



# PORTLAND MAINE

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## Planning & Urban Development Department

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## Planning Division

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July 29, 2013

Tim Higgins  
Higgins Builders  
PO Box 8142  
Portland, ME 04104

Al Palmer  
Gorrill Palmer Consulting Engineers  
PO Box 1237  
15 Shaker Road  
Gray, ME 04039

RE: Staff Review Comments for Level I: Site Alteration & Single Family Home

Project Name: Hillcrest Avenue Street Extension/SF Home  
Applicant: Tim Higgins, Higgins Builders  
Planner: Nell Donaldson/Phil DiPierro

Project ID: 2013-170  
CBL: 260-C-18

Dear Mr. Higgins:

Thank you for submitting an application for the construction of approximately 150' of Hillcrest Avenue and the associated single family home. The Planning Authority is evaluating this proposal as a preliminary plan subject to the following applicable Land Use Code provisions:

- Site Plan Ordinance, Article V
- Section 14-403 Street Extension

The city's findings, based on the preliminary plans, are as follows.

### **14-403 Street Extension**

#### **1. Transportation Standards**

The application includes curbing and sidewalk waivers as granted by David Margolis-Pineo of the Department of Public Services in May of 2013.

There are no additional transportation-related comments at this time.

## 2. Environmental Quality Standards

In conversations on site, the applicant has indicated that the existing tree stand north of the proposed roadway will remain largely intact, thereby satisfying the street tree requirement. Please identify tree saves and/or tree save areas in the revised plans.

David Senus, consulting Civil Engineer, provides the following comments on water quality and stormwater management:

1. *A Level I Site Plan Submission is required to include a stormwater management plan and a soil erosion control plan (City of Portland Land Use Code, Article V. Site Plan, Section 14-527(b) (12) and (13)). Level 1 Site Alteration Plans are required to conform with City Code of Ordinances, Section 14-526(b) 3, Environmental Quality Standards; specifically the Basic, General, Flooding & Urban Impaired Stream standards defined in Section 5 of the Technical Manual. We offer the following comments related to each of these Standards:*
  - i) *Basic Standard: The Applicant has provided plans, notes, and details to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500.*
  - ii) *General Standard: As noted by the Applicant, the new roadway (Level I Site Plan Application) will create 1,863 sq ft of new impervious area. Following the requirements outlined in the City's Ordinance, and per previous determinations provided by the City on Level 1 Site Alteration projects, the Applicant is required to provide water quality treatment for 75%\* of the new impervious area, or an area equivalent to 75%\* of the new impervious area (\*project is considered a linear project under general standards). Given the grading and layout of the street extension (a crowned road at the crest of a hill), integration of stormwater quality treatment within the right-of way may be difficult to achieve; therefore treatment of stormwater on the private single family residential property is an acceptable alternative to direct roadway treatment. Given the small scale of the project impacts, when preparing a design to meet the general standards, the Applicant does not need to provide stormwater modeling data, soils data, design calculations, or sizing data for the proposed BMP; however the BMP should be designed to provide water quality treatment. The plan should note the location of the BMP, the drainage features and/or grading associated with the BMP, and provide a design detail for the system. Although a review of the single family residential property has not been provided under this review memo, we encourage the Applicant to design a stormwater management system that provides treatment and does not result in any additional, concentrated runoff onto the adjacent, downhill property.*
  - iii) *Flooding Standard: The roadway project will result in an increase in impervious area of approximately 1,863 square feet. The resultant increase in flow will be minimal, and therefore we support a waiver from meeting the Flooding Standard.*
  - iv) *Urban Impaired Stream Standard: The project falls within the Nason's Brook Watershed, which is classified as an Urban Impaired Stream by the MaineDEP. The City of Portland requires that all development, except single and two-family homes, subject to City of Portland review shall be required to comply with the Urban Impaired Stream Standard pursuant to MaineDEP Chapter 500 Stormwater Management Rules if they are located within an Urban Impaired Stream watershed (Technical Manual, Section 5. II. A.). A project in the direct watershed of an urban impaired stream must*

*pay a compensation fee or mitigate project impacts by treating, reducing, or eliminating an off-site or on-site pre-development impervious stormwater source following the guidance outlined in MaineDEP Chapter 500 standards. The Level I Site Alteration application associated with the extension of Hillcrest Ave shall be subject to meeting the Urban Impaired Stream Standard; the single family home permitted under a Level 1 Minor Residential Application will not be subject to this standard. The Applicant has proposed to pay a compensation fee in order to comply with this Standard and should submit calculations identifying the fee associated with this project, per this Standard.*

2. *The Stormwater Management Plan will need to include a stormwater inspection and maintenance plan for all stormwater BMP's designed to meet the General Standards, developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.*
3. *The Applicant has requested a waiver from the requirement to install underdrains within the proposed street, as the existing, unaccepted and private portion of Hillcrest Avenue does not appear to have underdrains. DPS will need to provide a determination on this waiver request. If the waiver is granted, the Typical Residential Roadway Cross Section detail should be revised to not include underdrains. Note that the Department of Public Services has indicated that they are willing to waive the underdrain requirement.*
4. *The Applicant has proposed to construct a swale on the eastern side of Hillcrest Avenue to direct runoff to the southwest. Additional information should be provided, such as stabilization requirements for the swale and any downhill areas not shown on the plan.*

Note that the comments above are based on the city's Site Plan Ordinance, Section 14-526(b)3b and on previous cases involving increases in impervious surface in public rights-of-way.

### **3. Public Infrastructure and Community Safety Standards**

No comments at this time.

### **4. Site Design Standards**

No comments at this time.

### **Single Family Site Plan**

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Please submit a revised site plan that includes the following information:

- Please revise the grading plan so that it is clear that neighboring properties are not negatively impacted by stormwater surface drainage, ie. adding drip edge around the foundation, berming and swaling so that stormwater is directed to a drywell or stormwater infiltration area, rain garden, etc.,
- Please move the outlet to the foundation drain so that it is no closer than 10 feet to any property line.

In addition, per the request of zoning, please revise the site plan as necessary to match the size of the deck shown on the associated building plans.

## **Planning Staff Recommendation**

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

If you have any questions or feel that a meeting would be helpful in formulating your revised plans, feel free to contact me at 874-8723 or by email at [hcd@portlandmaine.gov](mailto:hcd@portlandmaine.gov).

Sincerely,



**Neil Donaldson**  
Planner

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