



Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

LESTER S. BERRY
WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL

November 12, 2012

City of Portland
Inspection Office & Planning Division
389 Congress Street
Portland, ME 04103

RE: Level I-Minor Residential Development Review Site Plan Revisions
Level II-Preliminary & Final Site Plan Development Revisions
Chabad Lubavitch of Maine LLC.
Pomeroy Street

Dear Nell Donaldson:

On behalf of the applicant, Chabad Lubavitch of Maine Inc., our office is submitting revisions for the above referenced project for both the Level I Site Plan application with the Inspection Division and the Level II Site Plan application with the Planning Division for the above referenced project. These revisions come in response to comments from the City. Please find attached five copies (4 copies for Level I application and 1 copy for Level II application) of the following information in support of this submission as well as digital copies of this information on cd. Our responses to the comments received from the City have been sorted by the source of the comment and we are utilizing the same numbering system for clarity:

- Letter from Gorham Savings Bank-10-30-2012
- Revised Storm Water Management Report
- Revised Site Plans
- All Submissions in electronic format (cd)

Comments from Nell Donaldson, City Planner, dated September 26, 2012:

Transportation Standards

1. The plans have been revised to include a turnaround as required with associated easement (see Sheet 1).
2. The City crosswalk details and ADA Warning Strip Detail has also been added to the details (see Sheet 3).

3. A waiver is sought by the applicant for the elimination of sidewalk along Pomeroy Street on the southwestern side only. Sidewalk is proposed along the Northeastern side of the roadway (see Sheet 1 of plans). The following is justification for this waiver citing the specific waiver criteria listed in the City of Portland Land Use Ordinance-Section 14-506:
 - A. Pedestrian Usage: Pomeroy Street is not expected to experience heavy pedestrian traffic. Sidewalk on one side of the roadway is more than adequate to handle the expected pedestrian traffic. Pomeroy Street is not anticipated to collect pedestrian traffic from Bancroft Street as the southerly sides of all of Kenilworth Street, Pomeroy Street and Motley Street remain undeveloped.
 - B. Existing Sidewalk: Bancroft Street currently does not have any existing sidewalk or any planned in the future that our office is aware of in the area of Pomeroy Street and this project.
 - C. Safe Alternative- A safe alternative to a sidewalk along the southwestern side of the proposed Pomeroy Street exists as a sidewalk is proposed along the Northeastern side of Pomeroy Street that is anticipated to adequately handle the limited pedestrian traffic within this area.
 - D. Capital Improvement Program: This project is not part of the City Capital Improvement Program.
 - E. Recent Construction: Pomeroy Street is currently undeveloped.
 - F. Site Features: A sidewalk constructed on the Southwestern side of Pomeroy Street would need to be constructed for the most part entirely within wetlands. The elimination of sidewalk on this side of Pomeroy Street reduces the impacts to the wetlands. A Tier One NRPA Permit for wetland alteration is required for the construction of this project.

Environmental Quality Standards

1. Our office has worked closely with David Margolis-Pineo of the City's Department of Public Services to resolve this issue. At Mr. Pineo's recommendation we have made the following design changes in an attempt to limit the amount of runoff and groundwater flow that is directed to the City's combined sewer/drainage line within Bancroft Street:

- A. The proposed drainage system and subsequent curbing within Pomeroy Street has been eliminated except for the catch basin at the intersection of Pomeroy and Bancroft Street.
- B. The elimination of the storm drain system within Pomeroy Street includes the elimination of the drainage inlets that the City was concerned with collecting groundwater and subsequently permanently affecting the hydrology of the area.
- C. A culvert was added below the proposed driveway. The culvert will direct runoff from the upstream wetlands under the driveway and into the wetlands on the other side of the site that flow overland to the existing catch basin within Bancroft Street. This culvert was proposed at grade to assure no groundwater from the surrounding wetlands was directed to Bancroft Street and the subsequent combined sewer/drainage line.

The benefits of this design are as follows:

- A. By keeping the proposed Catch Basin #1 to collect sheet flow from the entire length of Pomeroy Street along with the existing catch basin this design assures no runoff shall enter the intersection at Bancroft Street, thus increasing the safety of this intersection especially in the winter season.
- B. The current design will discourage the collection of groundwater associated with the onsite wetlands. This will limit the potential for directing groundwater from the area and thus affecting the hydrology of the upstream resources to the combined sewer/drainage system within Bancroft Street. It is our understanding that limiting the volume of runoff directed to the City's combined sewer/drainage system within Bancroft Street is of paramount importance for the development of this parcel.
- C. The current design will encourage infiltration of onsite runoff within the abutting wetlands. This will be accomplished by the elimination of the storm drain system within Pomeroy Street and thus proposing a culvert below the driveway that will encourage all onsite runoff to flow along the existing wetlands towards Bancroft Street as it does in the current pre development conditions. The use of

this existing wetland will ultimately reduce the volume of runoff directed to the combined sewer/drainage system within Bancroft Street.

The elimination of the curbing proposed along Pomeroy Street will require a waiver from the Department. This waiver is strongly recommended by Mr. Pineo. A waiver is sought by the applicant for the elimination of curbing along the entire length of Pomeroy Street as shown on the Plans. The following is justification for this waiver citing the specific waiver criteria listed in the City of Portland Land Use Ordinance-Section 14-506:

- A. Costs: In our experience a road meeting the specifications proposed for Pomeroy Street (as previously designed with curbing) would cost approximately \$400 per linear foot. With a total length of 200 feet, it is estimated the costs to construct this roadway would be \$80,000. A total of approximately 400 linear feet of Vertical Granite Curbing was previously been proposed. At a current construction cost of \$45 per linear foot, the total costs anticipated for this curbing is \$ 18,000. The vertical granite curbing costs would therefore account for approximately 22% of the project costs.
- B. Capital Improvement Program: This project is not part of the City Capital Improvement Program.
- C. Recent Construction: Pomeroy Street is currently undeveloped.
- D. Site Features: The construction of curbing would not have a significant effect on the existing site features as they relate to greater public value.
- E. Runoff: As described above, runoff from Pomeroy Street is not required to be collected within a closed drainage system as needed with curbing. In fact, the use of sheet flow and the elimination of the curbing will be a benefit to the City, as this will encourage infiltration within the wetlands, thus reducing the volume of runoff directed to the City's combined sewer/drainage system within Bancroft Street.

2. The following is a summary of the Urban Impaired Stream Compensation Fee as described within Maine DEP Chapter 500 Standards:

Development Areas

Non-roof Impervious Area (inc. porches)=3,092 s.f. (0.07 Ac.)
Roof Impervious Area=13,408 s.f. (0.31 Ac.)
Landscaped Area=26,425 s.f. (0.61 Ac.)
Total Disturbance=42,925 s.f. (0.99 Ac.)

Compensation Fees

Non-roof Impervious Area=\$5,000 per acre
Roof Impervious Area=\$2,000 per acre
Landscaped Area=\$1,000 per acre

Calculation of Fee

Non-roof Impervious Area=\$5,000 * 0.07=\$350
Roof Impervious Area=\$2,000 * 0.31=\$620
Landscaped Area=\$1,000 * 0.61=\$610
Total Compensation Fee=\$1,580

3. Please find attached a revised Storm Water Management Report that addresses these comments.
4. The Appendix D within the Storm Water Management Report has been revised to include Chapter 32 of the City of Portland Code of Ordinances.

Public Infrastructure and Community Safety Standards

1. The detail on Sheet 4 has been revised to meet the City of Portland Technical Manual Standards.

Site Design Standards

1. Note #21 on the Site Plan has been revised to reflect these requirements.

Additional Submittals Required

- ✓ 1. Note #28 on the Site Plan has been revised as requested.
2. The City Engineering Department gave us the elevation of a sewer manhole within Bancroft Street at the Intersection with Pomeroy Street on the City datum. This information was used along with our on the ground survey to set the above project benchmark.
3. The above described revisions have removed a lot of information from the Site Plan. It is our opinion that a separate roadway survey plan which

shows the bearings and distances associated with the portion of Pomeroy Street to be offered to the City is no longer needed as this information is now clear on the Site Plan (Sheet 1).

4. Please find attached a letter from Gorham Savings Bank as requested.

Zoning

1. The applicant understands that prior to the issuance of a certificate of occupancy for the single family house lot proposed a recorded deed of the outsale lot will be required.
2. The covered porch has been added to the plans as requested.

Comments from David Margolis-Pineo, Dept. of Public Services, dated September 19, 2012:

1. See Comment 1 within Environmental Quality Standards from Nell Donaldson above.
2. The detail on Sheet 4 has been updated as requested.
3. Please refer to Note #26 on the Site Plan (Sheet 1).
4. The plans have been revised to include a turnaround as required with associated easement (see Sheet 1).
5. Please refer to details on Sheet 4 of plans.
6. Please refer to details on Sheet 4 of plans.
7. The City crosswalk details and ADA Warning Strip Detail has also been added to the details (see Sheet 3).
8. Note #21 on the Site Plan (Sheet 1) has been revised to reflect these requirements.
9. Please refer to Note #28 on the Site Plan (Sheet 1).
10. The plans are on Maine State Coordinate System, see Site Plan (Sheet 1) for more information.
11. The City Engineering Department gave us the elevation of a sewer manhole within Bancroft Street at the Intersection with Pomeroy Street on the City datum. This information was used along with our on the ground

survey to set the above project benchmark.


12. No drainage easements are required for this design.
13. The above described revisions have removed a lot of information from the Site Plan. It is our opinion that a separate roadway survey plan which shows the bearings and distances associated with the portion of Pomeroy Street to be offered to the City is no longer needed as this information is now clear on the Site Plan (Sheet 1).
14. Please see above for waiver requests for both sidewalks on one side of Pomeroy Street as well as for the elimination of curbing.

Comments from David Senus, Woodard & Curran, dated September 20, 2012:

1. Comment addressed previously.
2. This permit will be provided once it has been received from the Maine DEP.
3. See Comment 1 within Environmental Quality Standards from Nell Donaldson above.
4. Comments addressed previously.
5. See Comment 1 within Environmental Quality Standards from Nell Donaldson above. All other comments as part of this section have been addressed previously.
6. See Comment 2 within Environmental Quality Standards from Nell Donaldson above.
7. See Comment 1 within Environmental Quality Standards from Nell Donaldson above. All other comments as part of this section have been addressed previously. Please also find attached a revised Storm Water Management Report that has been updated per the revisions made to the plans as well as to meet the revisions requested.
8. The Appendix D within the Storm Water Management Report has been revised to include Chapter 32 of the City of Portland Code of Ordinances.

We believe these revisions address all of the outstanding issues remaining for this project. Please contact our office if you have any questions or if you need additional information.

Sincerely,



Andrew S. Morrell, E.I.

Level I&II Revisions-11-12-2012



October 30, 2012

To: Portland Planning Office:

RE: King Weinstein / Windsor Construction

Dear Ladies & Gentlemen:

King Weinstein has been a great customer of Gorham Savings Bank since August of 2005. To the best of our knowledge King Weinstein does have the adequate financial ability to construct the proposed Williansky single family residence off Pomroy Street with all associated site improvements, access road, water and sewer ect.

While this is in no way to be construed as a commitment to lend funds, we believe that the Buyer has adequate financial capacity and management skills.

If you should need further information or clarification, please contact me at 839-3342, extension 1108.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew W. Early", written over a series of horizontal lines.

Matthew W. Early
Senior Vice President – Commercial Services