



Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

PROJECT NAME: Sump Pump Drainage Project

PROJECT ADDRESS: 46 Newton Str.

PROJECT DESCRIPTION: (Please Attach Sketch/ Plan of Proposal/ Development)

See attached

CHART/BLOCK/LOT: 337 C 51-53

RECEIVED

MAR 22 2010

CONTACT INFORMATION:

OWNER/APPLICANT

Name: See Attached

Address: _____

Zip Code: _____

Work #: _____

Home #: _____

Fax #: _____

E-mail: _____

CONSULTANT/AGENT

Name: _____

Address: _____

Zip Code: _____

Work #: _____

Home #: _____

Fax #: _____

E-mail: _____

Dept. of Building Inspections
City of Portland Maine

Criteria for Exemptions:

(See Section 14-523 (4) on page 2 of this application)

	Applicant's Assessment Y(yes), N(no), N/A	Planning Division Use Only
a) Is the proposal within existing structures?	_____	N/A
b) Are there any new buildings, additions, or demolitions?	_____	NO
c) Is the footprint increase less than 500 sq. ft.?	_____	N/A
d) Are there any new curb cuts, driveways or parking areas?	_____	NO
e) Are the curbs and sidewalks in sound condition?	_____	N/A
f) Do the curbs and sidewalks comply with ADA?	_____	N/A
g) Is there any additional parking?	_____	NO
h) Is there an increase in traffic?	_____	NO
i) Are there any known stormwater problems?	_____	NO
j) Does sufficient property screening exist?	_____	YES
k) Are there adequate utilities?	_____	YES

Planning Division Use Only

Exemption Granted ☒ Partial Exemption _____ Exemption Denied _____

Appropriate Erosion Control measures shall be maintained throughout the project. As discussed, Low Impact Development Construction is recommended.

Planner's Signature

Philip King

Date

3/19/10

Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

PROJECT NAME: SUMP PUMP DRAINAGE CHANNEL

PROJECT ADDRESS: 46 NEWTON STREET (04103)

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)

Our neighbor, Anatoly Tabun, 52 Newton Street, has reported having water coming into his basement and believes it is from our basement sump pump, which is drained into the middle of our backyard. While we do not necessarily agree that this is the cause of any water entering his basement, we do want to help with any suggestions he has. His suggestion is that we drain the water to the street, where it can go into the storm drain at the corner of Newton and Harmony. The attached sketch shows the proposed plan.

CHART/BLOCK/LOT: 337 C 51-52-53

CONTACT INFORMATION:

OWNER/APPLICANT/CONSULTANT/AGENT

Name: Stephen & Helen Aylward (owners) Name: _____

Address: 46 Newton Street Address: _____

Portland, Maine 04103

Zip Code: 04103 Zip Code: _____

Work #: 892-6766 x7974 Work #: _____

Home #: 707-5539-749-1751 Home #: _____

Fax #: N/A Fax #: _____

E-mail: saylward@gyplumd.edu E-mail: _____

Criteria for Exemptions:

(See Section 14-523 (4) on page 2 of this application) Applicant's Assessment Planning Division

Y(yes), N(no), N/A Use Only

- a) Is the proposal within existing structures? N
- b) Are there any new buildings, additions, or demolitions? N
- c) Is the footprint increase less than 500 sq. ft.? Y
- d) Are there any new curb cuts, driveways or parking areas? N
- e) Are the curbs and sidewalks in sound condition? N/A
- f) Do the curbs and sidewalks comply with ADA? N/A
- g) Is there any additional parking? N
- h) Is there an increase in traffic? N
- i) Are there any known stormwater problems? Y
- j) Does sufficient property screening exist? Y
- k) Are there adequate utilities? Y

- Original - Planning Division - Copy - Inspections Division and Applicant -

Planning Division Use Only Exemption Granted _____ Partial Exemption _____ Exemption Denied _____

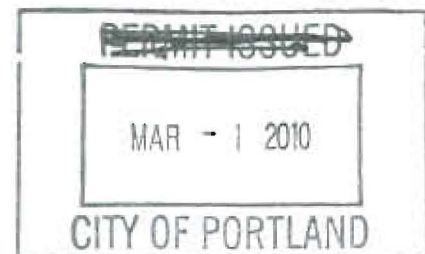
Date _____

Planner's Signature _____

RECEIVED

MAR 1 - 2010

City of Portland
Planning Division



**PROVISION OF PORTLAND CITY CODE
14-523 (SITE PLAN ORDINANCE)
RE: EXEMPTIONS FROM SITE PLAN REVIEW**

Sec. 14-523. Approval required.

No person shall undertake any development without obtaining approval therefore under this article.

- (4) The Planning authority shall exempt from review under all standards in this article developments that meet all of the following requirements:
- a. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
 - b. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
 - c. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive through services provided;
 - d. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
 - e. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
 - f. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
 - g. There are no evident deficiencies in existing screening from adjoining properties; and
 - h. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right of way.

A developer claiming exemption under this subsection shall submit a written request for exemption stating that the proposed meets all of the provisions in standards a-h of this subsection, including an itemized statement by a qualified professional. Upon receipt of such a request, the planning authority will visit the site to verify that the exemption is applicable due to compliance with the standards. The planning authority, after consultation with the public works authority, shall render a written decision within twenty (20) working days after receipt of a written request for exemption that contains all the information required by this subsection. If a full exemption is granted, the application shall be approved without further review under this article, and no performance guarantee shall be required. The planning authority may require full site plan review of a project that meets the criteria of this subsection if it determined 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.

IMPORTANT NOTICE TO APPLICANT

An Exemption from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (874-8703), to determine what other City permits, such as a building permit, will be required.

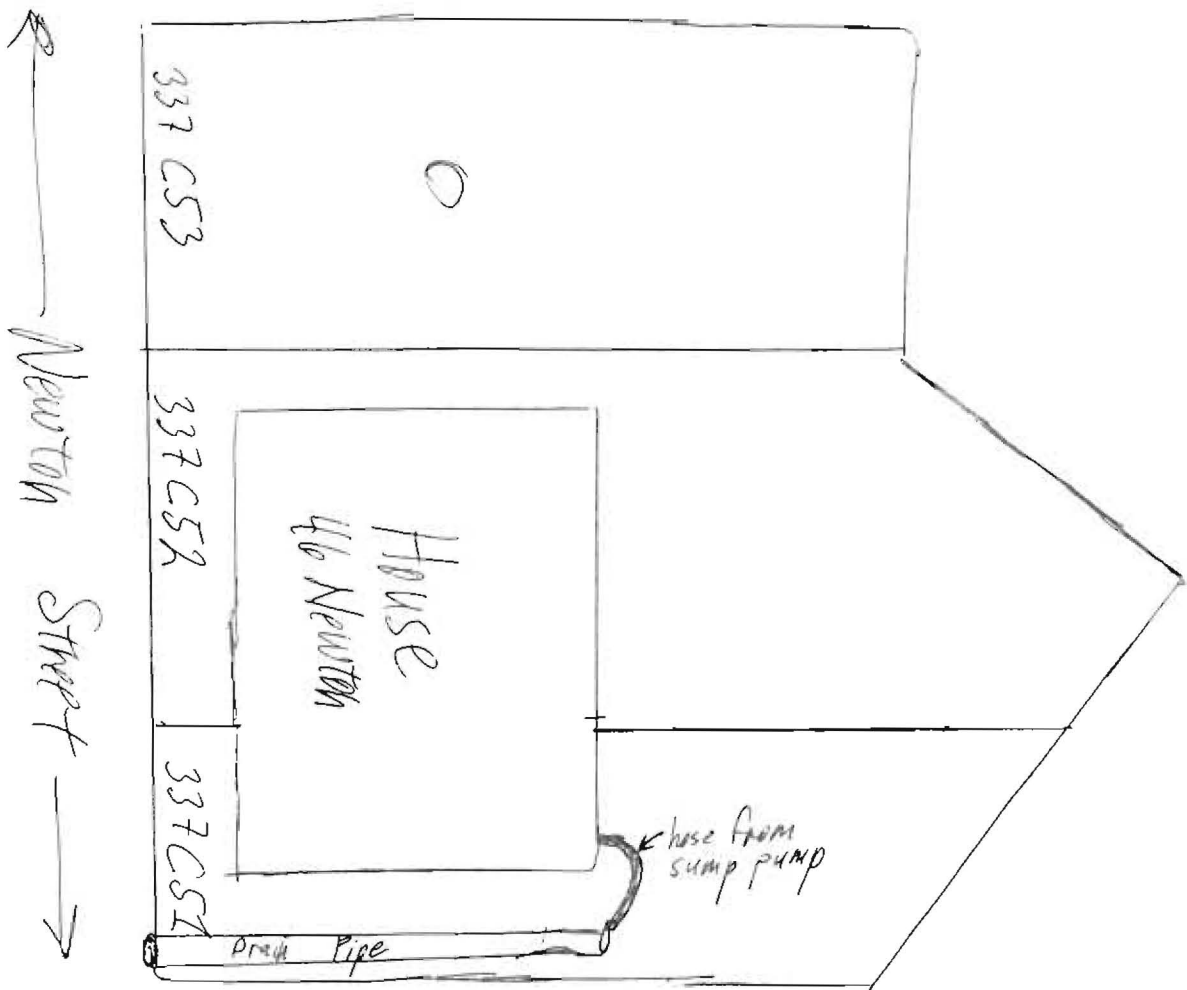
Planning Philip DiPierro

March 19, 2010

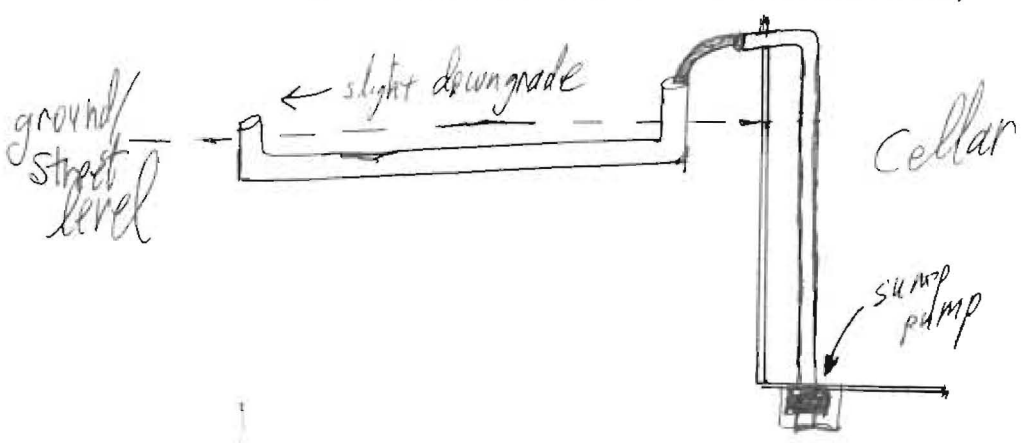
Exemption granted subject to the following condition(s);

- Appropriate erosion control measures shall be maintained throughout the project. As discussed, Low Impact Construction is recommended.

TOP VIEW



SIDE VIEW



From: Stephen Aylward
To: pd@portlandmaine.gov
CC: csh@portlandmaine.gov, SAylward
Date: Thursday - May 21, 2009 5:04 PM
Subject: Sump Pump Drainage Inquiry

Dear Mr. DePierro,

I live at 46 Newton Street and spoke with Chris Hanson this morning about a rainwater drainage issue. He recommended I get with you about it. You were out at the time but your receptionist recommended that I email you--

I'd appreciate your help and guidance about the following problem: We moved to Riverton about 5 years ago. We knew the cellar got water in it after some rainstorms, so we asked a contractor to replace the original pipes under the cellar floor and if necessary install a new sump pump. He did both and the system has worked well for us-- no more wet cellar floor.

We vent the sump pump into the backyard (via a hose) into an indentation that normally creates a small pool after significant rainstorms. This hasn't been an issue for anyone until a couple of weeks ago, when our neighbor at 52 Newton said that his basement had gotten several inches of water in it after the last major rainstorm, and he'd had to purchase and install a pump. He was also concerned that his garage and driveway were sinking (he'd jacked up the garage recently).

I don't necessarily agree with our neighbor that our sump pump is to blame. The area gets a lot of water anyhow, and I think the runoff in the general area has gotten worse over the past few years. Also, he noted that the garage has been sinking for about ten years. However, he was nice rather than confrontational in bringing the matter up, and he's a very good neighbor, so I'd like to help if possible.

One of the things he suggested was that I could drain the water down to the street by laying in a rock-lined drain from our backyard to Newton Street along our joint property line. The water would then flow down to the storm drain near Newton and Harmony.

Personally, I think that a rock-lined drain would lose a lot of water into the ground which would again wind up under his garage, driveway, etc... but that perhaps a pipe or hose system might work, although I'd worry about water remaining in it freezing in the winter and cracking the pipe or hose.

The big issue, of course, is whether doing this is legal. My understanding is that it's legal if the storm drain on Newton near Newton and Harmony is indeed just a storm drain. If it's also a sewer drain or combined storm/sewer drain, then conducting water to it is a violation of ordinances.

Thus, could you tell me if I may drain the sump pump into that storm drain? If not, what else might I do to help ease my neighbor's concerns? (I was thinking of digging a really deep hole in the backyard, filling it with stone, draining the sump pump via a hose to it, and hoping that the water would drain away at a lower level without bothering my

neighbor or anyone else.... probably ridiculous, and as you can see, I'm not a civil engineer!)

Thanks so much for your time!

Sincerely,

Steve Aylward