, all requirements of the underlying zone must be met, not just the lot size.

If and when we receive such a proposal, the planning division has a person on staff who reviews plans for grades, fill and other issues. So the issues that concern you would also be issues that concern the City.

I will keep your e-mail handy so that when or if an application may arrive on my desk, I will try to notify you. Please be aware that if such an application arrives on my desk in 8 months or a year from now, I may not have the same recollection as the present. Please feel free to call or e-mail me for updates in the future. We will try to keep you in the loop.

Marge Schmuckal
Zoning Administrator
874-8695

>>> Dale Doucette 7/27/2006 3:54:04 PM >>>
Dale and Priscilla Doucette
79 George Street
Portland, Maine
July 27, 2006

Marge Schmuckal
Zoning Administrator
City Hall
Portland Maine

Dear Ms. Schmuckal:

My husband and I live at 79 George Street. Our corner lot abuts 65 George Street. 65 George Street until recently was owned by John Malconian. We have not seen any new neighbors nor do we know their names. Today another neighbor told me that the new owner of 65 George Street is planning to put a house beside ours. She said the new owner was planning to remove an addition to the Malconian house and change the lot size of the house lot to enable the side lot to be built on.

We would like to know if this is true. If so we strongly protest. The single lot between 65 and 79 George Street was divided between the two neighbors before 1977. Neither side lot has enough road frontage to be built on. In addition, the land on 65 George Street is very low and under water all spring. Any fill on that land would cause our land to flood.

We wish to be notified of any building permits issued to this property. We wish to protest any changes in property boundaries. We wish to be notified of any fill which is to be put on this property.

Sincerely,
Priscilla and Dale Doucette

From: Priscilla and Dale Doucette
79 George Street
Portland, ME 04102
December 6, 2006

George Str

To: Marge Schmuckal
Lannie Dobson
Jay Reynolds
Bruce Brown
Julie Volger

My husband and I are writing to inform you that we have hired the firm of SYTDesign to inspect our property currently and to be prepared to review any building plans for land which abuts our home at 79 George Street, Portland.

This summer we initially expressed our concerns about increased water on our property to the owners, Volger and Brown, and to city officials, Dobson and Schmuckal. We are also now informing city official Jay Reynolds of our perceived problem.

On Nov. 29, 2006, Andrew D. Johnson, P.E., CEng, CEnv MCIWEM, of SYTDesign inspected our land. He has prepared the enclosed initial report. We hope that you all will read it as soon as possible. We are especially concerned about observation 2. We have an extensive organic garden which needs sun and clean water. To lose this garden because of poor drainage or positioning of new buildings would not be lawful in our opinion.

We have hired Mr. Johnson and his firm to review all proposed permits for buildings, fill, or any other changes to the lot of land between 65 and 79 George Street. We are relying on the officials in City Hall to notify us when these changes have been applied for.

Hopefully Mr. Brown and Mrs. Volger will do us the courtesy of giving us the name of the buyer of the property and inform any buyer of our concerns. However, we will also go to the Registry of Deeds this week.

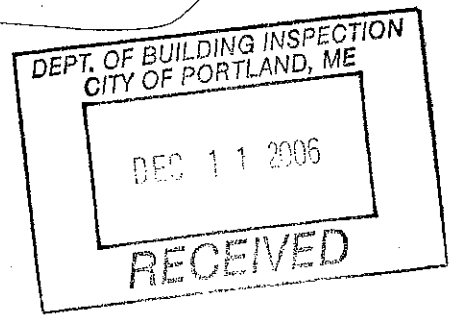
Please feel free to contact us at any time.

207 7725705, 207 2336844, littlediamondme@aol.com

↑
cell

Sincerely,

Priscilla B. Doucette
Priscilla B. Doucette
Dale A. Doucette
Dale A. Doucette



Principals

Saucier, Thomas W., P.E.

Young, David W., P.E., P.L.S., Emeritus

Tubbs, Peter B., P.E., P.L.S.

Decker, W. Scott, P.E.

October 18, 2006

Mr. and Mrs. Doucette
79 George Street
Portland, Maine

RE: Site visit and inspection – 79 George Street, November 29th 2006.

Dear Mr. and Mrs. Doucette:

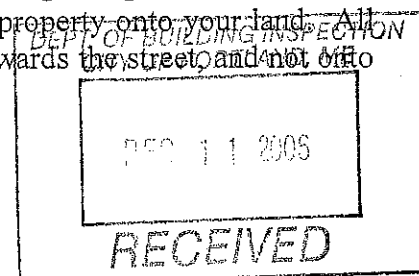
I am writing to summarize my visit to your property and to give you some basic guidance as to how best to address your concerns regarding the possible construction of a new home on the lot immediately to the north of yours.

Observations

1. It is apparent that the vacant lot adjacent to your property slopes in a generally northeasterly direction towards your property and the adjacent street.
2. The area of your garden to the north of your house was wet at the time of my visit, with groundwater at, or close to the surface. It is evident that any increase in surface water runoff to this area will result in surface inundation, or flooding. Any such increase would have the potential to impact not only your garden, but the northern wall of your house.
3. Any construction on the vacant lot to the north of your property would have to be carefully designed to ensure that there is no increase in runoff onto your land. The existing topography and the size of the available building space will make this especially challenging.

Recommendations

1. I would recommend that you track and carefully review any plans submitted to the City of Portland to build on the adjacent property. Of particular concern to you should be the potential for increased runoff from new impervious (roof and paved) areas of the construction, and alterations to the current site grading that would shed a greater proportion of the surface water runoff from the property onto your land. All runoff from new impervious areas should be directed towards the street, and not onto your land.



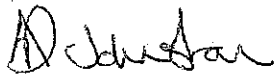
Mr. & Mrs. Doucette
December 1, 2006
Page 2 of 2

2. As discussed during our meeting yesterday, SYTDesign Consultants will be available to assist in the review of plans and give our professional opinion on the potential for impacts to your property, and recommend alternative design approaches that could avoid such impacts.

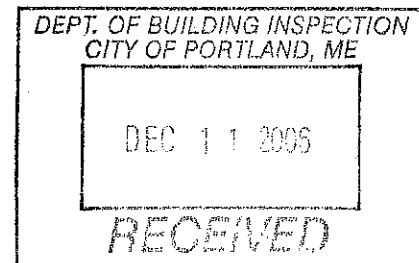
If you have any questions regarding this letter, please do not hesitate to contact me at 207-829-6994.

Sincerely,

SYTDesign Consultants



Andrew D. Johnston, P.E., CEng, CEnv MCIWEM
Senior Civil Engineer



Waycott Construction, Inc.
Jeff Waycott
P.O. Box 851
Saco, Maine 04072

May 17, 2007

RE: Application for 65 George Street, (#2007-0081)

Dear Mr. Waycott:

I am writing in response to your recent application to build a single family house. Upon review of the site plan you submitted, the City's Planning Division has the following comments:

1. Please show the outlet location for the foundation perimeter drain. If you intend to use a sump pump, please show how you will manage its' discharge. Be advised that the developments surface and subsurface drainage runoff must not negatively impact your abutters.

Please resubmit 4 copies of the revised site plan to my attention.

Sincerely,

Philip DiPierro
Development Review Coordinator

cc: Barbara Barhydt, Development Review Services Manager

Transmittal



Stantec

Stantec Consulting Services Inc.
22 Free Street Suite 205
Portland ME 04101-3900
Tel: (207) 775-3211
Fax: (207) 775-6434

To: Phil DiPierro
Company: Development Review Coordinator
Address: City Hall
Phone: [Recipient's Phone]
Date: June 22, 2007
File: 195410265
Delivery: Hand Delivery

From: Katie Haley
 For Your Information
 For Your Approval
 For Your Review
 As Requested

Reference: Parcel 'A', George Street

Attachment:

Copies	Doc Date	Pages	Description
4	6/22/07	1	Site Plan, Parcel 'A' Prepared for Waycott Construction

STANTEC CONSULTING SERVICES INC.

A handwritten signature in black ink, appearing to read 'Katie Haley', is written over a light gray rectangular background.

Katie Haley
Planner
Tel: (207) 775-3211
Fax: (207) 775-6434
khaley@stantec.com

One Team. Infinite Solutions.

Dale and Priscilla Doucette
79 George Street
Portland, Me 04103
Home 772-5705
Cell 233-6844

RECEIVED

JUL 23 2007

July 21, 2007

City of Portland
Planning Division

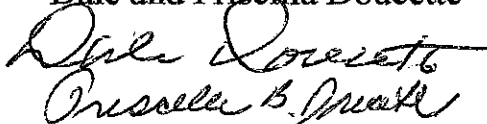
Alexander Jaegerman
Planning Division Director

Dear Mr. Jaegerman:

As directed by your letter of July 20, 2007, we are writing this letter to initiate the start of an appeal process of a building permit and or site plan approval issued for the construction of a new residence at 67 George Street, Portland. Please accept this letter as notice of appeal. Unless we are further advised by you, we will consider the information contained in this letter sufficient to start this process.

Sincerely,

Dale and Priscilla Doucette



Basis of Appeal:

I. Building Permit Issues:

Building began on the site the day the building permit was issued, June 27, 2007, and clearly violates the intent of the appeal process. The 30 day period of appeal is being used as construction time. **Our appeal should be considered as if construction does not exist.**

II. Sec. 14 - 86

The purpose of the R-3 residential zone is:

To provide for medium density.....Such development shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood.

A. Scale:

The proposed 2 ½ story building will be much higher than any abutting home. It will have three full stories of windows with the front of the house and a third floor balcony facing directly into the Doucettes' yard. All privacy in the Doucette back and side yard will be lost.

The proposed structure is incompatible with the size of the lot and style of homes in the surrounding neighborhood.

B. Compatibility:

The orientation of the planned house is inconsistent with all other homes in the entire neighborhood. No other house in the neighborhood is situated with only the garage on the street side and with the house located so that the front of the house is close to and faces a neighbor's side yard. It is clearly meant to be the front of the house and should have a 25' setback.

A balcony directly facing and directly overlooking the neighbor's property is not a feature found on homes on Codman, Hersey, Chenery, Austin, Mackworth, Pya, or George Street.

C. Characteristics:

The proposed building has characteristics of a home on a much larger lot. It is not compatible with surrounding homes and with other homes in the neighborhood.

III. Sec.14-87

The long side of a structure must be parallel to the street.

A 60 foot long, 24 foot wide structure is proposed for 67 George Street, placed garage end to George Street. Pre-constructed homes are not allowed this orientation, presumably because of the adverse effect that such orientation has to pre-existing homes. This should this be allowed at 67 George Street because of the adverse effect it will have on pre-existing homes.

IV. Sec. 14-47

Definition of front and side yards.

The front yard must have a 25 foot set back.

The front of the proposed building is orientated to the side of the lot and to the Doucettes' side yard. This side of the proposed house consists of the largest door, hall entry, and a 36 foot by 8 foot porch. On the third floor, a balcony will face the Doucettes' family room and yard. It is, indeed, the front of the house and should have a 25' setback.

V. Fill has been added to increase the height of the construction site.

Fill has been added to 67 George Street making it over 3' above the Doucette's property. The height of the building will be measured from the top of the fill. It is not allowed on Peaks Island, nor should it be allowed in a residential neighborhood in the Portland mainland since it will increase the value of one house to the detriment of all other neighboring homes.

VI. Required lot width

An existing driveway at 65 George Street was allowed to be cut from road frontage of the new lot thus decreasing the road frontage of the new lot.

To meet the required 60' lot width code, the width of the lot has been determined in the middle of the lot, not at the road frontage.

VII. Water drainage

Finally, but not the least concern, the Doucette property has already sustained water damage and will continue to sustain run-off damage. (See dated photos attached). In July of 2006, the Doucettes informed City Zoning Administrator Marge Schmuckal of their concern that construction on this lot would adversely effect their land. In October of 2006, they notified the owners and developers of 69 George Street, Ms. Julie Volger and Mr. Bruce Brown, of the drainage concerns. They asked for their cooperation. In the late fall 2006, the Doucettes hired Andrew Johnson, Senior Civil Engineer of SYTD Design Consultants, to assess water issues. (See attached report) Copies of his report were sent to Ms. Schmuckal and the developers of 69 George Street.

VIII. Rights as a resident of Portland and current property owner:

This proposed building is an intrusion on privacy. For decades Portland residents bought homes in the suburbs of Woodfords, North Deering, and other outlying areas of the city in order to acquire a back yard where family and friends could gather and garden. It is a fundamental part of property desirability in this area of the city. This part of homeownership is increasingly important to homeowners. Outdoor living spaces, in particular, have been a growing trend over the last ten years, especially since the Sept. 11, 2001, terrorist attacks.

The Doucettes' will have this feature of their home removed. After thirty years of improving their landscape with fruit trees, blueberry bushes, organic vegetable gardens, and large flower beds, their back and side yards will become the front yard for a new house. The value of the new property will increase at the expense of and to the detriment of the Doucette property.

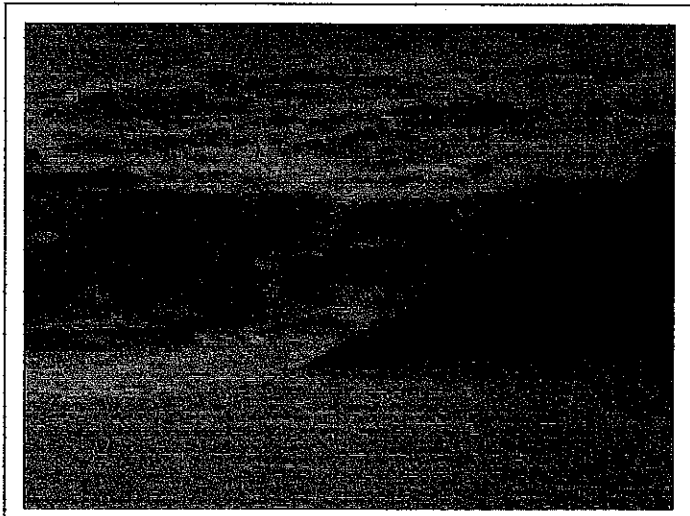
Remediation:

- I. The house at 67 George Street should be orientated to have the front door facing George Street.**
 - II. The balcony and large third floor windows should be eliminated.**
 - III. Set backs should apply to the house plans. (Front door 25 feet from the property line)**
 - IV. The height should be lowered to be in scale with homes in the neighborhood.**
 - IV. All drainage issues must be addressed at the sole expense of the owner of 67 George Street or the city before occupancy is allowed and before any further damage to the Doucettes' property is incurred.**
-

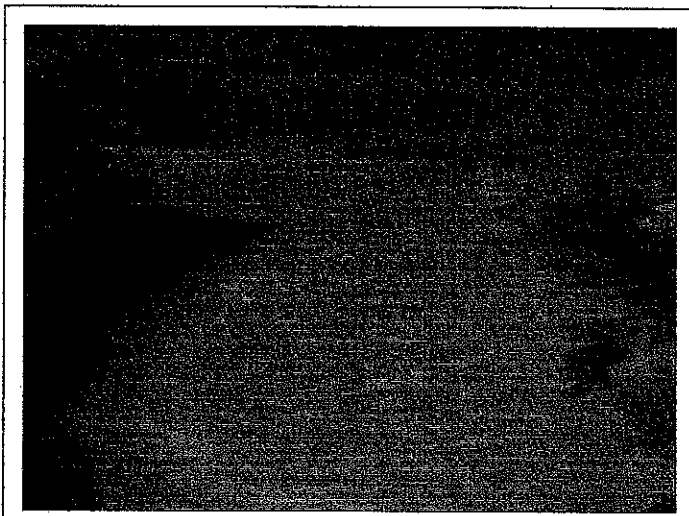
Subj: (no subject)
Date: 7/22/2007 11:07:44 A.M. Eastern Daylight Time
From: littlediamondme@aol.com
To: littlediamondme@aol.com

Storm run off during from construction site on to Doucette property since construction started at 65 George Streer, July, 2007.

Orientation pictures of construcion.



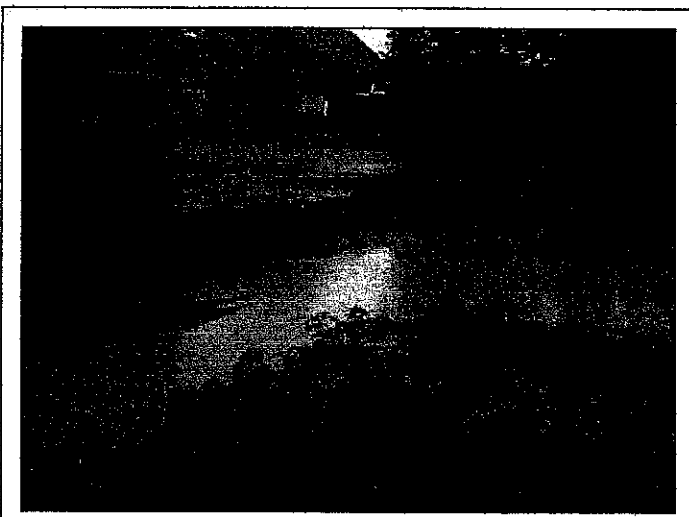
July 10, 2007



July 10, 2007



July 10, 2007



July 10, 2007



July 15, 2007



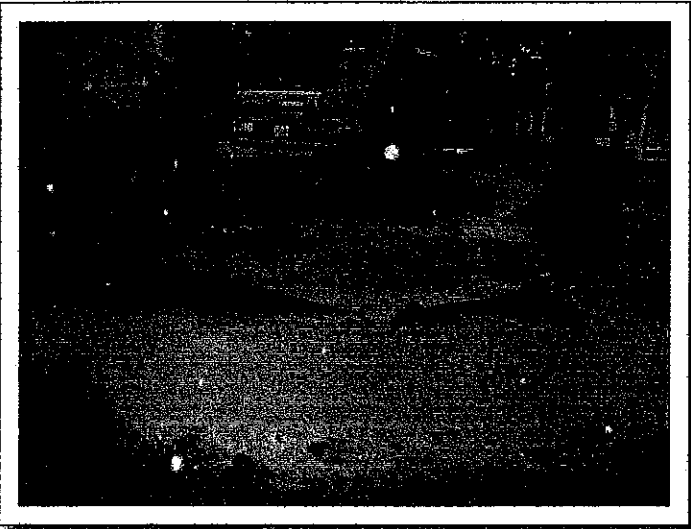
July 15, 2007



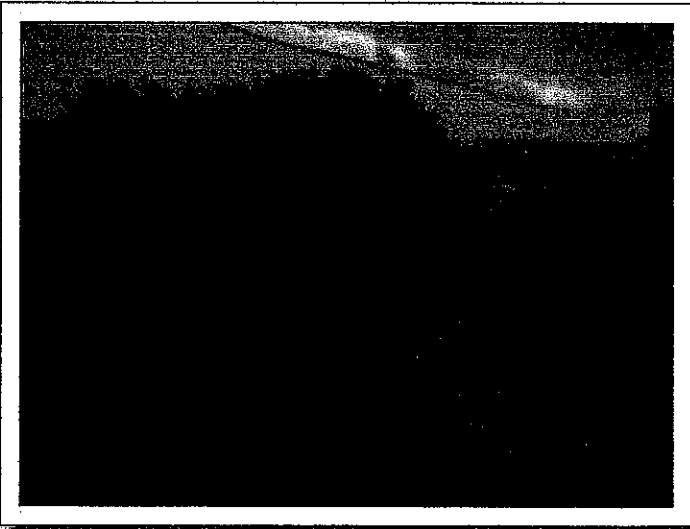
July 15, 2007



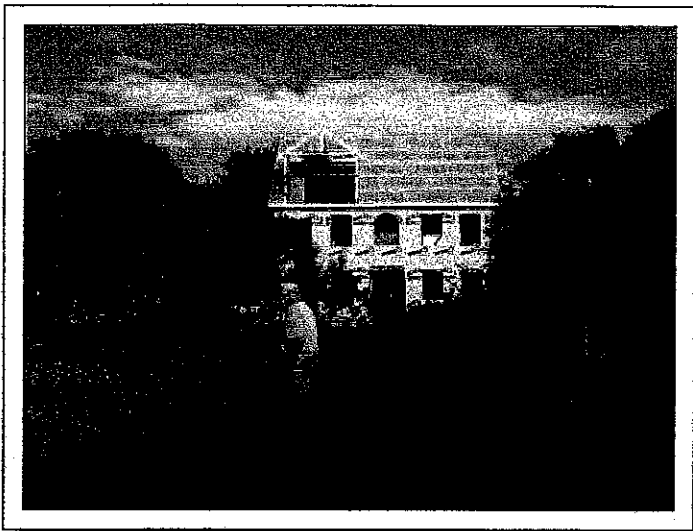
July 15, 2007



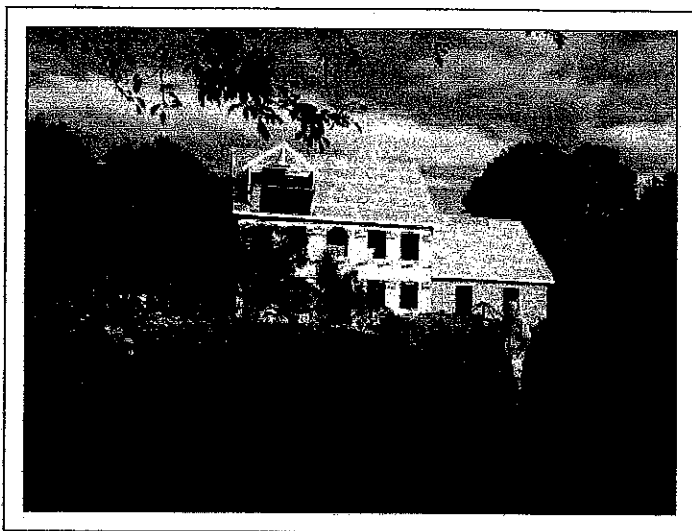
July 20, 2007



July 20, 2007



Doucette back yard



Doucette back yard



Doucette side yard



67 George Street from George Street



construction from Realie property line

Principals

Saucier, Thomas W, P.E.

Young, David W, P.E., P.L.S, Emeritus

Tubbs, Peter B., P.E., P.L.S.

Decker, W. Scott, P.E.

October 18, 2006

Mr. and Mrs. Doucette
79 George Street
Portland, Maine

RE: Site visit and inspection – 79 George Street, November 29th 2006.

Dear Mr. and Mrs. Doucette:

I am writing to summarize my visit to your property and to give you some basic guidance as to how best to address your concerns regarding the possible construction of a new home on the lot immediately to the north of yours.

Observations

1. It is apparent that the vacant lot adjacent to your property slopes in a generally northeasterly direction towards your property and the adjacent street.
2. The area of your garden to the north of your house was wet at the time of my visit, with groundwater at, or close to the surface. It is evident that any increase in surface water runoff to this area will result in surface inundation, or flooding. Any such increase would have the potential to impact not only your garden, but the northern wall of your house.
3. Any construction on the vacant lot to the north of your property would have to be carefully designed to ensure that there is no increase in runoff onto your land. The existing topography and the size of the available building space will make this especially challenging.

Recommendations

1. I would recommend that you track and carefully review any plans submitted to the City of Portland to build on the adjacent property. Of particular concern to you should be the potential for increased runoff from new impervious (roof and paved) areas of the construction, and alterations to the current site grading that would shed a greater proportion of the surface water runoff from the property onto your land. All runoff from new impervious areas should be directed towards the street, and not onto your land.

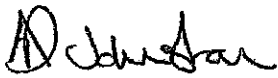
Mr. & Mrs. Doucette
December 1, 2006
Page 2 of 2

2. As discussed during our meeting yesterday, SYTDesign Consultants will be available to assist in the review of plans and give our professional opinion on the potential for impacts to your property, and recommend alternative design approaches that could avoid such impacts.

If you have any questions regarding this letter, please do not hesitate to contact me at 207-829-6994.

Sincerely,

SYTDesign Consultants



Andrew D. Johnston, P.E., CEng, CEnv MCIWEM
Senior Civil Engineer



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life * www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

July 20, 2007

Dale Doucette
79 George Street
Portland, ME 04103

Dear Dale:

Attached is a memo outlining the various appeals that may or may not apply to your inquiry. Please be advised you may want to retain your own legal counsel to address your concerns.

Attached is the form and supplemental information for an interpretation appeal to the Zoning Board of Appeals. This is the form that should be submitted should you wish to appeal any zoning.

The Planning Board does not have an appeals form, rather letters to the Director outlining the complaint have served to start the process. Your attorney may be able to advise you in this regard.

Thank you for meeting with us yesterday and I hope this is helpful to you.

Sincerely,

Alexander Jaegerman
Planning Division Director

Cc: Lee Urban, Director, Planning and Development Department
Marge Schmuckal, Zoning Administrator
Barbara Barhydt, Development Review Services Manager

To: Lee Urban
From: Penny Littell, Associate Corporation Counsel
RE: Appeals
Date: July 19, 2007

Lee:

I understand you wanted some advice on how one goes about taking an appeal from the issuance of a building permit/site plan approval for a single family house. The response really depends on the basis for the appeal.

Building Code determinations involving single family homes are appealed to the Portland Zoning Board of Appeals. Examples of these types of appeals are structural design disputes and the like. (R112.0) "Appeals shall be conducted in accordance with Section 112 of the ICC *International Building Code* (2003 edition) as adopted for use by the City of Portland."

All Zoning determinations also are appealed to the Portland Zoning Board of Appeals. Such appeals would include height disputes and setback disputes as stated in Portland City Code §14-472:

Notice of appeal. An appeal may be taken to the board of appeals by any person affected by a decision of the building authority. Such appeal shall be taken within thirty (30) days of the action complained of by filing with the building authority a notice of appeal specifying the grounds thereof. A payment of a nonrefundable filing fee, as established from time to time by the city council to cover administrative costs and costs of hearing, shall accompany notice of appeal. The building authority shall forthwith transmit to the board of appeals all of the papers constituting the record upon which the action appealed from was taken.

An appeal from the issuance of a minor site plan approval, which is reviewed and approved by the Planning Authority for all single family houses, is taken to the Planning Board. Examples of such appeals are those involving drainage issues, lighting issues, circulation and traffic issues, etc. The appeal period is set forth in §14-527. Appeals.

(a) When the planning authority has finally approved or disapproved a site plan, any person aggrieved may appeal the decision to the Planning Board within ten (10) days of the decision being rendered. Upon the taking of such an appeal, the application shall be reviewed as if referred by the planning authority,

except that the Planning Board may not decline to accept the reference.

I trust this is the information you are interested in receiving. Let me know if I may be of further assistance.



**City of Portland, Maine
 Planning and Development Department
 Zoning Board of Appeals
 Interpretation Appeal Application**

Applicant Information:

Name _____

Business Name _____

Address _____

Telephone _____ Fax _____

Applicant's Right, Title or Interest in Subject Property:

(e.g. owner, purchaser, etc.): _____

Current Zoning Designation: _____

Existing Use of Property:

Type of Relief Requested:

Subject Property Information:

Property Address _____

Assessor's Reference (Chart-Block-Lot) _____

Property Owner (if different):

Name _____

Address _____

Telephone _____ Fax _____

Disputed Provisions from Section 14 - _____

Order, decision, determination, or interpretation under dispute:

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for the relief above described, and certified that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

 Signature of Applicant

 Date



CITY OF PORTLAND APPLICATION PROCESS FOR THE ZONING BOARD OF APPEALS

Attached you will find the schedule for the Zoning Board of Appeals meetings. The deadline for the submissions is on the left hand side; the meeting dates are on the right hand side.

Eleven (11) separate packets of the following must be submitted to hold a place on the Agenda:

- a. Copy of Appeal application.
- b. Cover letter addressed to the Zoning Board of Appeals stating what you want to do.
- c. Plot plan showing the site and location of all structures, existing and proposed, in relation to the lot lines and, if applicable, indicate parking. Lot size and setback dimensions must be shown.
- d. Floor plan, if applicable, showing dimensions of existing and proposed rooms and/or structures.
- e. Copy of the tax map (obtained in the Assessors Office) with the property highlighted.
- f. Photos of property.
- g. Deed, sales agreement, lease or intent to lease.
- h. Owner, lessee, prospective purchase or legal representation must sign the application
- i. A letter from the property owner giving permission to the applicant to represent the property if applicable.
- j. All plans must also be folded neatly with each packet and banded.

If additional information is needed to complete the packet for the Zoning Board of Appeals you will be notified. Please make sure you include a contact phone number on your cover letter. If we cannot contact you, the item may be tabled until the next regular meeting.

The application fee is \$100.00 to appear before the Zoning Board of Appeals. Please note that the applicant is also responsible for the cost of the legal ad in the Portland Press Herald, and the cost of sending abutters notification within 500' of the subject property. The City will bill you for the legal ad and abutters notification.

You may apply for an appeal/permit at City Hall, Room 315 Monday through Friday between 8:00 am and 4:00 pm. If you choose to file on the deadline date, please note that applications are accepted only until noon on that day.

You will be sent a letter confirming the time and date of the scheduled meeting along with an Agenda.

**PORTLAND ZONING BOARD OF APPEALS
2007 MEETING SCHEDULE
THURSDAYS ROOM #209, PORTLAND CITY HALL**

**DEADLINE FOR SUBMISSIONS
OF APPEALS - 12:00 NOON ON:**

**MEETING DATES
6:30 PM**

DECEMBER 18, 2006	-----	JANUARY 4, 2007
JANUARY 2, 2007	-----	JANUARY 18, 2007
JANUARY 16, 2007	-----	FEBRUARY 1 ST
JANUARY 29 TH	-----	FEBRUARY 15 TH
FEBRUARY 12 TH	-----	MARCH 1 ST
FEBRUARY 26 TH	-----	MARCH 15 TH
MARCH 19 TH	-----	APRIL 5 TH
APRIL 2 RD	-----	APRIL 19 TH
APRIL 17 TH	-----	MAY 3 RD
APRIL 30 TH	-----	MAY 17 TH
MAY 21 ST	-----	JUNE 7 TH
JUNE 4 TH	-----	JUNE 21 ST
JULY 2 ND	-----	JULY 19 TH
JULY 16 TH	-----	AUGUST 2 ND
JULY 30 TH	-----	AUGUST 16 TH
AUGUST 20 TH	-----	SEPTEMBER 6 TH
SEPTEMBER 4 TH	-----	SEPTEMBER 20 TH
SEPTEMBER 17 TH	-----	OCTOBER 4 TH
OCTOBER 1 ST	-----	OCTOBER 18 TH
OCTOBER 29 TH	-----	NOVEMBER 15 TH
NOVEMBER 19 TH	-----	DECEMBER 6 TH
DECEMBER 17 TH	-----	JANUARY 3, 2008

*with the same...
with the same...
1 year*



PORTLAND MAINE

Planning Division
Barbara Barhydt, Development Review Services Manager

Pl 9/11 -

- Sewer line w/ y
vs. retaining wall

- driveway entrance

- survey - Bill Clark
look at it?

- Drainage - Mike -
Dan?

- field inlet - wouldn't work	-	Denny - authority - (talk on phone)
- line w/ clay	-	Dennis
- show gutters	-	drain to Dennis
street	-	driveway - grade into street
	-	(\$20,000) to tie-in interior st

389 Congress Street, 4th floor • Portland, ME • (207) 874-8699 • Fx 756-8258

Email: bab@portlandmaine.gov

mike feels none of these will work to the storm drain in cliff. Better than extending George may also

August 10, 2007

BFD Properties, LLC
65 George Street
Portland, ME 04103

Jeff Waycott, Waycott Construction
P.O. Box 851
Saco, Maine 04072

RE: Site Work at 69 George Street, CBL# 157 A 004001,

Dear Sirs:

Site work has been observed taking place on your property at 69 George Street, that is **not** in compliance with the approved site plan. In particular, the installation of the block retaining wall appears to be inadequate and does not meet the specifications on the approved site plan.

This letter is a **STOP WORK ORDER** pursuant to Section 14-528 of the City Code of Ordinance. All site work must stop immediately.

In order to come into compliance, you must submit a third party engineers opinion certifying the structural integrity, life expectancy, and the effectiveness of storm water management of the block wall currently under construction; and an amended site plan including a detail of the wall currently under construction, for review and approval by the Planning Authority.

You are required to stabilize the site using Best Management Practices for erosion control, including directing drainage from the site towards the street so as to not impact abutters during significant storm events.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452.

Sincerely,

Philip DiPierro
Development Review Coordinator

cc: Lee Urban, Planning and Development Director
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jeanie Bourke, Inspection Services Manager
Penny Littell, Corporation Counsel

TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: October 11, 2007

RE: C. of O. for #69 George Street,
(Id#2007-0081) (CBL 157 A 004001)

After visiting the site, I have the following comments:

Site work complete

At this time, **I recommend issuing a permanent Certificate of Occupancy.**

Cc: Barbara Barhydt, Development Review Services Manager
Jeanie Bourke, Inspection Services Manager
File: Urban Insight

Site Inspection Report



Stantec

FILE 195410265
Report No. 2
Date: 10-10-07
Contractor: Jeff Waycott
Contract No.: N/A
Building Permit No.: N/A
Owner: Janet Kantz
Weather: Overcast

The following items were noted as a result of the inspection.

DESCRIPTION OF WORK

The owner requested that Stantec visit the project site and prepare a letter to the City of Portland reporting on findings of the site inspection.

OBSERVATIONS

The site has been constructed meeting the intent of the site plan. The retaining wall is complete and the site has been stabilized with loam and seed. Positive drainage has been provided from the back of the house north to George Street. The intent of the site plan was to provide positive drainage to prevent ponding of water anywhere on the site and to prevent runoff from entering adjacent properties. The earth berm has been constructed east along George Street to contain runoff from entering the property east of the site. The red maples have been installed. Prior to the site visit the driveway had not been paved.

STANTEC CONSULTING LTD.

Lynwood Myshraill
Senior Associate
Tel: 207-775-3211
Fax: 207-775-6434
Lynwood.myshraill@stantec.com

Attachment: None

c. Jeff Waycott
Janet Kantz

One Team. Infinite Solutions.

From: Lannie Dobson
To: C of O
Date: 10/2/2007 1:42:53 PM
Subject: Certificate of Occupancy/Final Scheduled. Property Addr: 69 GEORGE ST Parcel ID:
157 A004001

Date: 10/5/2007 Time: 6:00:00 AM

Note: 561-289-9027 Jeff Property Addr: 69 GEORGE ST Parcel ID: 157 A004001

Application Type: Prmt
Application ID: 70547

Contact:
Phone1: Phone2:

Owner Name: BFD PROPERTIES LLC
Owner Addr: 65 GEORGE ST
PORTLAND, ME 04103

Janet Kantz 415-3110

Site Inspection Report



Stantec

FILE 195410265

Report No. 1
Date: 8-16-07
Contractor: Jeff Waycott
Contract No.: N/A
Building Permit No.: N/A
Owner: Waycott Construction
Weather: Clear

The following items were noted as a result of the inspection.

DESCRIPTION OF WORK

Stantec was requested to visit the building site on George Street and report on the status of the retaining wall.

At the time of the visit the retaining wall was under construction and being built by Waycott Construction. The wall is being construction in accordance with the plans and is true and straight. The materials required for the construction are being utilized. The geogrid behind he wall was not observed because the constructed portion of the wall was backfilled. Although the detail on the drawing shows a geogrid behind the wall for reinforcing, as the wall is only 2-2.5 feet high this detail is not necessary.

STANTEC CONSULTING LTD.

Lynwood Myshrall
Senior Associate
Tel: 207-775-3211
Fax: 207-775-6434
Lynwood.myshrall@stantec.com

Attachment: None

c. Jeff Waycott

One Team. Infinite Solutions.

Philip DiPierro - Re: George St

From: <Littlediamondme@aol.com>
To: <PD@portlandmaine.gov>
Date: 8/14/2007 5:29 PM
Subject: Re: George St

Hi Phil,

Thanks for your update. We appreciate your attention to our concerns about the issues in this whole experience.

As you know, we go to the Board of Appeals on Thursday. After much research, I will request that the board consider the wall a "structure". From my information, I believe it meets the definition of structure as defined in the code and therefore requires a setback from our property. From our experiences so far, I can't trust that the wall will hold back water from our property.

Did you notice that there is standing water in the crushed rock under the blocks? I fear that will heave during the winter.

We have signed a contract for trees and shrubs, some of which will be in the area where all the rain water. It is ten thousands dollars which we can't afford, but we have to do something to screen off that new house. I don't want them to be flooded and die.

Again, thanks for your work.

Dale

Get a sneak peek of the all-new AOL.com.

From: "Dan Goyette" <DGoyette@woodardcurran.com>
To: "Philip DiPierro " <PD@portlandmaine.gov>
Date: 8/14/2007 8:56:31 AM
Subject: RE: 69 George Street

Phil,

I did indeed inspect the block retaining wall located at 69 George Street. The wall had a significant bow in it and was leaning approximately 8 inches from plum. Although no geogrid was visible I was told that it was installed. It is unclear, however, how the geogrid could work because the type of block used was not pinned together so there were no pins to lock the geogrid to. It is strictly a gravity wall. In addition, the material used to backfill behind the wall appeared to be a well graded gravel with minimal fines. It does not have a low permeability as specified on the drawings.

My recommendations would be to rebuild the wall to eliminate the bow and lean and properly fasten the geogrid. In addition use a suitable low permeability soil for backfill. You may wish to recommend to the builder that they install gutters on the building to help direct the roof runoff away from the wall.

Please let me know if you have any more questions.

Dan

-----Original Message-----

From: Philip DiPierro [mailto:PD@portlandmaine.gov]
Sent: Monday, August 13, 2007 5:45 PM
To: Dan Goyette
Subject: 69 George Street

Hi Dan, thanks for coming out to look at the block wall on George Street earlier today. Can you please send me written comments and recommendations that we talked about. Due to the sensitivity of this project, I need something from you for the file and, if necessary, to discuss with the builder.

Thanks.

Phil



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Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

561-988-1793 FAX #
Jeff Waycott.
- Pin slid into wall
- Install nonpermeable
soil per plans
- grade to plan
- gutters on house
directed to street

August 10, 2007

BFD Properties, LLC
65 George Street
Portland, ME 04103

Jeff Waycott, Waycott Cons
P.O. Box 851
Saco, Maine 04072

RE: Site Work at 69 George Street, CBL# 157- A- 004001,

Dear Sirs:

Site work has been observed taking place on your property at 69 George Street, that is **not** in compliance with the approved site plan. In particular, the installation of the block retaining wall appears to be inadequate and does not meet the specifications on the approved site plan.

This letter is a **STOP WORK ORDER** pursuant to Section 14-528 of the City Code of Ordinance. All site work must stop immediately.

In order to come into compliance, you must submit a third party engineers opinion certifying the structural integrity, life expectancy, and the effectiveness of storm water management of the block wall currently under construction; and an amended site plan including a detail of the wall currently under construction, for review and approval by the Planning Authority.

You are required to stabilize the site using Best Management Practices for erosion control, including directing drainage from the site towards the street so as to not impact abutters during significant storm events.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452.

Sincerely,

Tammy Munson
Code Enforcement Officer / Plan Reviewer

cc: Lee Urban, Planning and Development Director
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jeanie Bourke, Inspection Services Manager
Penny Littell, Corporation Counsel

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Jeff Waycott

Company: Waycott Construction

Fax #: 561 988-1793

Date: 8/14/07

From: Phil D. Piervo

You should receive 4 page(s) including this cover sheet.

Comments:

Hi. Jeff, following is the step work order for George Str.

I don't have our consulting engineers written comments yet, but verbally he conveyed the following:

- pin the geo-grid into the wall
- Install the non-permeable soil
- grade to plan - including swales to direct water toward the street
- gutters on the house should be installed with the downspouts near the street & directed toward the street.

Call with any questions

Phil

MODE = MEMORY TRANSMISSION

START=AUG-14 08:57

END=AUG-14 08:58

FILE NO.=448

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		915619881793	004/004	00:01:17

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258-*****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: Jeff Waycott

Company: Waycott Construction

Fax #: 501 988-1793

Date: 8/14/07

From: Phil D. Pierro

You should receive 4 page(s) including this cover sheet.

Comments:

H. Jeff; following is the step work order for George Str.

I don't have our consulting engineers written comments yet, but verbally he conveyed the following..

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