

**CITY OF PORTLAND, MAINE**  
**PLANNING BOARD**

Att. 5

Lee Lowry III, Chair  
Kevin Beal, Vice Chair  
John Anton  
Michael Patterson  
David Silk  
Janice E. Tevanian  
Shalom Odokara

August 8, 2005

Moshe and Chana Wilansky  
101 Craigie Street  
Portland, ME 04102

RE: Wilansky Residence / Synagogue  
Application #2004-0156, CBL #193 E 019001

Dear Mr. And Mrs. Wilansky:

On July 12, 2005, the Portland Planning Board voted 5-0 (Beal Absent, Odokara abstained) to approve the site plan for the above referenced application based on the following motion:

1. That the plan is in conformance with the Conditional Use standards and conditions of the land use code.

On July 12, 2005, the Portland Planning Board also voted 5-0 (Beal Absent, Odokara abstained) to approve the requested sidewalk waiver for the above referenced application. The approval was based on the following motion and findings:

2. That the Planning Board, at the request of the applicants and in compliance with §14-506(b), waives the sidewalk requirement for the West side of Pomeroy Street finding that:
  - i. An alternative pedestrian route is available
  - ii. Providing the sidewalk would result in the loss of significant vegetation and additional wetland filling.

On July 26, 2005, the Portland Planning Board voted 0-5 (Beal Abstaining, Patterson Absent) to deny a request for waiver of street width standards from 28 to 24 feet for the above referenced application.

On July 26, 2005, the Portland Planning Board voted 5-0 (Beal Abstaining, Patterson Absent) to approve the site plan for the above referenced application. The approval was granted for the project with the following condition(s):

1. That the plan is in conformance with the site plan standards of the land use code.

Conditions of Approval:

- i. The applicant shall revise the site plan to include a fire hydrant on Pomeroy Street subject to final review and approval by the fire prevention officer.
- ii. The applicant shall revise the site plans to reflect the drainage and detention revisions proposed by BH2M and to address the remaining concerns expressed in a July 5, 2005 memo from Jim Seymour P.E. subject to final review and approval by Public Works and the Planning Authority.
- iii. The applicant shall revise the exterior lighting plan to fully conform to the City of Portland's exterior lighting standards subject to final review and approval by the Planning Authority.
- iv. The applicant shall submit an approval letter to the Planning Authority from the Maine DEP for wetland fill associated with the proposed project.
- v. The applicant shall submit a street lighting plan subject to final review and approval by the City Engineer and the Planning Authority.
- vi. The site parking lot lighting shall be turned off when not in use for religious functions.
- vii. The applicant shall revise the landscaping plan to provide adequate buffering with the abutting Krieger property to be reviewed and approved by the City Arborist.
- viii. If the applicant, post-approval, is released of the requirement to construct the whole of Pomeroy Street due to a variance, street vacation, or otherwise the applicant would not be required to return to the Planning board for an amendment to the Site Plan except the amendment would be subject to final review and

approval by the Planning Authority.

The approval is based on the submitted site plan and the findings related to site plan and subdivision review standards as contained in Planning Board Report #39-05 and a July 22, 2005 staff memo to the Planning Board, which are both attached.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (\*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)


The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as



all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact the case Planner, Ethan Boxer-Macomber, at 756-8083 or [ebm@portlandmaine.gov](mailto:ebm@portlandmaine.gov).

Sincerely,



Lee Lowry III, Chair  
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Sarah Hopkins, Development Review Services Manager  
Ethan Boxer-Macomber, Planner  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Inspections Division  
Michael Bobinsky, Public Works Director  
Traffic Division  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Greg Cass, Fire Prevention  
Assessor's Office  
Approval Letter File