



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

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

August 29, 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:

- Suggested Deed Description-Outsale Lot
- Revised Site Plans
- All Submissions in electronic format (cd)

Comments from Nell Donaldson, City Planner, dated July 11, 2012 regarding the Level I-Minor Residential Site Plan:

Environmental

1. We understand that wetlands and storm water are the major items involved in the design of this parcel. These items were discussed in detail during our first design back in 2005, which was ultimately accepted by the City of Portland. Please note that both the scope of wetland impacts and the

amount of runoff directed to the City's storm drain system has been reduced as part of this current design.

The storm water design for the collection of runoff remains mostly unchanged from the approved design which was accepted by the City of Portland back in 2005. The amount of impervious area proposed onsite has been reduced as part of the new design. As summarized in the Stormwater Management Report the runoff directed to the City's Stormwater system within Bancroft Street (Analysis Point #1-Reach 8) has the following results:

<u>Storm Event</u>	<u>Original 2005 Design</u>	<u>Current Design</u>	<u>% Reduction</u>
2-Year Storm	4.16 cfs	2.29 cfs	55%
10-Year Storm	8.65 cfs	5.31 cfs	61%
25-Year Storm	11.50 cfs	6.91 cfs	60%

The wetland impacts have similarly been reduced as part of this project. The original approval resulted in a wetland fill of 13,028 s.f.. This project received a permit from the Maine DEP and ACOE for this wetland fill. The current design results in a proposed wetland fill of 10,462 s.f.. The wetland fills associated with this project have been reduced by approximately 20%.

The management of stormwater and the impacts to the wetlands are all issues that we have discussed in detail during our last approval for this project. The current reduction in scope of the project provides less of an impact to both the City's drainage system and the abutting wetlands.

It is our understanding that the City Engineer is required to grant a waiver for this condition. Based on the above information as well as those supporting documents previously submitted we request a waiver for this condition from the City.

2. Note #23 has been added to the Site Plan (Sheet 1).
3. As discussed above some of the existing trees will be preserved, however, there have also been 4 street trees proposed along Pomeroy Street as part of these improvements as well (see Plans for more information). As part of these revisions some additional site landscaping has been proposed (see sheet 1 for additional information).

Zoning

1. Please find attached a suggested deed description for the outsale lot.
2. The Plans have been revised to reflect the current proposed building footprint. Specifically, to include the proposed porches as requested.

Additional Submittals Required

1. The plans have been revised as requested and summarized below:
 - a. Distance from proposed buildings to property lines has been added to the Site Plan (Sheet 1).
 - b. Note #24 has been added to the Site Plan to summarize the area of disturbance. A limit of disturbance line has also been added to the plans for clarity.
 - c. A foundation drain has been added to the Site Plan. A detail has also been added to sheet 4 of the plans.
 - d. Note #25 has been added to the Site Plan regarding the preservation of existing trees.
 - e. See Comment 3 from Environmental section above.
 - f. See Comment 2 from Zoning section above.
2. This information will be submitted to the City once it has been received by our office.
3. The easement around the existing trees abutting land of Kriston Briggs & Jean Gilpatrick is a proposed easement not an existing easement. More details have been added to the Site Plan for this easement.
4. See Comment 8 from David-Margolis-Pineo review comments below.
5. The Level II Site Plan application has been submitted. Included herein this submission are revisions that also address this application.
6. If additional information is requested please let us know.

Comments from David Margolis-Pineo, Dept. of Public Services, dated May 31, 2012 regarding the Level I-Minor Residential Site Plan:

1. See Comment 1 From Environmental Section of Nell Donaldson's Review Comments above.
2. A detail was added to sheet 4 of the plans.
3. Note #26 has been added to the Site Plan (Sheet 1) regarding the construction of Pomeroy Street.
4. The turnaround has been defined with the appropriate easements as requested (see sheet 1 of the plans).
5. The detail on sheet 4 has been revised accordingly.
6. The details on sheet 4 have been revised accordingly.
7. A detail of the truncated dome proposed as part of this project has been added to Sheet 1 for review by the City and Mr. Hyman.
8. We look forward to hearing from the City on this item.
9. Note #28 has been added to the Site Plan regarding the street status.
10. The plans have been revised to be on the Maine State Coordinate System as requested. Coordinate References have been added to the Site Plan.
11. The project Benchmark has been revised as requested (see Sheet 1).
12. Our office has not heard from counsel on this item to date.
13. The portion of Pomeroy Street to be accepted as part of this project has been revised to include all appropriate information as requested (see Sheet 1).

Comments from David Senus of Woodard & Curran, dated May 30, 2012 regarding the Level I & II Site Plans:

1. Note #27 has been added to the Site Plan (Sheet 1).
2. This information will be forwarded to the City once received by our office.
3. See Comment 1 from Environmental Section of Review Comments by Nell Donaldson above.

4. To comply with City standards the following changes have been made to the plans:
 - a. The Roadway Section Detail on Sheet 3 of the plans has been revised accordingly.
 - b. The Vertical Granite Curbing Detail has also been revised.
5. To comply with City standards the following changes have been made to the plans:
 - a. See Comment 1 from Environmental Section of Review Comments by Nell Donaldson above.
 - b. The Details on sheet 4 have been revised accordingly.
 - c. The Detail on sheet 4 has been revised accordingly.
 - d. The Details on sheet 4 has been revised accordingly.
6. The applicant requests to pay the Urban Impaired Stream Compensation Fees as part of this project.
7. A review of the Drainage Plans (Sheets 6 through 8) will show that Subcatchment 1 within the Pre Development condition shall in fact differ in both ground cover and time of concentration route from Subcatchment 11 within the Post Development condition since this is where the Single Family residential home, driveway and other site improvements have been proposed as part of this project.
8. Chapter 32 of the City of Portland Ordinance regarding Stormwater will be added to Appendix D of the Stormwater Management Report for this project. Appendix D of the Stormwater Management Report includes and Operation and Maintenance Plan for this project and the Stormwater infrastructure.

Comments from Nell Donaldson, City Planner, dated June 13, 2012 regarding the Level II-Preliminary and Final Site Plan:

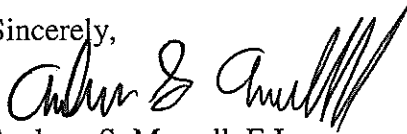
Most of these comments have already been addressed in the above described sections. I will only address new comments from this letter, hence the numbering system does not coordinate with the written comments as the other sections do:

1. A waiver for the elimination of sidewalk along one side of Pomeroy Street was provided in our original submission dated March 16, 2012.

2. Our office has not heard from the Planning Division on weather drainage easements are in fact required for the current design.
3. The applicant appreciates the input provided from the public and will certainly consider these comments as the process moves forward.
4. The total Right of Way widths have been added to the Site Plan as requested (Sheet 1).
5. The applicant provided financial Capacity information as part of our original submission to the City.
6. The building plans for the proposed residence have subsequently been submitted as part of the Level I Site Plan application.

We look forward to working with City Staff on this project. Please contact our office if you have any questions or if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew S. Morrell". The signature is written in a cursive, somewhat stylized font with some overlapping strokes.

Andrew S. Morrell, E.I.

Level I&II Revisions-8-29-2012

**SUGGESTED DEED DESCRIPTION
PROPOSED OUTSALE LOT TO
SQUARE ONE CONSTRUCTION, INC.
POMEROY STREET
PORTLAND, MAINE**

January 17, 2012

A certain lot or parcel of land located on the southwesterly sideline of Pomeroy Street, so-called, and on the northerly sideline of Motley Street, so-called, in the City of Portland, County of Cumberland and State of Maine and shown on the plan titled "Amended Site Plan, Land of Chabad Lubavitch of Maine Inc., Pomeroy Street, Portland, Maine" dated January 2012, by Berry Huff McDonald Milligan, Inc. to be recorded; said parcel being more particularly described as follows:

Beginning at a capped iron rod to be set (PLS #2190) on the southwesterly sideline of said Pomeroy Street and the northeasterly corner of remaining land of Chabad Lubavitch of Maine Inc. as shown on aforesaid plan;

thence S 46°-11'-30" E along the southwesterly sideline of said Pomeroy Street a distance of 205.27 feet to a capped iron rod found (PLS #1278) and the northerly sideline of said Motley Street;

thence S 71°-08'-30" W along the northerly sideline of said Motley Street a distance of 58.71 feet to a capped iron rod to be set (PLS #2190);

thence in a general southwesterly direction along the northerly sideline of said Motley Street and along a circular curve to the left, circumscribed by a radius of 218.81 feet, an arc length of 44.46 feet to a capped iron rod found (PLS #1278) and land now or formerly of Joshua James and Tamara Rainsford Krieger; said capped iron rod found being S 65°-19'-13" W a tie distance of 44.39 feet from said previous capped iron rod to be set;

thence N 34°-26'-02" W along the land of said James and Krieger and along the remaining land of Chabad Lubavitch of Maine Inc. a distance of 160.00 feet to a capped iron rod to be set (PLS #2190);

thence N 38°-44'-24" E along the remaining land of Chabad Lubavitch of Maine Inc. a distance of 61.09 feet to the point of beginning.

The above described parcel contains 14,103 s.f.. All bearings refer to magnetic north as observed in 1986.