

PROJECT NAME: Humboldt Project Attachment A.1

PROPOSED DEVELOPMENT ADDRESS:
Humboldt & Van Vechten Sts.

PROJECT DESCRIPTION:
• 3-Lot Subdivision
• 1-Lot Subject to Review

HUMBOLDT ST.: 410-D-19 THRU 26
CHART/BLOCK/LOT: _____ PRELIMINARY PLAN _____ (date)
VAN VECHTEN ST.: 410-D-6-7-8 FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: <u>ARCHIE Giobbi</u> Business Name, if applicable: Address: <u>1184 WASHINGTON AVE</u> City/State: <u>PORTLAND, ME</u> Zip Code: <u>04103</u>	Applicant Contact Information Work # Home# <u>232</u> Cell # <u>207 5343</u> Fax# e-mail: <u>AGIOBBI@MAINE.RR.COM</u>
Owner – (if different from Applicant) Name: Address: City/State: Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: <u>Rick Licht</u> Address: <u>Licht Environment Design, LLC</u> <u>35 FRAN CIRCLE</u> City/State: <u>GRAY, ME</u> Zip Code:	Agent/Representative Contact information Work # Cell # e-mail:
Billing Information Name: <u>SAME AS APPLICANT</u> Address: City/State: Zip Code:	Billing Information Work # Cell # Fax# e-mail: RECEIVED

JAN 30 2012

City of Portland
Planning Division

Applicant's Submittal

A.2

Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:
Surveyor Name: Robt T. Greenlaw, PLS Address: 134 A PORTLAND Ave City/State : Zip Code: OLD ORCHARD BEACH, ME 04064	Surveyor Contact Information Work # Cell # 749-9471 Fax# e-mail: bobgreenlaw@myfairpoint.net
Architect Name: Address: City/State : Zip Code:	Architect Contact Information Work # Cell # Fax# e-mail:
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

A.3

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

Level III Development (check applicable reviews)	Fees Paid (office use)	Other Reviews (check applicable reviews)	Fees Paid (office use)
<input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000) <input type="checkbox"/> over 300,000 sq. ft. (\$5,000) <input type="checkbox"/> Parking lots over 100 spaces (\$1,000) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Traffic Movement (\$1,000) <input type="checkbox"/> Stormwater Quality (\$250) <input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot) # of Lots <u>4</u> x \$25/lot = <u>100.00</u> <input type="checkbox"/> Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ___ x \$200/lot = ___ <input type="checkbox"/> Other _____ <input type="checkbox"/> Change of Use <input type="checkbox"/> Flood Plain <input type="checkbox"/> Shoreland <input type="checkbox"/> Design Review <input type="checkbox"/> Housing Replacement <input type="checkbox"/> Historic Preservation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
The City invoices separately for the following: - Notices (\$.75 each) - Legal Ad (% of total Ad) - Planning Review (\$40.00 hour) - Legal Review (\$75.00 hour) Third party review is assessed separately.			
Plan Amendments (check applicable reviews)	Fees Paid (office use)		
<input type="checkbox"/> Planning Staff Review (\$250) <input type="checkbox"/> Planning Board Review (\$500)	<input type="checkbox"/> <input type="checkbox"/>		

A.4

APPLICATION SUBMISSION

As of December 1, 2010, all site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Until December 1, 2010, Submissions shall include seven (7) packets with folded plans containing the following materials:

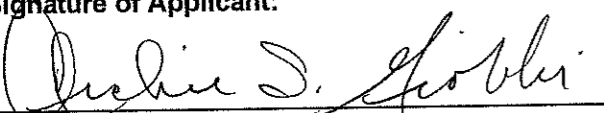
1. **Seven (7) full size site plans** that must be **folded**.
2. Seven (7) copies of all written materials as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: Jan 25, 2012
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A.5

**General Submittal Requirements – Preliminary Plan (Optional)
Level III Site Plan
Preliminary Plan Phase Check list (if elected by applicant)**

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Completed application form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Application fees
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Evidence of right, title and interest.
<input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Copies of required State and/or Federal permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written assessment of zoning.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of existing and proposed easements or other burdens.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written requests for waivers from individual site plan and/or technical standards, where applicable.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of significant natural features located on the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of project's consistency with related city master plans.
<input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	1 (1 paper copy as of Dec. 1)	Neighborhood Meeting Material (refer to page 13 of this application.)
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual.
<input type="checkbox"/> N/A	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Preliminary Site Plan Including the following: (*information provided may be preliminary in nature during preliminary plan phase):
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b) 1. of the Land Use Code).

A.8

PROJECT DATA

(The following information is required where applicable, in order complete the application)

Total Site Area	32,950 s.f. includes	Review Lot	
Proposed Total Disturbed Area of the Site		23,325 s.f.	sq. ft.
<small>(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)</small>			
IMPERVIOUS SURFACE AREA		N/A	sq. ft.
• Proposed Total Paved Area			sq. ft.
• Existing Total Impervious Area			sq. ft.
• Proposed Total Impervious Area			sq. ft.
• Proposed Total Impervious Area			sq. ft.
• Proposed Impervious Net Change			
BUILDING AREA		N/A	sq. ft.
• Proposed Building Footprint			sq. ft.
• Proposed Building Footprint Net change			sq. ft.
• Existing Total Building Floor Area			sq. ft.
• Proposed Total Building Floor Area			sq. ft.
• Proposed Building Floor Area Net Change			(yes or no)
• New Building			
ZONING			
• Existing		R-3	
• Proposed, if applicable		R-3	
LAND USE			
• Existing		ZONED RESIDENTIAL	
• Proposed		RESIDENTIAL	
RESIDENTIAL, IF APPLICABLE			
• Proposed Number of Affordable Housing Units			
• Proposed Number of Residential Units to be Demolished			
• Existing Number of Residential Units			
• Proposed Number of Residential Units			
• Subdivision, Proposed Number of Lots		3 plus 1 "under review" (4)	
PARKING SPACES		N/A	
• Existing Number of Parking Spaces			
• Proposed Number of Parking Spaces			
• Number of Handicapped Parking Spaces			
• Proposed Total Parking Spaces			
BICYCLE PARKING SPACES		N/A	
• Existing Number of Bicycle Parking Spaces			
• Existing Number of Bicycle Parking Spaces			
• Proposed Number of Bicycle Parking Spaces			
• Total Bicycle Parking Spaces			
ESTIMATED COST OF PROJECT		\$ 3500.00	

A-9

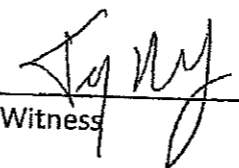
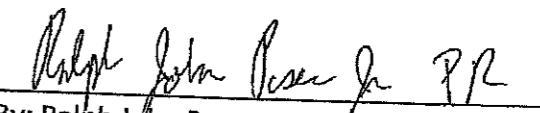
Deed of Sale by Personal Representative (Testate)
MAINE STATUTORY SHORT FORM

KNOW ALL MEN BY THESE PRESENTS, that **Ralph John Pesce, Jr.**, of 22 Pheasant Ridge, Hollis, ME 04042, duly appointed and acting Personal Representative of the Estate of **Ralph John Pesce, Sr.**, deceased (testate), as shown by the probate records of Cumberland County, Maine, and having obtained signed waivers of the 10 day notice requirement from each person with an interest in the real property described in Exhibit A, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to **Archie S. Giobbi and Matilda M. Giobbi**, of 1184 Washington Avenue, Portland, ME 04103, as joint tenants, the following described real property:

See attached Exhibit A

Witness my hand and seal this 9th day of January, 2012.

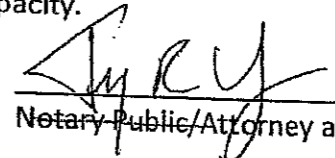
Signed, sealed and delivered in the presence of:

<p>Witness <u></u></p>	<p>Estate of Ralph John Pesce, Sr <u></u> By: Ralph John Pesce, Jr. Personal Representative</p>
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STATE OF MAINE
COUNTY OF Cumberland, ss

Date: January 9, 2012

Personally appeared the above-named **Ralph John Pesce, Jr.** and acknowledged the foregoing to be his free act and deed in his said capacity.

Before me, 
 Notary Public/Attorney at Law
 Print name: Jeffrey R. Vigue, Attorney at Law
 My commission expires: _____

A. 10

EXHIBIT A

A certain lot or parcel of land located on the southwesterly sideline of Humboldt Street, so-called, and on the northeasterly sideline of Van Vechten Street, so-called, in the City of Portland, County of Cumberland and State of Maine and shown as Lot #2 on the plan titled "Standard Boundary Survey and Division Plan, Land of Ralph J. Pesce, 74 Huntington Avenue, Portland, Maine" dated December 2010 as revised through November 2, 2011, by Berry Huff McDonald Milligan, Inc.; 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 Humboldt Street at the southeasterly corner of land now or formerly of Henry A. Caiazza and William I. Caiazza;

thence S 33°-44'-12" E along the southwesterly sideline of said Humboldt Street a distance of 143.02 feet to a capped iron rod to be set (PLS #2190) and remaining land of Ralph J. Pesce;

thence S 56°-15'-48" W along the remaining land of Ralph J. Pesce a distance of 100.12 feet to a capped iron rod to be set (PLS #2190) and land now or formerly of Sheree L. Forrest;

thence N 33°-44'-12" W along the land of said Forrest a distance of 52.91 feet to a capped iron rod to be set (PLS #2190);

thence S 56°-12'-06" W along the land of said Forrest a distance of 100.12 feet to a capped iron rod to be set (PLS #2190) and the northeasterly sideline of said Van Vechten Street;

thence N 33°-44'-12" W along the northeasterly sideline of said Van Vechten Street a distance of 90.00 feet to a capped iron rod to be set (PLS #2190) and land of said Caiazza;

thence N 56°-12'-06" E along the land of said Caiazza a distance of 200.24 feet to the point of beginning.

The above described parcel contains 23,325 s.f. All bearings refer to Grid North.

Being a portion of the premises described in a deed from Nancy Louise Clarke, et al, to Ralph J. Pesce and Grace A. Pesce, as joint tenants, dated November 9, 1962 and recorded in the Cumberland County Registry of Deeds in Book 2716, Page 122. Grace A. Pesce died October 12, 2002, leaving Ralph J. Pesce the surviving joint tenant. The said Ralph J. Pesce died July 9, 2011, reference is made to Probate Abstract recorded in Book 28904, Page 13 in said Registry.

A. 11

Planning Dept.
4th floor
389 Congress Street
Portland, Maine 04101
Re: Cover Letter- Humboldt Project

Jan. 25, 2012

Dear Staff,

The subject properties:

1. A 23,325 parcel of land to be considered for a 3-lot Subdivision.
2. A parcel of land of 9,625 with residence for subdivision review.

These properties were originally owned by Ralph Pesce Sr. with the address being 74 Huntington Ave.. The original property was approx. 32,950 sf of land with residence.

Mr. Pesce passed away in 2011 and his heirs sold the residence with a 9,625 sf lot, leaving a parcel of land of 23,325 sf. the subject parcel for subdivision.

I, the applicant, has recently purchased the subject parcel and submit to the Planning Staff my request for a Level III - subdivision consisting of a 3-lot subdivision: 2-lots on Humboldt St. and 1- lot on Van Vechten St.

Also, 1 additional parcel subject to subdivision review.(the house and land sold in October 2011)

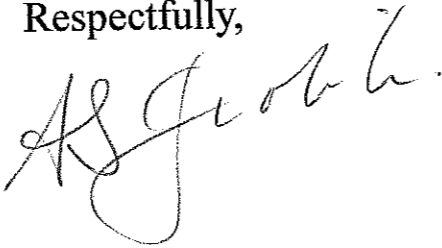
As you can see, I have submitted on my plan , my desire to sell 2 parcels of the land to an Abutter, Bill Caiazzo who contacted me with his desire to purchase abutting pieces of land.

I will soon submit my subdivision application but at this time , I will not pursue Site Plans.

A.12

In my presentation, you will find the required materials for review by Planning Staff and the Planning Board and will attempt to supply all information to such boards to expedite a subdivision approval.

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103

Respectfully,


A.13

Jan. 25, 2012

Planning Dept,
4th Floor
City of Portland
389 Congress St.
Portland, Maine 04101

Re: Waiver of Individual Site Plans.

Dear Staff,

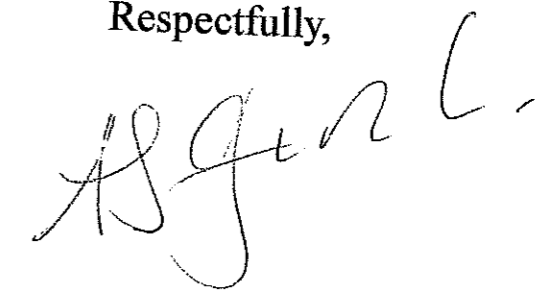
This letter is to request a waiver of Site Plans that are included on a Level III development.

At this time, I will ask that I can move forward with the Subdivision aspect of Level III development and submit my Site plans after a Subdivision decision.

Thank You for your consideration.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103

A handwritten signature in black ink, appearing to read "Archie and Matilda Giobbi", written in a cursive style.

A. 14

Jan. 25, 2012

Planning Dept.
4th Floor
City of Portland
389 Congress St.
Portland, Maine 04103

Re: Traffic Analysis
Humboldt Project

Dear Staff,

The Humboldt Project is located within the Ray Gardens development. Ray Gardens is located off Ray St. with its entrance from Ivaloo St.

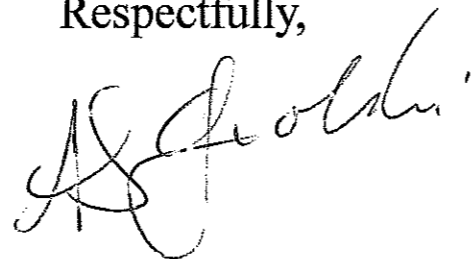
There is no pass-through traffic in Ray Gardens as all traffic is created by the residents of the development and any visitors or tradesmen servicing the residents.

The traffic impact will be negligible not only to the Ray Gardens development but to Humboldt St., as well, since there are only 10 homes on Humboldt St.

Thank You for your consideration.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103

A handwritten signature in cursive script, appearing to read "Archie and Matilda Giobbi".

A.15

Planning Staff
4th Floor
City of Portland
Congress St.
Portland, Maine 04101

Re: Filling of Humboldt Property.

Dear Staff,

The main reason the subject property is wet is the development of the neighborhood. The property, I am sure, is in its original state since the Ray Gardens subdivision of 1914. This property is no different than the property surrounding it, just undeveloped.

Secondly, the continued drainage from Abutters has created what the DEP classifies as insignificant wetlands, ie, Areas saturated for long periods during the growing season but seldom flooded. (DEP)

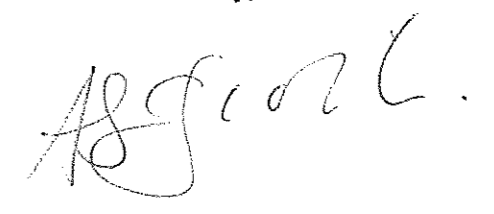
The continued drainage was a reason for the City to acquire easements to install a Field Drain on the property abutting the subject property. The property abutting the subject property is under review in the subdivision request.

Also, contributing to the problem, is the runoff from Van Vechten St.. Over time, the City has maintained Van Vechten St., an unpaved Street and have brought in fill, graded the road and also elevated the road grade in doing so. This road elevation has contributed to additional runoff onto the subject property for not all runoff is accumulated in the ditches.

Lastly, a similiar property on Van Vechten St., directly across from the subject lot, was granted approval from DEP to fill the entire parcel measuring 24,00sf.

Thank You.

Respectfully,



A 16

Jan.25, 2012

Planning Dept.
4th floor
City of Portland
389 Congress St.

Re: Existing Easements - Humboldt project

Dear Staff,

At present, the subject properties, originally known as 74 Huntington Ave. and owned by Ralph Pesce Sr. enjoys the benefit of an existing easement. (see attached exhibits)

This easement benefits the entire and original parcel of 32,950 sf with Pesce's residence.

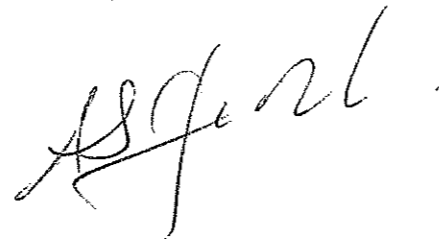
I believe this Storm Drain easement will continue to serve all lots that will be derived by subdivision.

The Storm Drain easement has managed very well to control the stormwater on this original lot as well as the stormwater drainage from the neighboring developed lots.

With Storm Drains on Humboldt St. as well as proposed storm drains on Van Vechten st. and the existing drainage system, any and all water runoff will be more than sufficiently controlled.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103



A. 17.

09154

KNOW ALL MEN BY THESE PRESENTS,

THAT WILLIAM E. AUDETTE and FRANCES B. AUDETTE, of Portland in the County of Cumberland, State of Maine, being joint tenants, hereinafter Grantors, for consideration paid, grant to the CITY OF PORTLAND, a body politic and corporate, whose mailing address is 389 Congress Street, Portland, Maine, its successors and assigns, with WARRANTY COVENANTS, an easement and right-of-way thirty (30) feet in width for a storm drain, over, upon, across, in, through, and under the property described as parcel 10 on page 2 of a Plan entitled, "Ray Gardens Reconstruction, Right of Way Plan, City of Portland, Maine, Parks and Public Works Department, Engineering Division", Plan #594/16, on file with the Public Works Department, City of Portland, City Hall, 389 Congress Street, Portland, Maine, encompassing a total area of one thousand five hundred thirty (1,530) square feet; reserving, however, to the undersigned, their heirs and assigns, the right to utilize and enjoy the above-described premises providing the same shall not interfere with the construction, maintenance, repair, inspection or operation of said storm drain, and providing further that the Grantors shall not erect or place any building or tree on the above-described right-of-way.

Grantors, by this document, grant to the City of Portland the perpetual right or privilege to enter at any and all times upon the above-described parcel or lot of land for the purpose of constructing, maintaining, repairing, replacing, and removing said storm drain.

Grantors do covenant with the said Grantee, City of Portland, its successors and assigns, that they are lawfully seized in fee of the premises and that they are free of all encumbrances, that the Grantors have good right to convey the same to the said Grantee to hold as aforesaid, and that the Grantors shall and will WARRANT and DEFEND the same to the said Grantee, its successors and assigns forever, against the claims and demands of all persons.

WITNESS our hands and seal this 9th day of February, 1985, 1984.

WITNESS:

Philip Perreault

William E. Audette
William E. Audette

Philip Perreault

Frances B. Audette
Frances B. Audette

A. 18

09156
KNOW ALL MEN BY THESE PRESENTS,

THAT RALPH J. PESCE and GRACE A. PESCE, of Portland in the County of Cumberland, State of Maine, being joint tenants, hereinafter Grantors, for consideration paid, grant to the CITY OF PORTLAND, a body politic and corporate, whose mailing address is 389 Congress Street, Portland, Maine, its successors and assigns, with WARRANTY COVENANTS, an easement and right-of-way thirty (30) feet in width for a storm drain, over, upon, across, in, through, and under the property described as parcel 11 on page 2 of a plan entitled, "Ray Gardens Reconstruction, Right of Way Plan, City of Portland, Maine, Parks and Public Works Department, Engineering Division", Plan #594/16, on file with the Public Works Department, City of Portland, City Hall, 389 Congress Street, Portland, Maine, encompassing a total area of three hundred thirty (330) square feet; reserving, however, to the undersigned, their heirs and assigns, the right to utilize and enjoy the above-described premises providing the same shall not interfere with the construction, maintenance, repair, inspection or operation of said storm drain, and providing further that the Grantors shall not erect or place any building or tree on the above-described right-of-way.

Grantors, by this document, grant to the City of Portland the perpetual right or privilege to enter at any and all times upon the above-described parcel or lot of land for the purpose of constructing, maintaining, repairing, replacing, and removing said storm drain.

Grantors do covenant with the said Grantee, City of Portland, its successors and assigns, that they are lawfully seized in fee of the premises and that they are free of all encumbrances, that the Grantors have good right to convey the same to the said Grantee to hold as aforesaid, and that the Grantors shall and will WARRANT and DEFEND the same to the said Grantee, its successors and assigns forever, against the claims and demands of all persons.

WITNESS our hands and seal this 9th day of February, 1985.

WITNESS:

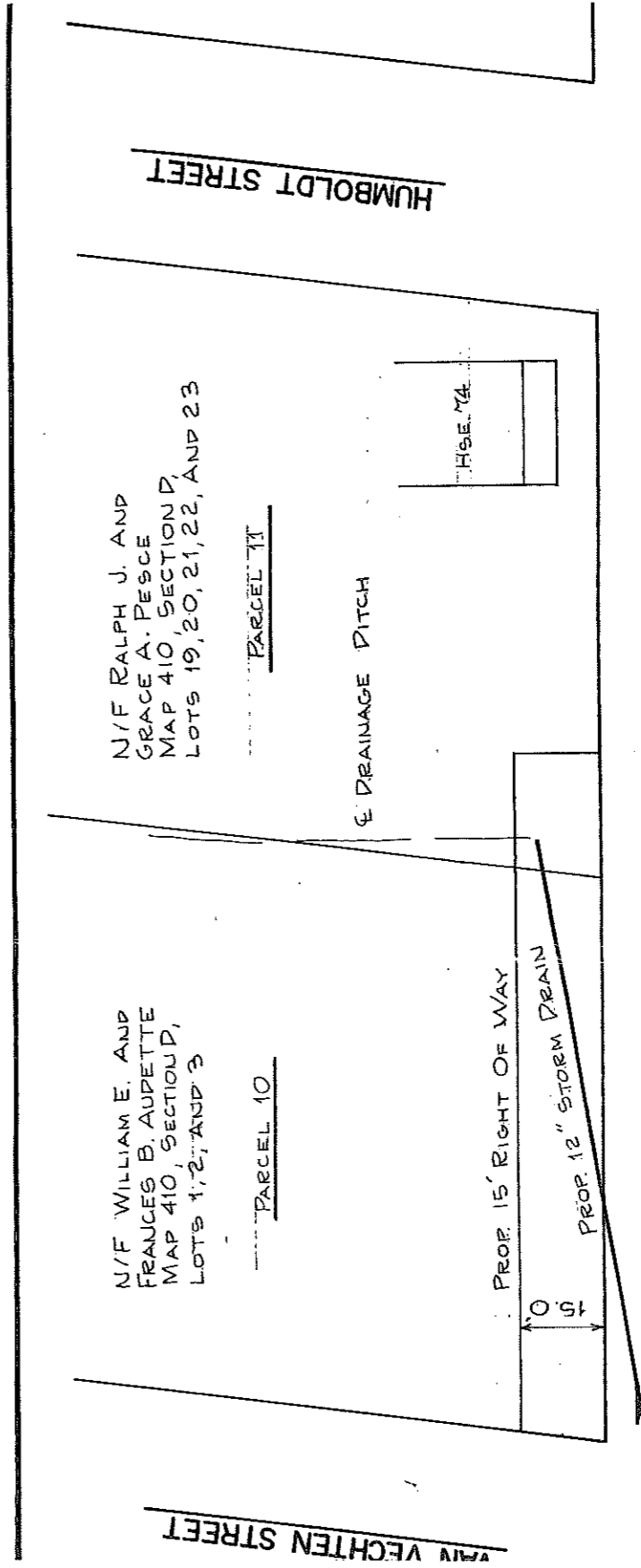
Philip Pessington

Ralph J. Pesce
Ralph J. Pesce

Philip Pessington

Grace A. Pesce
Grace A. Pesce

A.19



HUNTINGTON AVENUE

A.20

Jan. 25, 2012

Planning Dept.
4th floor
City of Portland
389 Congress St.
Portland, Maine 04101

Re: Significant Natural Features.
Humboldt Project

Dear Staff,

This property, the Humboldt Project, has recently been delineated by Mark Hampton Associates and his report on the land is attached to this letter.

He has indicated that there is Wet Meadows category of Wetlands and that they are not classified as significant by DEP.

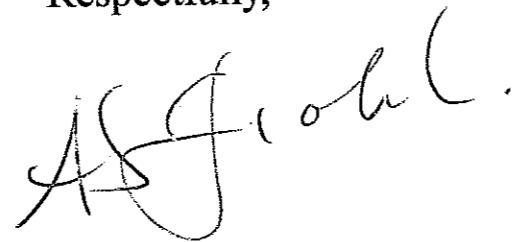
The Land is level and possesses no natural features of which we are aware.

The Land is no different than that of the abutting properties that has been developed with single family homes.

Thank You.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103

A handwritten signature in cursive script, appearing to read "Archie and Matilda Giobbi".

A.21



MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

3140
December 2, 2011

Mr. Archie Giobbi
1184 Washington Ave.
Portland, ME 04103

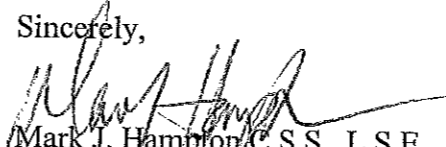
Re: Delineation of wetlands, 32 Van Vechten Street, Portland, Maine

Dear Archie,

I recently completed a delineation of wetlands a parcel of land at 32 Van Vechten Street in Portland, Maine. The wetland delineation was completed in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual. This manual requires the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

The wetlands I found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located using GPS equipment. This location data has been placed on the boundary survey of the parcel and is included with this letter. The wetlands found onsite are wet meadow wetlands. The wet meadow wetlands found on the parcel are associated with the fact that all parcels surrounding this parcel have been previously developed and filled to direct all surface runoff toward this parcel. The water does move to the south entering a stormwater system at the street. These wetlands do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection.

If you have any questions or require additional information, please contact me.

Sincerely,

Mark J. Hampton C.S.S., L.S.E.
Certified Soil Scientist #216
Licensed Site Evaluator #263

A.23

Jan, 25, 2012

Planning Dept.
4th Floor
City of Portland
389 Congress St.
Portland, Maine 04101

Re: Neighborhood Meeting Material

Dear Staff,

Subdivisions of 5 or more lots require a neighborhood meeting and the Humboldt Project consists of 3 lots and 1 lot under review.

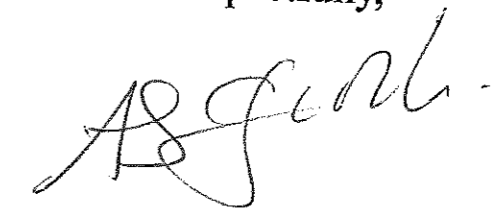
Therefore, I have not planned for a meeting.

I have submitted a waiver of the individual Site Plans, within this packet, and acceptance of this waiver by Staff will permit me to file for Site Plans at a later date.

Thank You for your consideration.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103



A.24

Jan. 25, 2012

Planning Dept.
4th Floor
City of Portland
389 Congress St.
Portland, Maine 04101

Re: City of Portland Master Plan
Humboldt Project

Dear Staff,

I believe this project is consistent with the City's Master Plan as it fits into the present zoning of the area which is R-3.

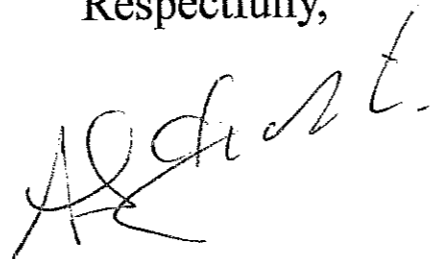
I am not aware of any planned changes to the area's zoning from R-3.

This area is suited for R-3 Affordable Housing and the Humboldt Project will eventually add to the affordable housing situation which I am sure that the City's Master Plan makes reference to: Affordable Housing in Portland.

Thank You for your consideration,

Respectfully,

Archie And Matilda Giobbi
1184 Washington Ave,
Portland, Maine 04103



A.25

Jan. 25, 2012

Planning Staff
4th Floor
City of Portland
Congress St.
Portland, Maine 04101

Re: Level III - Submittals

Dear Staff,

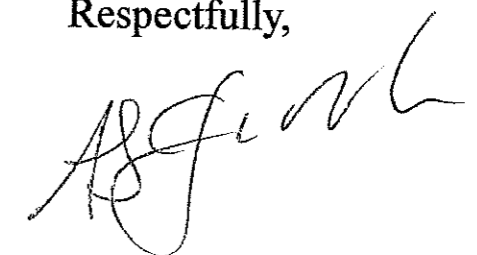
I, the applicant, am forwarding to the Planning Staff the General Submittal requirements of the Level III- Development Review Application.

I have opted to submit these requirements as I would like to first pursue the subdivision portion of the Level III application.

Thank You.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103



A.26

JAN. 25, 2012

Planning Dept.
4th floor
City of Portland
389 Congress St.
Portland, Maine 04103

Re: Written Assessment of Zoning

Dear Staff,

The Humboldt Project is not requesting a Zone change from the present R-3 Zone.

Respectfully,

Archie and Matilda Giobbi
1184 Washington Ave.
Portland, Maine 04103

A handwritten signature in cursive script, appearing to read "Archie and Matilda Giobbi".



Attachment B.1

March 27, 2012

Jean Fraser, Planner
Planning and Urban Development Department
Portland City Hall
389 Congress Street
Portland, Maine 04101

Humbolt Project Subdivision, Archie Giobbi
Humbolt Street, Huntington Street and Van Vechten Avenue
Responses to Staff Comments Letter of February 12, 2012: Stormwater and Wetlands

Dear Jean:

This letter is being submitted as an attachment to Archie Giobbi's letter of March 27th, 2012 to provide additional information in response to Item-Wetlands, Item 4- Drainage and Item 6-Utilities of your staff review letter dated February 12, 2012. The following information and supporting plans also provide additional detail to address comments of the review memorandum from David Senus, PE dated February 10, 2012 with regards to stormwater management.

Item 3 - Wetlands:

The attached Lot Development Plan, Sheet C-101 provides proposed building locations, grading and wetland fill required to provide a "reasonable" use of the lot while being very conservative to minimize and avoid wetland impacts to the greatest degree possible. The lot grading and first floor elevations are dictated by the ability to gravity drain the basement footing drains to the street storm drain system and provide for only minimal lawn areas. Total wetland impacts for Lots 1, 2 and 3 are approximately 9,000+/- square feet (s.f.) qualifying for a DEP Natural Resource Protection Act (NRPA) Tier 1 permit.

We have met with a representative of the DEP to review the plan and a NRPA application will be filed this week with the Department.

Item 4 - Drainage:

I have discussed stormwater management with David Margolis-Pineo and David Senus to review options for meeting DEP Chapter 500 and City Chapter 25 Stormwater Management rules. The lots are located in the Fallbrook Watershed - an Urban Impaired watershed as you are aware. As such DEP Basic, General and Flooding Standards apply.

The lots being small (6,500 - 7,000) s.f. and with very conservative lawn and driveway areas - create minimal impervious and developed area contributing to the Fallbrook watershed. All surface stormwater generally drains to the south either along Van Vechten Street road swales or via a shallow grass swale on the south side of the existing Lot 4 to a 12 inch City inlet culvert and headwall.

→
cumulative with
other 5 lots



B.2

The attached *Exhibit 1* – Treatment Summary demonstrates that the subdivision will add approximately 4232 s.f. (<0.10 acre) of impervious area and 16,032 s.f. (0.37 acre) of developed area¹.

The plans propose DEP Roofline Drip Edges for the three new lot structures providing 100% treatment and flooding standard mitigation. *Exhibit 2* – Roof Dripline Table provides calculations for each proposed lot. Additionally options for DEP treatment BMP's were reviewed to "treat" the remaining developed areas, however due to anticipated high groundwater we feel that such devices (underdrained soil filter bed or bio retention cell) would not be applicable. Rather, we have proposed a LID BMP raingarden (bio-cell) to replace the grass swale on Lot 4 based on DEP residential scale development standards to provide additional treatment and storm flow attenuation. Plan C-100 provides a conceptual plan and grading for this BMP for staff review recognizing that as stated above, it would be difficult to engineer a DEP device to meet specific treatment levels. Stormwater would continue to enter the 12 inch culvert and 30 inch Huntington Avenue City storm drainage system as it currently does.

This approach is widely recognized as both providing significant stormwater treatment and is appropriate to deal with small residential properties which cannot support fully designed DEP BMP devices. We encourage Staff to accept this green and sustainable approach to an urban infill site with minimal impact to the watershed. A drainage easement over this swale is proposed as well.

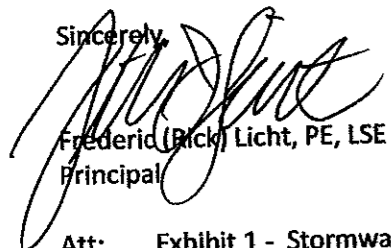
The applicant is prepared to pay into a Compensation Fee in Lieu of program to offset the additional impervious are within the Urban Impaired Watershed, if that opportunity is available as suggested in Mr. Senus' memo. However if this program is not fully adopted and available perhaps the City could consider approving the stormwater management plan with a condition that such fees be paid into a separate escrow account for the same purpose – to contribute towards offsite stormwater improvements?

Item 6 – Utilities:

Plan C-100 provides proposed sewer, water, foundation drainage and overhead electric/communications utility services for Lots 1 and 2. Lot 3 services are not proposed at this time and presumably would be conditioned upon approval upon the construction of Van Vechten Street.

Please do not hesitate to contact me should you require additional information during your ongoing staff review.

Sincerely,



Frederic (Rick) Licht, PE, LSE
Principal

Att: Exhibit 1 - Stormwater Treatment Summary
Exhibit 2 - Roof Drip LineTable

Cc: Archie Giobbi
Bob Greenlaw

¹ "Developed" area includes impervious and landscaped/lawn areas per DEP Chapter 500 Rules.

B.3

revised

C100

PRELIMINARY CITY SUBMITTAL 3/27/12

REVISIONS

DATE: MARCH 27, 2012
DRAWN/CHECKED BY: MVS
SCALE: 1" = 20'
PROJECT NO: 1210

HUMBOLT PROJECT
PORTLAND, MAINE
ARCHITECTS: GIORRI
184 WASHINGTON AVENUE
PORTLAND, MAINE 04103

Blais
PLANNING SERVICES INC.

PROJECT MANAGER
ENVIRONMENTAL DESIGN, LLC
LIGHT
35 PARK CENTRAL DRIVE, SUITE 200
PORTLAND, MAINE 04103

NOT FOR CONSTRUCTION



BUILDING P.F.E., SEWER AND FOUNDATION DRAIN INVERTS

LOT NUMBER	FOUNDATION DRAIN	SEWER	APPROX. FIN. FLOOR ELEVATION	APPROX. FIN. GRADE ELEVATION	APPROX. FIN. DRAIN ELEVATION	APPROX. FIN. SEWER ELEVATION
1	60.00	70.00	84.00	84.00	84.00	84.00
2	61.50	70.50	84.25	84.25	84.25	84.25
3	62.00	71.00	84.50	84.50	84.50	84.50

INVERT NOTES:
 1. SEWER INVERTS BASED ON 8" INCH DIAMETER AT SPREADERS OF 10' MAX.
 2. 10' INVERT BASED ON MATCHING CORNER OF 4' HIGH (2.1' HIGH HANDBOLT)
 3. 10' INVERT TO BE DEVELOPED WITH VAN VECHTEN ST. IMPROVEMENTS MARSHALL BLANK, INC.
 4. 10' INVERT TO BE DEVELOPED WITH GROVE ROAD IMPROVEMENTS MARSHALL BLANK, INC.
 5. 10' INVERT TO BE DEVELOPED WITH HUNTINGTON ST. IMPROVEMENTS MARSHALL BLANK, INC.
 6. 10' INVERT TO BE DEVELOPED WITH GROVE ROAD IMPROVEMENTS MARSHALL BLANK, INC.

GENERAL NOTES:
 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
 2. BUILDING LOCATIONS, SIZES AND ELEVATIONS ARE SHOWN TO CORRESPOND WITH THE RECORD PLANS AND FIELD SURVEY. THE EXACT BUILDING LOCATIONS TO BE DETERMINED BY A PROFESSIONAL SURVEYOR.
 3. FINISH GRADES MAY VARY FROM THOSE SHOWN. REFER TO THE FIELD SURVEY FOR THE EXACT FINISH GRADES AND CONDITIONS SHALL PREVAIL OVER THIS PLAN.
 4. LOT 3 IS NOT TO BE CONSTRUCTED UNTIL IMPROVEMENTS TO VAN VECHTEN STREET AND GROVE ROAD ARE COMPLETED. THE EXACT BUILDING LOCATIONS AND SIZES TO BE DETERMINED IN THE FIELD AND COORDINATED WITH THE PORTLAND DEPT. OF PUBLIC SERVICES.
 5. WEAPONS RANGE TRAILERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PLAN REFERENCES

1. EXISTING CONDITIONS SURVEY FIELD, EXISTING CONDITIONS PLAN AT HANBOLT, SCALE 1" = 20', DATE 03/27/12, PROJECT NO. 1210, DRAWN BY MVS, CHECKED BY MVS, DATE 03/27/12.
2. EXISTING CONDITIONS SURVEY FIELD, EXISTING CONDITIONS PLAN AT HANBOLT, SCALE 1" = 20', DATE 03/27/12, PROJECT NO. 1210, DRAWN BY MVS, CHECKED BY MVS, DATE 03/27/12.
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5. EXISTING CONDITIONS SURVEY FIELD, EXISTING CONDITIONS PLAN AT HANBOLT, SCALE 1" = 20', DATE 03/27/12, PROJECT NO. 1210, DRAWN BY MVS, CHECKED BY MVS, DATE 03/27/12.
6. EXISTING CONDITIONS SURVEY FIELD, EXISTING CONDITIONS PLAN AT HANBOLT, SCALE 1" = 20', DATE 03/27/12, PROJECT NO. 1210, DRAWN BY MVS, CHECKED BY MVS, DATE 03/27/12.

B.4

Gibbi Humbolt Project, Portland DEP C 500 Stormwater Treatment Summary												
09-22-22												
AREA	NEW IMPERV. AREA (SF) BY TYPE		TOTAL IMP. AREA (SF)	LANDSCAPE AREA (SF)	TOTAL DEVELOPED AREA (SF)	RDE BMP		RESIDENTIAL RAINGARDEN BMP		TREATED AREAS SUMMARY		
	Roofs	Walks/Drives				IMP AREA TREATED	LANDSCAPE AREA TREATED	IMP AREA TREATED	LANDSCAPE AREA TREATED	TOTAL DEV AREA	TOTAL IMPERV	
Lot 1	768	420	1188	2750	3938	768	180	180	1800	2748	948	
Lot 2	768	480	1248	5000	6248	768	180	180	3000	3948	948	
Lot 3	1196	600	1796	4050	5846	1196	0	0	2000	3196	1196	
TOTALS	2732	1500	4232	11800	16032	2732	360	360	6800	9892	3092	
IMPERVIOUS Target Req'd Treatment Treatment Achieved	4020	3092	95%	BMP TYPES USED: 1. DEP ROOFLINE DRIP EDGE (RDE) 2. RESIDENTIAL RAINGARDEN LID - NON DEP CHAPT. 500 DESIGN								
DEVELOPED Target Req'd Treatment Treatment Achieved	12826	9892	80%									

Giobbi Humbolt Project Portland DEP Roofline BMP Sizing										03-22-12
Lot	Buildings		Volume Stone Required (CF)		Perimeter Length (ft)	Dimensions of Drip Edge		Volume Provided (CF)		
	Dimensions (ft)	Roof Area (sf)	General Standard 1 inch	Flooding Standard 5.4 inches		Width (ft)	Stone Depth (ft)			
1	24 x 32	768	64	346	64	3.75	1.5	360		
2	24 x 32	768	64	346	64	3.75	1.5	360		
3	26 x 46	1196	100	538	92	3.75	1.6	552		
NOTES:										
1. Stone storage volume = 40% voids										
2. Perimeter Length only includes 2 leading edges of roof										
3. See Plan Detail for specifics on filter media and outlet										

B.5

B.6

March 27, 2012

Jean Fraser, Planner
Planning Staff
4th Floor
City of Portland

Re: Submission Information
Requested by Planner on Feb. 21, 2012 letter – Humboldt Project

Dear Jean,
Below you will find requested information.

Planner:

1. **Subdivision Plan (Plat) (as received 2.17.2012):** A complete subdivision plat is required. This should:
 - Comply with the Subdivision Plat requirements as set out in 14-496 (copy attached);
 - Show and label the boundaries of the 4 lots clearly and also outline the existing buildings on the lots surrounding the site;
 - Show existing trees, proposed treesaves and proposed street trees;
 - Show calculations and information for the 4 lots that comprise this one subdivision (the lot with an existing house is part of the subdivision); and

Submission Plan (Plat) revised.

- Address the following survey comments:
 - i. Note 6 is in conflict as it says the bearings are magnetic and the horizontal Datum is NAD83. Bearings for the two systems are not the same.

Corrected

- ii. Note 6 stated that "New survey control monuments were set and labled (sic) hereon." This was not done, and new monuments are not shown as set. Please show State Plane Coordinates for the three foot offset monuments at Van Vechten/Huntington, Demerest/Huntington, Humboldt/Huntington, and Humboldt/Marlborough.

Corrected

- iii. Tie lines (bearings and distances) are needed from the monuments at Van Vechten/Huntington and Humboldt/Huntington to the nearest street line corners of the block in which the subdivision resides. B.7

Shown on revised Plat

- iv. Plan does not state if the monument at Humboldt and Marlborough was held, or if it was a three foot offset monument; Plan does not state that any of the monuments are three foot offset monuments for the two streets they reference.

Corrected and Stated

Zoning: I have received the following comments from the Zoning Administrator:

I have made a preliminary review of the submission for this proposed 4 lot subdivision. The subdivision/site plan is not at all clear. The boundaries of the lots are not clear. There is no information on the 4th lot containing the existing dwelling. What is the lot size? How much area is being conveyed to the abutter, Calazzo?

I am also confused by the surveyor who has signed and sealed with his name that the subject parcel is only 23,325 square feet in size. Whereas the applicant claims on the Project Data sheet that the total site area is 32,325 square feet. What is the correct information?

At this time I can not complete my zoning review based upon the confusing and questionable submission.

Corrected

Wetlands: Please show on a plan the proposed building locations for the three undeveloped lots (which would meet setback requirements and allow for drainage to all yards) in relation to the identified wetlands and provide a calculation showing the square footage of wetlands that would need to be filled in. This will clarify what level of MDEP permit is needed. Any MDEP permit needs to be obtained and submitted prior to final subdivision plat being signed by the Planning Board.

Plan submitted in packet. Applicant to apply to MDEP for Tier 1.

SEE ATTACHED.

4. **Drainage:** In your submission you describe the various contributing factors that have caused so much of this site to be wet. The subdivision plat (or a separate drainage plan) needs to show a stormwater management plan that shows how drainage for the existing house and the proposed development of the other three lots will be revised to meet the City and MDEP stormwater management rules. This subdivision may also be subject to additional requirements because it falls within the watershed of the Fall Brook, an urban impaired stream.

*Separate Drainage plan enclosed. Watershed of fall Brook noted.
SEE ATTACHED*

5. **Access:** Please clarify how the lot fronting onto Van Vechten Street will be accessed, since Van Vechten has not yet been upgraded or accepted by the City.

Applicant requests the Lot to be deemed "Unbuildable" until Van Vechten road completed. See letter attached from applicant's Attorney.

6. **Utilities :** Please clarify how the proposed new homes on the three undeveloped lots will be served and provide capacity letters from the sewer and water utilities.

Done

7. **Sidewalks and curbing:** Please note that the previous waiver of these on Van Vechten Street related to a particular type of drainage (as shown on approved plans) and that this waiver does not automatically apply to the subdivision application now under consideration.

Applicant requests (letter enclosed) the City to honor the 14-403 approved application.

8. **Right, title and Interest:** Please submit evidence of right, title and interest for the lot fronting onto Huntington Street.

Lot fronting on Huntington Ave, (# 74) is owned by Beverly Harrigan. Deed enclosed. This lot required as a " under review " lot.

Robert G. Smith

Jean Fraser, Planner
Portland Planning Staff
4th Floor
City of Portland

B.9

Re: Humboldt Project: Sidewalks / Curbs
Special Exception request for lot fronting on Van Vechten St.

ISSUE # 7

Dear Jean,

I, the applicant, am requesting a " Special Exception " to the sidewalks / curbs on the matter of the Van Vechten street lot in my 4-lot subdivision.

I had worked diligently on preparing all required submissions to complete the 14-403 road extension of Van Vechten street. Approval was granted in June 2011 and approved with waivers on both sidewalks and curbs.

The Engineering Services submitted by Peter Dalfonso took into consideration all Drainage issues in his design of Van vechten Street.

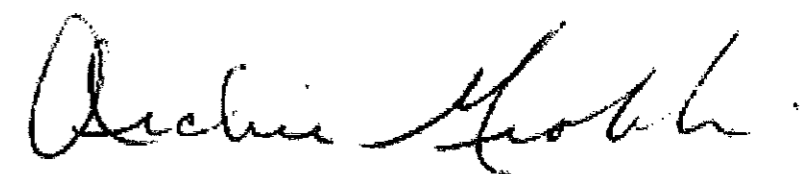
I am asking the City of Portland, through its representatives, the Planning Staff and the Planning Board, to honor those granted waivers to extend to this Van Vechten street lot.

I believe that these governing bodies can grant a " Special Exception " for this lot, being the only lot on either side of Van Vechten street that would be required to have sidewalks / curbs.

Thank You for your consideration.

Archie and Matilda Giobbi
1184 Washington Ave.
PORTLAND, ME 04103

Respectfully,



B.10

Law Offices of David A. Lourie
189 Spurwink Avenue
Cape Elizabeth, Maine 04107
and
97 India Street, Portland ME 04101
(207) 799-4922 (Fax) 221-1688
david@lourielaw.com

March 21, 2012

Archie S Giobbi
400 Allen Avenue
Portland, ME 04103

Re: Van Vechten St./Humbolt Street Subdivision

Dear Archie:

This will confirm our telephone discussions concerning the lot proposed to be created by a Humbolt Street subdivision, which will lack sufficient access on Van Vechten Street until such time as you construct Van Vechten Street past that lot to service your previously approved Van Vechten Street subdivision, per §403.

It is my opinion that the Planning Board may approve the Humbolt Street subdivision on condition that the resulting Van Vechten Street lot not be built upon until it meets the requirements of §403. Per your request, I called Danielle West-Chuta, Associate Corporation Counsel to confirm this opinion. It is my understanding that Danielle agrees that the Planning Board has discretion to approve the Humbolt Street Subdivision (with a condition prohibiting development of the third lot on Van Vechten Street) until such time as sufficient access is provided. I am copying Danielle on this letter, in case I have misstated her position.

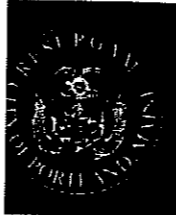
Please advise if you have any questions concerning the above.

Sincerely,

David A. Lourie

cc: Danielle West-Chuta

B.11



PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life www.portlandmaine.gov

Public Services Department
Michael J. Bobinsky, Director

28 February 2012

Corrected Copy

Mr. Archie Giobbi,
1184 Washington Avenue,
Portland, Maine 04103

RE: The Capacity to Handle Wastewater Flows, from a Proposed House, at 25 Humboldt Street.

Dear Mr. Giobbi:

The existing twenty-four inch diameter, asbestos concrete sanitary sewer pipe, located in Humboldt Street, has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat**, the total anticipated increase in wastewater flows of **270 GPD**, from this proposed project.

Anticipated Wastewater Flows from the Proposed Single Family House:	
1 Proposed Three Bedroom House @ 90 gpd per Bedroom	= 270 GPD
Total Proposed Increase in Wastewater Flows for this Project	= 270 GPD

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects. If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J. Brancely, B.A., M.A.
Senior Engineering Technician

FJB

- CC:
- Greg Mitchell, Acting Director, Department of Planning, and Urban Development, City of Portland
 - Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
 - Phil DiPierro, Planner, Department of Planning, and Urban Development, City of Portland
 - David Margolis-Pineo, Deputy City Engineer, City of Portland
 - Michael Farmer, P.E., Project Engineer, City of Portland
 - Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
 - Stephen K. Harris, Assistant Engineer, City of Portland
 - John Emerson, Wastewater Coordinator, City of Portland
 - Matt Doughty, Field Inspection Coordinator, City of Portland



B.12

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

February 6, 2012

Archie Giobbi
1184 Washington Avenue
Portland, ME 04103

Re: Humbolt Street and Van Vechten Street, Portland
Ability to Serve with PWD Water

Dear Mr. Giobbi:

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on January 10, 2012. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

Please note that this letter does not constitute approval of this project from the District. Please review this letter for any special conditions specified by the District and to determine the appropriate next steps to take to move your project through the submittal and approval process.

Existing Site Service

According to District records, the project site does not currently have existing water service.

Water System Characteristics

According to District records, there is an 8-inch diameter ductile iron water main on the east side of Humboldt Street and an 8-inch diameter ductile iron water main on the east side of Van Vechten Street as well as a public fire hydrant located 270 feet from the site.

The current data from the nearest hydrant with flow test information is as follows:

Hydrant Location: Huntington Avenue at Demerest Street
Hydrant Number: POD-HYD01520
Last Tested: 04/02/2007
Static Pressure: 80 PSI
Residual Pressure: Not Measured
Flow: 768 GPM

Public Fire Protection

It is anticipated that this project will not include the installation of new public hydrants to be accepted into the District water system. The decision to require new hydrants and to determine their locations is solely that of the local fire department. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.



Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of the three proposed single family homes. Based on the high water pressure in this area, we recommend that you consider the installation of pressure reducing devices that comply with state plumbing codes.

Private Fire Protection Water Needs


It is anticipated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact the MEANS Division to request a hydrant flow test and we will work with you to get more complete data.

Conditions of Service

Three new water service lines may be installed to each of the proposed single family house lots. Each service should connect to the water main along which they have frontage. Should private fire protection be required to serve these homes, one service line may be used to serve both domestic and fire protection needs. The split for the sprinkler service must be located after the water meter, and if a wet system, must include a non-testable backflow prevention device. The service line size and the meter must be appropriately sized by the sprinkler system designer to accommodate the necessary flows for fire protection.

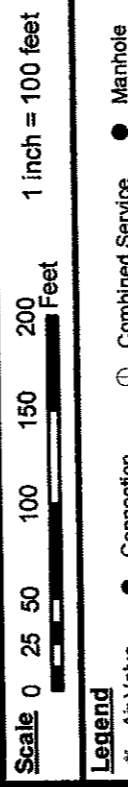
If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District


Glissen Havu, E.I.
Design Engineer



Disclaimer: This map is suitable for preliminary study and analysis and is based on PWD record information. PWD is not liable for any damages whatsoever resulting from inaccurate data or from errors made in the location and marking of its infrastructure.



Humboldt Street and Van Vechten Street
Portland
PORTLAND WATER DISTRICT
 225 Douglass Street
 Portland, ME 04104

Drawn By: GJH
 Scale: As Noted

- Legend**
- Air Valve
 - Blow Off
 - By Pass
 - Distribution
 - Transmission
 - Connection
 - Attribute Change
 - Reducer
 - Hydrant
 - Transmission
 - Combined Service
 - Domestic Service
 - Fire Service
 - Private Hydrants
 - Meter Pits
 - Manhole
 - CSO
 - Gravity
 - Force

Prepared For: Archie Gobbi
 Date: January 11, 2012

RECEIVED

CITY OF PORTLAND CC

COPY Att. C.1

APR 13 2012

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

PLEASE TYPE OR PRINT IN BLACK INK ONLY

1. Name of Applicant: Archie S. Giobbi		City of Portland Planning Division		5. Name of Agent: Frederic (Rick) Licht, PE, LSE		Licht Environmental Design, LLC										
2. Applicant's Mailing Address: 1184 Washington Avenue Portland, ME 04103		6. Agent's Mailing Address: 35 Fran Circle Gray, Maine 04039		7. Agent's Daytime Phone #: 207.749.4924		8. Agent's Email Address: rlicht@securespeed.net										
3. Applicant's Daytime Phone #: 207.232-5343		4. Applicant's Email Address Required from either the applicant or agent): (See Agent)		9. Location of Activity: (Nearest Road, Street, Rt.#) Humbolt and Van Vechten Streets		10. Town: Portland										
11. County: Cumberland		12. Type of Resource: (Check all that apply) <input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input type="checkbox"/> Coastal Wetland <input checked="" type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource: Unnamed wetland		14. Amount of Impact: (Sq.Ft.) Fill: 10,400 sq. ft. Dredging/Veg Removal/Other: (None)										
15. Type of Wetland: (Check all that apply) <input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input checked="" type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____		<p style="text-align: center;">FOR FRESHWATER WETLANDS</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: center;"><i>Tier 1</i></td> <td style="text-align: center;"><i>Tier 2</i></td> <td style="text-align: center;"><i>Tier 3</i></td> </tr> <tr> <td><input type="checkbox"/> 0 - 4,999 sq ft</td> <td><input type="checkbox"/> 5,000-9,999 sq ft</td> <td><input type="checkbox"/> 10,000-14,999 sq ft</td> </tr> <tr> <td><input type="checkbox"/> 15,000 - 43,560 sq. ft.</td> <td><input checked="" type="checkbox"/> 10,000-14,999 sq ft</td> <td><input type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq. ft., not eligible for Tier 1</td> </tr> </table>						<i>Tier 1</i>	<i>Tier 2</i>	<i>Tier 3</i>	<input type="checkbox"/> 0 - 4,999 sq ft	<input type="checkbox"/> 5,000-9,999 sq ft	<input type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 - 43,560 sq. ft.	<input checked="" type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq. ft., not eligible for Tier 1
<i>Tier 1</i>	<i>Tier 2</i>	<i>Tier 3</i>														
<input type="checkbox"/> 0 - 4,999 sq ft	<input type="checkbox"/> 5,000-9,999 sq ft	<input type="checkbox"/> 10,000-14,999 sq ft														
<input type="checkbox"/> 15,000 - 43,560 sq. ft.	<input checked="" type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq. ft., not eligible for Tier 1														
16. Brief Activity Description		Applicant is proposing to create three (3) 6,500 - 7,000 sf lots in urban infill area. Wetland impacts are limited to minimal fill for lot and home site development. (See attached description).														
17. Size of Lot or Parcel & UTM Locations:		<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 0.46 acres		UTM Northing: 43.41.757 UTM Easting: 70.16.469_												
18. Title, Right or Interest:		<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement														
19. Deed Reference Numbers:		Book#:29126 Page:323-324		20. Map and Lot Numbers:		Map #:409-D Lot #:19-26										
21. DEP Staff Previously Contacted:		Bill Bullard		22. Part of a larger project:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No										
23. Resubmission of Application?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, previous application #		N/A										
24. Written Notice of Violation?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, name of DEP enforcement staff involved:		N/A										
25. Previous Wetland Alteration:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		26. Detailed Directions to the Project Site: "Ray Gardens" area: From Washington Ave (across from Canco Rd.) take Ray Street to east, past curve take Right onto Ivaloo St, Left onto Marlboro -go 150 feet, take right on Huntington Ave., go approx. 0.15 mile, site is on left between Van Vechten Street and Humblot Streets.												
27. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS														
<input checked="" type="checkbox"/> Title, right or interest documentation		<input type="checkbox"/> Title, right or interest documentation		<input type="checkbox"/> Erosion Control/Construction Plan												
<input checked="" type="checkbox"/> Topographic Map		<input type="checkbox"/> Topographic Map		<input type="checkbox"/> Functional Assessment (Attachment 3), if required												
<input checked="" type="checkbox"/> Narrative Project Description		<input type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation		<input type="checkbox"/> Compensation Plan (Attachment 4), if required												
<input checked="" type="checkbox"/> Plan or Drawing (8 1/2" x 11")		<input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the information listed under Site Conditions		<input type="checkbox"/> Appendix A and others, if required												
<input checked="" type="checkbox"/> Photos of Area		<input type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized		<input type="checkbox"/> Statement/Copy of cover letter to MHPC												
<input checked="" type="checkbox"/> Statement of Avoidance & Minimization				<input type="checkbox"/> Description of Previously Mined Peatland, if required												
<input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC																
28. FEES Amount Enclosed:		+150-														
CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2																

C.2

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.


CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."



SIGNATURE OF AGENT/APPLICANT

Date: 7/13/12

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

(blue)

Archie Giobbi
Humbolt Street and Van Vechten Streets, Portland
DEP – NRPA Tier 1 Application Supporting Information

Item 16: Project Description:

The applicant is proposing to develop 3 residential lots subdivided from a 0.53 acre +/- property located between Van Vechten and Humbolt Streets in the "Ray Gardens" area of Portland. The project is undergoing Subdivision review with the City of Portland. Total wetland impacts are proposed at **10,400 sf.**

Wetlands have been mapped by Mark Hampton, CSS, LSE and a copy of his report attached. The wetlands are characterized as wet-meadow wetlands (see photos) and are essentially created from the development of surrounding lots over the decades creating an "urban wetland".

The project will include construction of 3 modest single story homes with small footprints, driveways and very minimal lawn areas as shown on the attached site plan. The building sites are predicated by local zoning (25 foot front and rear setbacks and 8 foot side yard setbacks) and take advantage of available uplands for the home sites to the best extent possible as can be seen from the plans. The lawns are NOT excessive and have been minimized to provide a front yard and less than 10 feet of rear yard with fill slopes to the wetlands. Existing drainage patterns (flowing to the south) will remain. The lots will also include Low Impact Development (LID) BMPs for storm water treatment as part of the City of Portland review process.

Avoidance and Minimization:

1. The lots proposed are located in an area recognized and ideal for smart growth and infill neighborhood development. The development of infill areas is encouraged to minimize sprawl outside of growth areas which typically are zoned for larger lots and may have increased wetland impacts due to the larger lots, larger homes and lack of available "high ground" for development. Such development would be considered as a less desirable alternative to the proposed project.
2. Grading has been minimized as noted in Item 16 above, to very small lawn areas -not your typical sprawling suburban lawn model. This will reduce marketability but was seen as necessary to minimize wetland impacts.
3. Building sites are specifically located in as much of upland as the local zoning setbacks will allow. Note how the lot 2 dwelling is set back or is offset from Lot 1 as each lot takes advantage of uplands to the greatest extent possible.
4. Modest size homes are proposed – reducing the footprint impacts. Driveways have been reduced and minimized to reduce impervious areas.

C.4

Deed of Sale by Personal Representative (Testate)
MAINE STATUTORY SHORT FORM

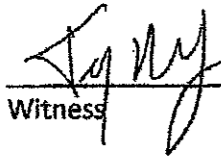
KNOW ALL MEN BY THESE PRESENTS, that **Ralph John Pesce, Jr.**, of 22 Pheasant Ridge, Hollis, ME 04042, duly appointed and acting Personal Representative of the Estate of **Ralph John Pesce, Sr.**, deceased (testate), as shown by the probate records of Cumberland County, Maine, and having obtained signed waivers of the 10 day notice requirement from each person with an interest in the real property described in Exhibit A, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to **Archie S. Giobbi and Matilda M. Giobbi**, of 1184 Washington Avenue, Portland, ME 04103, as joint tenants, the following described real property:

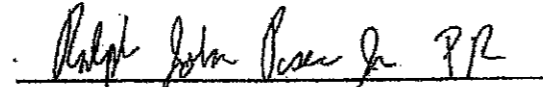
See attached Exhibit A

Witness my hand and seal this 9th day of January, 2012.

Signed, sealed and delivered in the presence of:

Estate of Ralph John Pesce, Sr



Witness


By: **Ralph John Pesce, Jr.**
Personal Representative

STATE OF MAINE
COUNTY OF Cumberland, ss

Date: January 9, 2012

Personally appeared the above-named **Ralph John Pesce, Jr.** and acknowledged the foregoing to be his free act and deed in his said capacity.

Before me, 
Notary Public/Attorney at Law

Print name: Jeffrey R. Vigue, Attorney at Law
My commission expires: _____

EXHIBIT A

A certain lot or parcel of land located on the southwesterly sideline of Humboldt Street, so-called, and on the northeasterly sideline of Van Vechten Street, so-called, in the City of Portland, County of Cumberland and State of Maine and shown as Lot #2 on the plan titled "Standard Boundary Survey and Division Plan, Land of Ralph J. Pesce, 74 Huntington Avenue, Portland, Maine" dated December 2010 as revised through November 2, 2011, by Berry Huff McDonald Milligan, Inc.; 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 Humboldt Street at the southeasterly corner of land now or formerly of Henry A. Caiazzo and William I. Caiazzo;

thence S 33°-44'-12" E along the southwesterly sideline of said Humboldt Street a distance of 143.02 feet to a capped iron rod to be set (PLS #2190) and remaining land of Ralph J. Pesce;

thence S 56°-15'-48" W along the remaining land of Ralph J. Pesce a distance of 100.12 feet to a capped iron rod to be set (PLS #2190) and land now or formerly of Sheree L. Forrest;

thence N 33°-44'-12" W along the land of said Forrest a distance of 52.91 feet to a capped iron rod to be set (PLS #2190);

thence S 56°-12'-06" W along the land of said Forrest a distance of 100.12 feet to a capped iron rod to be set (PLS #2190) and the northeasterly sideline of said Van Vechten Street;

thence N 33°-44'-12" W along the northeasterly sideline of said Van Vechten Street a distance of 90.00 feet to a capped iron rod to be set (PLS #2190) and land of said Caiazzo;

thence N 56°-12'-06" E along the land of said Caiazzo a distance of 200.24 feet to the point of beginning.

The above described parcel contains 23,325 s.f. All bearings refer to Grid North.

Being a portion of the premises described in a deed from Nancy Louise Clarke, et al, to Ralph J. Pesce and Grace A. Pesce, as joint tenants, dated November 9, 1962 and recorded in the Cumberland County Registry of Deeds in Book 2716, Page 122. Grace A. Pesce died October 12, 2002, leaving Ralph J. Pesce the surviving joint tenant. The said Ralph J. Pesce died July 9, 2011, reference is made to Probate Abstract recorded in Book 28904, Page 13 in said Registry.

C.6

3140

December 2, 2011

Mr. Archie Giobbi
1184 Washington Ave.
Portland, ME 04103

Re: Delineation of wetlands, 32 Van Vechten Street, Portland, Maine

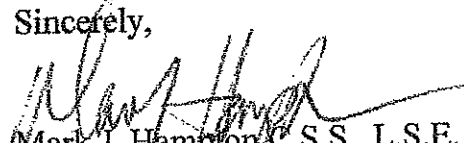
Dear Archie,

I recently completed a delineation of wetlands a parcel of land at 32 Van Vechten Street in Portland, Maine. The wetland delineation was completed in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual. This manual requires the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

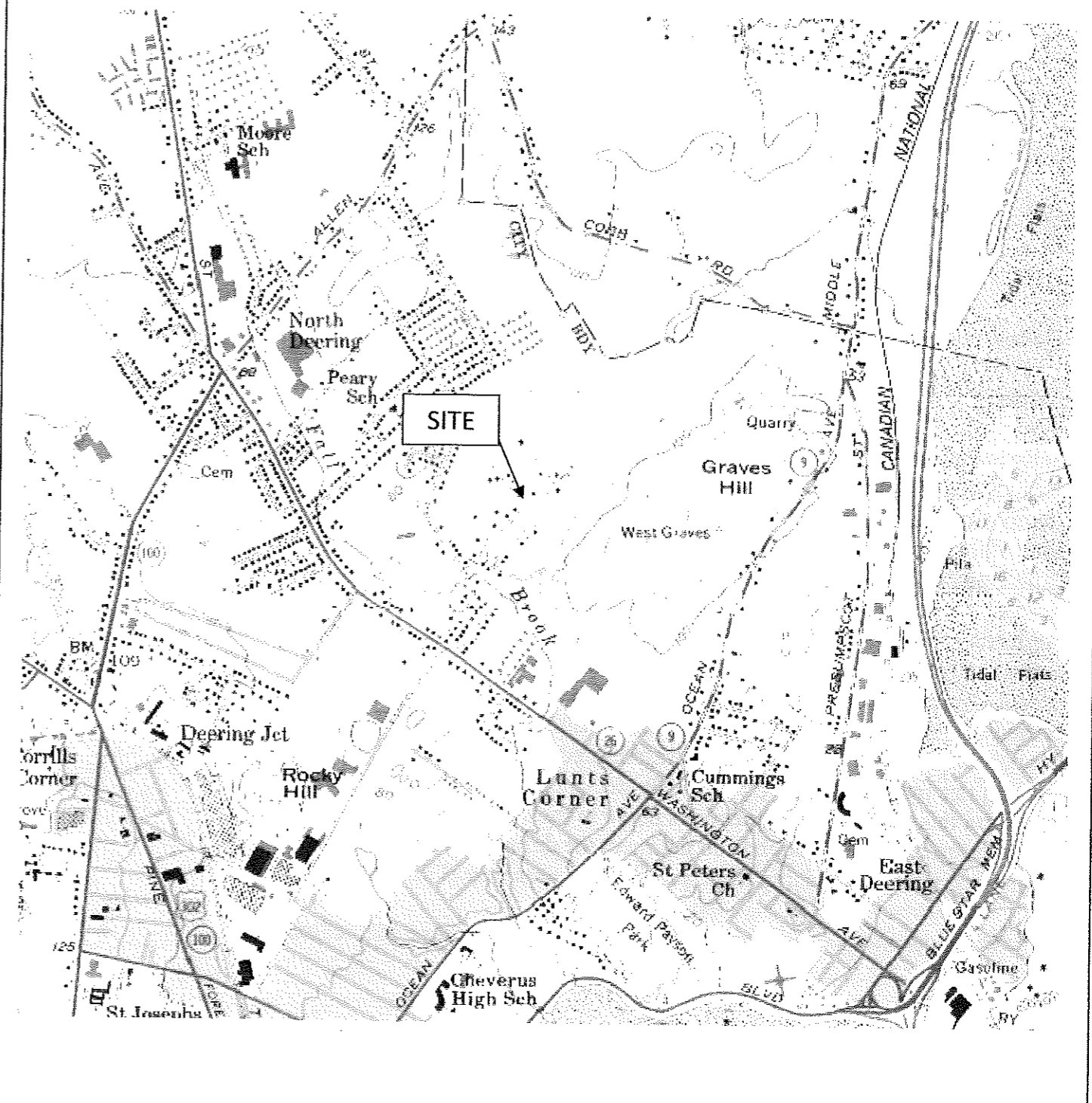
The wetlands I found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located using GPS equipment. This location data has been placed on the boundary survey of the parcel and is included with this letter. The wetlands found onsite are wet meadow wetlands. The wet meadow wetlands found on the parcel are associated with the fact that all parcels surrounding this parcel have been previously developed and filled to direct all surface runoff toward this parcel. The water does move to the south entering a stormwater system at the street. These wetlands do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection.

If you have any questions or require additional information, please contact me.

Sincerely,


Mark J. Hampton C.S.S., L.S.E.
Certified Soil Scientist #216
Licensed Site Evaluator #263

REFERENCE : USGS, Portland West Quad, 1978



PROJECT

GIObBI
HUMBOLT &
VAN VECHTEN STREET
PORTLAND, ME

TITLE:

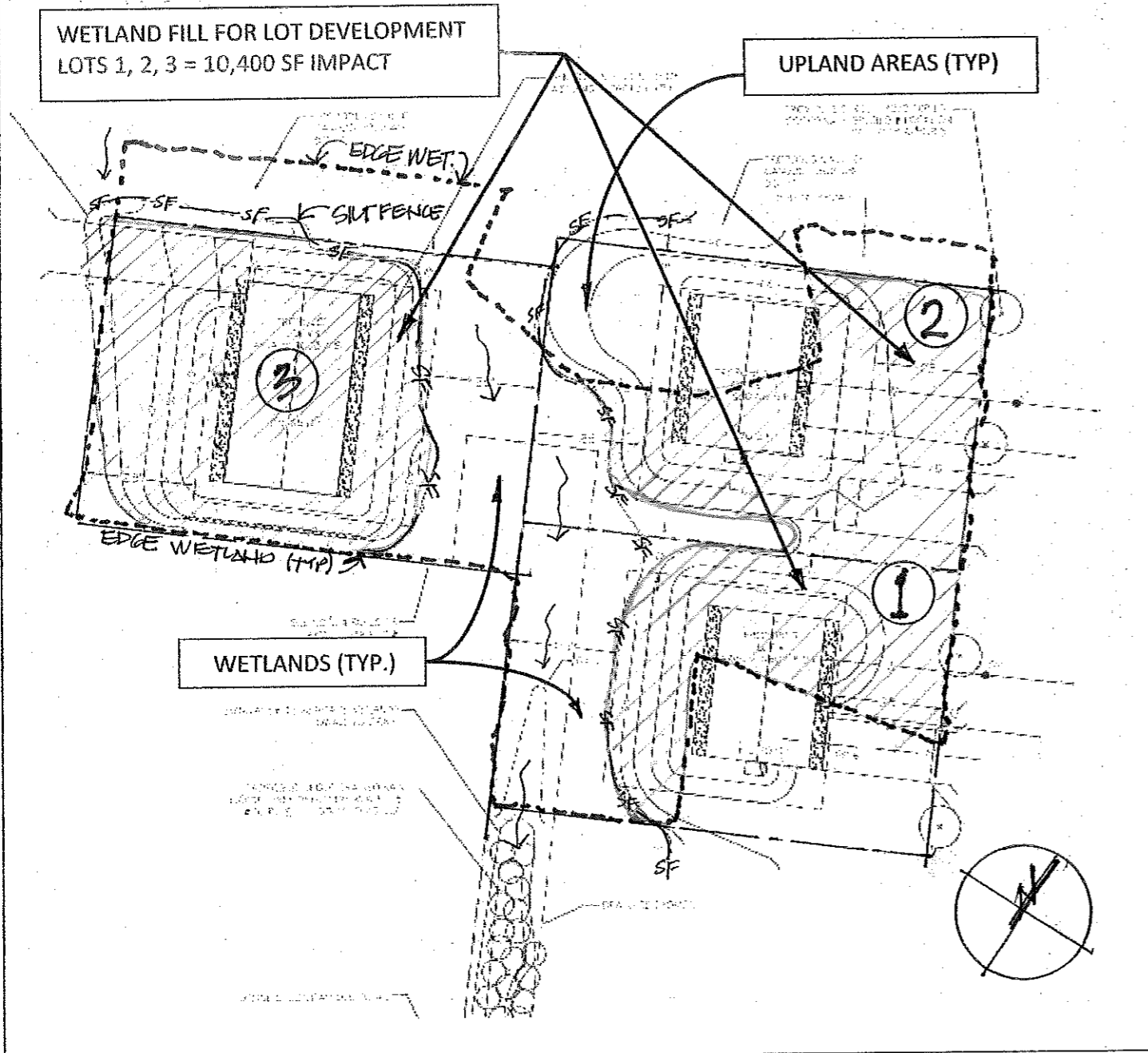
USGS LOCUS
FIGURE 1

DATE: 04/2012

SCALE: 1"=2000'

JOB NO: 12.029

REFERENCE: Humbolt Street Subdivision, Site Development Plan C-100, April 2012, by Licht Environmental Design, LLC



PROJECT

TITLE:



**GIOBBI
HUMBOLT &
VAN VECHTEN STREET
PORTLAND, ME**

**NRPA PLAN VIEW
FIGURE 2**

DATE: 04/2012

SCALE: 1" = 35'

JOB NO: 12.029

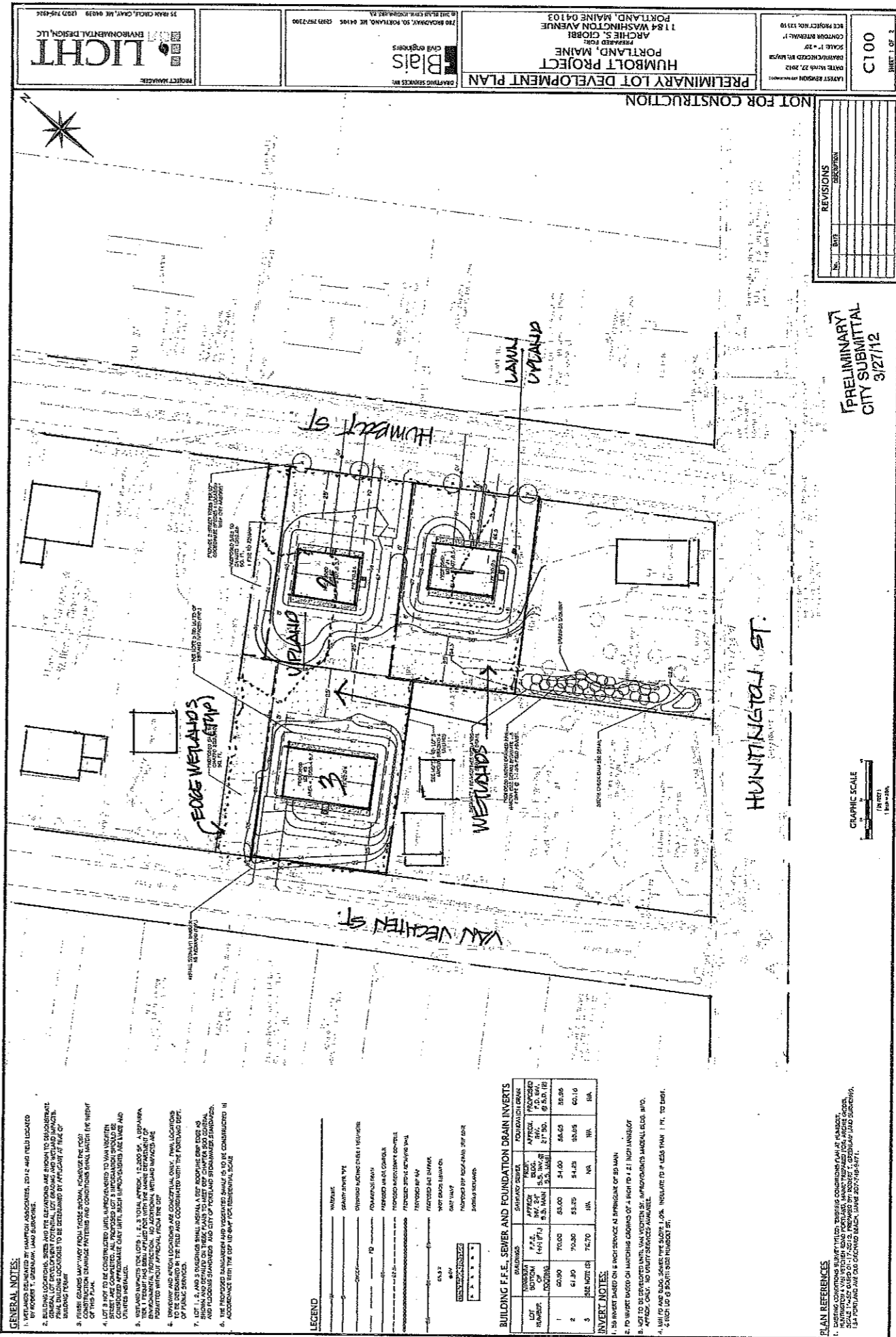




Photo 1 - Wetlands looking from south center site - Lot 2 and 3 Pine trees = Upland area.



Photo 2 - looking south from proposed Lot 2 across wetland to existing house at Huntington.

Giobbi – Humbolt and Van Vechten St., Portland NRPA Tier 1 Photos



Attachment D.1

April 19, 2012

Jean Fraser, Planner
Planning and Urban Development Department
Portland City Hall
389 Congress Street
Portland, Maine 04101

**Humbolt Project Subdivision, Archie Giobbi
Humbolt Street, Huntington Street and Van Vechten Avenue
Responses to Staff Comments and Staff Meeting of April 3rd**

Dear Jean:

This second follow up letter and supporting materials responds to additional staff comments from our meeting of April 3rd regarding the preliminary submission application for the referenced 4-Lot Subdivision for Archie Giobbi. Refer to our prior letter of March 27th for additional information. Items identified below are numbered arbitrarily and not necessarily in reference to prior staff review comment memos.

Attached for staff review and submitted in PDF format are:

- Existing Conditions Plan and Proposed Subdivision Plan, sheets 1 and 2 of 2, at Huntington and Van Vechten Streets, Portland by Robert Greenlaw Land Surveying last revised 03-26 12. (Unchanged from prior staff submission.)
- Preliminary Lot Development Plan, Humbolt Project, Sheet C 100 Last revised 04-18-12 by Licht Environmental Design, LLC.
- Preliminary Details, Sheets C 101 & 102 Last revised 04-18-12 by Licht Environmental Design, LLC.
- Preliminary Stormwater Treatment Calculations and Exhibits dated 04-18-12

1. Subdivision Review Van Vechten Street Legal Status

Mr. Giobbi indicated at our meeting of April 3rd that he agrees with a project Phase 1 (Lots 1, 2, and existing Lot 4) and Phase 2 (Lot 3) conditioned subject to future improvements of Van Vechten Street per the approved Section 14-403 plans for that street. Performance bonding would be expected to be in line with this phasing as well. We will review this with the Planning Board at the workshop on May 8th for additional feedback.

A note has also been added to Plan Sheet C100 reflecting the above condition. A similar note will be added to the Final Subdivision Plan after further Board review which will likely require additional notes be added for approval.

2. Wetland Permitting

Our design team has met with the DEP to review the project, adjusted some minor lot grading and submitted a Tier 1 NRPA Wetland Permit Application to the DEP with copy to the City Planning Department on or about April 13th. Wetland impacts total 10,400 s.f. for Lots 1, 2, and 3 combined.

3. Waivers

The following waiver is being requested in accordance with Article 14-506 Modifications:

A. Sidewalks: (Ordinance Requirement Article 14-498 and Chapt. 25): The applicant is requesting a formal waiver for construction of sidewalks in front of the subdivision lots. The rationale for the request is based on several points:

First the neighborhoods in the Ray Gardens area are developed with established homes and there are no sidewalks on Humbolt, Huntington or Van Vechten Streets near the project. The closest walks are at Marlboro Street north of the project. These are infill lots and not a typical "new subdivision" creating new roadways or roadway connections. The addition of the three lots would not be expected to cause an increase in foot traffic over that of the current neighborhood. Second the public currently uses the streets for pedestrian and bike access which is in itself a form of traffic calming. Third, Van Vechten Street improvements were approved for the applicant for a separate project without sidewalks being required. Fourth, being in the Fallbrook watershed – minimizing new impervious area is a goal within the urban impaired watershed. Adding a 4 foot walk would increase impervious areas.

We respectfully request that the Planning Board waive the sidewalk requirements of 14-498.

4. Stormwater Management

Based on our discussion with staff of the options for meeting the City and DEP Chapter 500 Stormwater Standards we have revised the plans and are providing, attached, supporting preliminary calculations demonstrating the ability to meet Chapter 500 treatment standards. The following changes have been made;

- a. LID Bio Swale adjacent to Lot 4 – this has been removed as this LID BMP, while a positive measure in implementing LID residential stormwater treatment, would not meet the numerical treatment standards of Chapter 500. A 15 foot easement is still proposed.
- b. We have sized DEP Underdrained Bio Retention Cells (Rain gardens) to provide the 95% impervious and 80% developed area treatment for the proposed lots. The rain gardens are designed on each lot and would include under drain outlets to the City street system and external under drain and EDPM liner due to high groundwater. Two (2) drain manhole structures have been added to connect Lots 1 and 2 to the City storm drain in Humbolt Street after treatment along with a drainage easement for the new DMH-1.

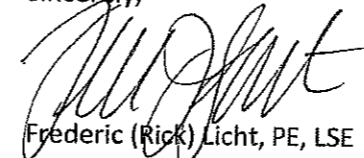
The plans provide details for the rain gardens and upon preliminary review and acceptance by City staff, final plans would include a planting plan for these bio cells as well.

D.3

The final plan stormwater management report will include additional information, however minimal insignificant increases in peak flows to the City system are anticipated.

We trust that this additional information will address recent staff comments. We look forward to a workshop meeting with the Planning Board on May 8th. In the meantime please do not hesitate to contact me should you require additional information.

Sincerely,



Frederic (Rick) Licht, PE, LSE
Principal

Att: As Noted

Cc: Archie Giobbi
Bob Greenlaw

**Humbolt Project
4-Lot Subdivision**

**Humbolt, Van Vechten and Huntington Streets
Portland, Maine**

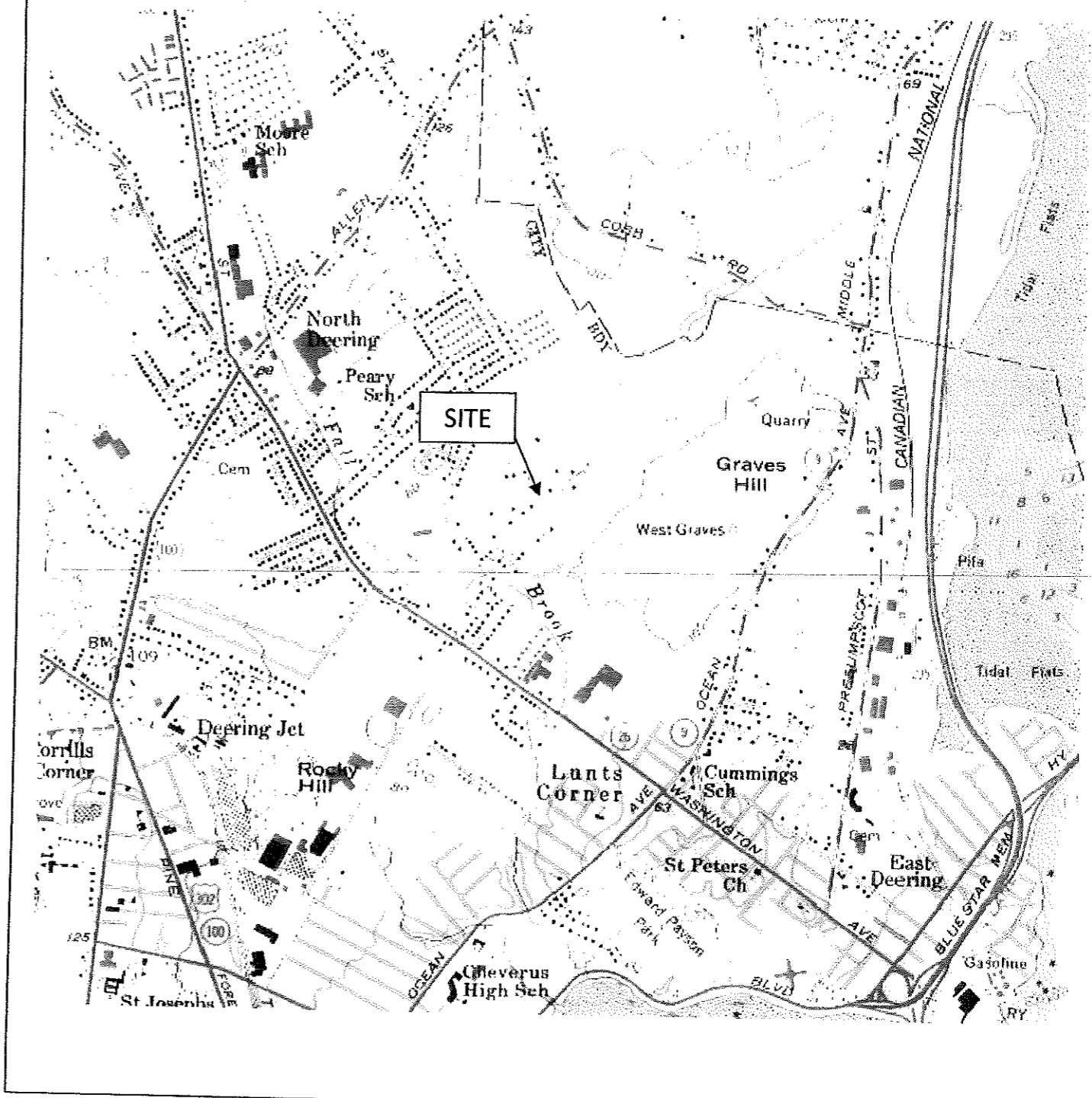
**Preliminary
Supporting Calculations and Treatment Tables
Storm Water Management**

Prepared for:

**Archi Giobbi
1184 Washington Avenue
Portland, Maine**

April 19, 2012

REFERENCE : USGS, Portland West Quad, 1978



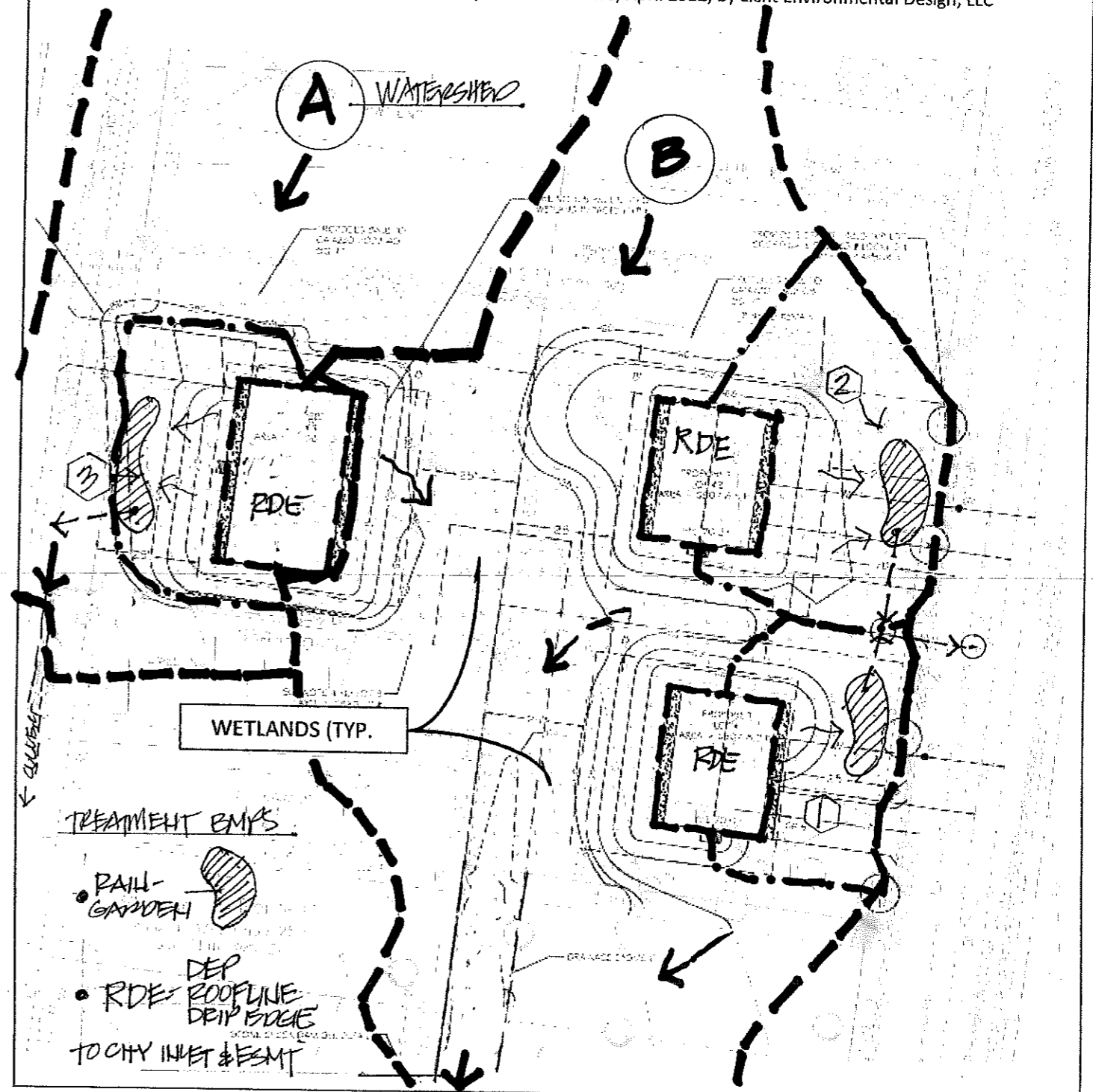
PROJECT
 GIOBBI
 HUMBOLT &
 VAN VECHTEN STREET
 PORTLAND, ME

TITLE:
 USGS LOCUS
 FIGURE 1

DATE: 04/2012 SCALE: 1"=2000' JOB NO: 12.029

D.7

REFERENCE: Humbolt Street Subdivision, Site Development Plan C-100, April 2012, by Licht Environmental Design, LLC



PROJECT: GIOBBI HUMBOLT & VAN VECHTEN STREET PORTLAND, M

TITLE: RAINGARDEN SUBWATERSHEDS FIGURE 3

DATE: 04/2012 SCALE: 1"=35' +/- JOB NO: 12.029



Area #	Area & Description	Impervious (sq-ft)	Existing impervious Re-Graded/Re-Developed (sq-ft)	TOTAL Impervious Area(sq-ft)	Treatment	TOTAL Treated Area(sq-ft)
Buildings						
Lot 1	Bldg Roof	768		768	Roof Drip Edge	768
Lot 2	Bldg Roof	768		768	Roof Drip Edge	768
Lot 3	Bldg Roof	1,196		1,196	Roof Drip Edge	1196
Pavement and Walks						
1	Walks and Drive Lot 1	420		420	Bio Cell 1	348 Note 1
2	Walks and Drive Lot 2	480		480	Bio Cell 2	408 Note 1
3	Walks and Drive Lot 3	600		600	Bio Cell 3	528 Note 1
Sub -Total (sf)		4,232	0			
Total impervious area for the project				4,232		
95 % of the Impervious Area (sf)				4,020		
					Total Treated Area (sf)	4,016
						95%

D.8

GIOBBI
HUMBOLT STREET SUBDIVISION
PORTLAND, MAINE

TABLE 1.2
STORMWATER TREATMENT SCHEDULE
DEVELOPED SECTION

LED 11.029

Area #	Landscaped (L/S) Areas (lawn, graded, gardens, etc)		DEP Developed =(Imperv. + L/S)	Treatment	TOTAL Treated Area(sq-ft)
	Description	L/S Area (sq ft)			
Phase 2					
Lot 1	Front/Side Lawn	1900		Bio Cell 1	1,900
Lot 1	Bio Cell 1 Area	250		Bio Cell 1	250
Lot 1	Rear Lawn	630		None	0
Lot 2	Front/SideLawn	2270		Bio Cell 2	2,270
Lot 2	Bio Cell 2 Area	250		Bio Cell 2	250
Lot 2	Rear Lawn and regrading	870		None	0
Lot 3	Front/Side Lawn	1680		Bio Cell 3	1,680
Lot 3	Bio Cell 3 Area	250		Bio Cell 3	250
Lot 3	Rear Lawn	860		None	0
Total Landscaped Area for project		8960			6,600
Total Impervious Area for project (from imperv. Wksht)			4,232		
Total "Developed" area for the project			13,192		
80 % of the developed area (sf)			10,554		
				Total Treated Area (sf)	10,616
					80%

D.9

TYPICAL RAINGARDEN BMP (USE LOT 2 FOR SIZING ALL LOTS) REQUIRED CHANNEL PROTECTION VOLUME CALCULATION								
Area #	Area Description	Impervious (sq-ft)	Landscaped Area (sq-ft)	*(1"/12") = Impervious Volume (cubic-feet)	*(0.4"/12") = Landscaped Volume (cubic-feet)	TOTAL Treatment Required Runoff Volume (cubic-feet)	Min Filter Area (sf)	
Lot 2	Lawn	0	2270	0	76	76	68	
Lot 2	Bio cell Area	0	250	0	8	8	8	
Lot 2	Drives and Walk	408	0	34	0	34	29	
REQUIRED VOLUME (CUBIC-FEET)							118	0
REQUIRED FILTER SURFACE AREA (SQ. FT.)							104	

CHANNEL PROTECTION VOLUME CALCULATION (6 inch depth)		
	Elevation (ft)	Area (sf)
Filter Area (approx 25' by 8') exceeds 104 sf min required.	65.5	200
Area at 6 inch depth with 2.5H/1V side slopes	66.0	288
VOLUME PROVIDED (CUBIC-FEET)		122

D.10

GIOBBI
HUMBOLT STREET SUBDIVISION
PORTLAND, MAINE

TABLE 1.4
ROOFLINE FILTER BMP
SIZING

LED 11.029

DEP Roofline BMP Sizing										04-19-12	
Lot	Buildings		Volume Stone Required (CF)		Perimeter Length (ft)	Dimensions of Drip Edge		Volume Provided (CF)			
	Dimensions (ft)	Roof Area (sf)	General Standard 1 inch	Flooding Standard 5.4 inches		Width (ft)	Stone Depth (ft)				
1	24 x 32	768	64	346	64	3.75	1.5	360			
2	24 x 32	768	64	346	64	3.75	1.5	360			
3	26 x 46	1196	100	538	92	3.75	1.6	552			
NOTES:											
1. Stone storage volume = 40% voids											
2. Perimeter Length only includes 2 leading edges of roof											
3. See Plan Detail for specifics on filter media and outlet											

D.11



Attachment E. 1

May 01, 2012

Jean Fraser, Planner
Planning and Urban Development Department
Portland City Hall
389 Congress Street
Portland, Maine 04101

**Humbolt Project Subdivision, Archie Giobbi
Humbolt Street, Huntington Street and Van Vechten Street
Third Responses to Staff Comments**

Dear Jean:

This letter and attached plans respond to additional staff and peer review comments of your email of April 25th and a Woodard & Curran letter dated April 27th.

Attached for staff review and submitted in PDF format are:

- Proposed Existing Conditions and Subdivision Plan of the Humbolt Project for Archie Giobbi, Sheets 1 and 2 of 2, prepared Robert Greenlaw Land Surveying last revised 04-30-12.
- Attachment 1 -Updated Sidewalk and Curbing Waiver Request,

I. Responses to Email of April 25th

1. Plat: The revised Plat defines Lots 1, 2 and 4 as Phase 1 and Lot 3 as Phase 2 and adds note 10 providing conditions for performance guarantees prior to start of construction for each Phase. Note 11 has been added to reference the DEP-NRPA Tier 1 application and permit expected to be issued shortly. The Plat adds street trees, the curbing legend and building windows.
2. Existing Conditions Plan: The curbing has been added to this legend.
3. Sidewalk and Curbing Waiver: The Waiver request of our April 19th submittal has been reinforced. See Attachment 1 –Sidewalk Waiver Request, attached.
4. Phasing: This has been addressed with the stated notes and labeling on the Plat.

II. Responses to Woodard & Curran Memo of April 27th

In general the engineering comments relate to the NRPA Permit Application and to Stormwater Management. Most comments are minor and rather than resubmit an intermediate plan and a final stormwater management report prior to the Planning Board Workshop on May 8th we would rather wait for any Board comments and then resubmit for Final Review. However we would like to address Item 2.d – Urban Impaired Stream Mitigation.

The project creates approximately 4,232 s.f. (approximately 0.10 acre) of impervious area and) less than 9,000 s.f. of landscaped areas (approximately 0.21 acre). Options to meet the DEP Chapter 500 Standards or City of Portland Technical Manual, Section 5. III.D. require "treatment" of offsite

E.2



stormwater impervious sources where onsite options are not available based on a credit system or a "payment-in-lieu" of (compensation fee program). We understand the City has not yet formally adopted the fee compensation program so that is not available for consideration. Meeting this offsite treatment standard is difficult for a small project proposing to provide affordable housing.

A suggested option would be for the Board to allow, as a condition of approval that compensation funds be set aside in an escrow account until such time as the City has formally adopted a Compensation program. The applicant is agreeable to these terms should the Board be in favor of this approach to meeting the Urban Impaired standards and would agree to twice the amount required under the DEP Chapter 500 S. 6.A (1) and City Technical Manual standards.

Alternatively, the applicant would propose to provide funding to the Friends of Casco Bay or other approved organization or Casco Bay watershed protection fund under the compensation standards.

The applicant has not found any opportunities for removal of developed or impervious areas within the watershed to meet the credit earned criteria allowed by the rules. We have explored the options of installation of a Filterra® tree box filter along Humbolt or other neighboring street to provide treatment of sufficient area to meet the credits required by the Chapter 500 standards. However this is an expensive initiative for the applicant on such a limited project where no subdivision roads or parking lots are being proposed.

We wish to review these options with the Board on May 8th in the hopes that a creative approach can be used within the spirit of the rules to effect positive improvements within the Fallbrook Watershed.

We believe we have addressed any significant staff comments in order for the Board to provide feedback at the May 8th workshop. In the meantime please do not hesitate to contact me should you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Licht". The signature is fluid and cursive.

Frederic (Rick) Licht, PE, LSE
Principal

Att: As Noted

Cc: Archie Giobbi
Bob Greenlaw



Attachment F. 1

Attach. 1, Giobbi 05-01-12

Attachment 1 to Letter dated 05-01-12
Giobbi – Humbolt Street Project, Subdivision

WAIVER REQUEST 1 - SIDEWALKS

The Land Use Ordinance, Chapter 14-506. Modifications, provides authority for the Planning Board to grant waivers from construction of curbs and sidewalks if it finds that extraordinary conditions exist and the regulations will invoke undue hardship provided that ... "such variation will not have the effect of nullifying the intent of the land use development plan and the regulations in this article."

On behalf of the applicant, Archie Giobbi we are requesting the Planning Board grant a waiver of the Portland Land Use Ordinance Section 14-498 (b).8.a. – Sidewalks and Curbs based on the following.

- a. Ordinance Chapter 14-498, Technical and Design Standards, Section (b).8.a. requires... "sidewalks to be constructed on each side of each street in accordance with Article III of Chapter 25...". However this standard is written expressly in the context of when new streets are to be constructed within a Subdivision. Mr. Giobbi is not proposing to construct any new streets, only to subdivide lots along Humbolt and Van Vechten Streets. Lots 1 and 2 will front on Humbolt Street and Lot 4 is an out-parcel with an existing home with established frontage and driveway on Huntington Street, cornering on Humblot Street. Humbolt Street has been improved over the years and contains granite curbing suggesting that when the street was reconstructed, sidewalks were not deemed necessary. The mere fact that two (2) additional homes will be added to this street containing approximately 11 existing homes would not seem to legitimately alter the habits of pedestrians using Humbolt Street if a short section of walk were built.

While creating a section of sidewalk on a new street or a subdivision with significant new lots on an existing street, in a neighborhood which would expect further growth and pedestrian linkages would be prudent, those conditions do not exist for this street or project.

Lot 4 (Phase 2) will front on the unimproved Van Vechten Street which for which a Section 14-403 street improvement has been approved previously without need for a new sidewalk.

Again the granting of this waiver request would not, in our opinion, be inconsistent with the intent of this article which is clearly written towards traditional subdivisions which require new streets and infrastructure be constructed.

- b. The neighboring streets (Humbolt, Huntington, etc.) do not have sidewalks. The closest sidewalk is a short section on Marlboro Street, over 300 ft. to the north of the site. This is a single section of walk and not part of a larger network of pedestrian paths or walks in this neighborhood.
- c. Again these are established streets for which no known plans for sidewalk extensions exist. Providing a short section of walk would not appear to be highly utilized as it would drop pedestrians right back into the street shoulder. This section of walk would not really contribute to development of a pedestrian oriented infrastructure.



Att. F. 2

Attach. 1, Giobbi 05-01-12

- d. The Phase 1 project does not propose any street reconstruction. Requiring a new walk for two (2) new affordable residences would place a financial hardship on the applicant.

- d. Construction of a 5 foot walk over the frontage of lots 1 and 2 and along Lot 4 would add over 1000 s.f. of impervious area in an urban impaired watershed – which would not be in keeping with the goal of minimization and avoidance of new impervious areas.

For the above reasons, we respectfully request that the Planning Board grant a waiver from Chapter 14-498 for sidewalk construction associated with this small subdivision.

F.3
received 5.4.12
amphiphis

Attach. 1, Giobbi 05-01-12
Revised 05-04-12

Attachment 1 to Letter dated 05-01-12
Giobbi – Humbolt Street Project, Subdivision

WAIVER REQUEST 1 - SIDEWALKS

The Land Use Ordinance (Ordinance), Chapter 14-506. Modifications, provides authority for the Planning Board to grant waivers from construction of curbs and sidewalks if it finds that extraordinary conditions exist and the regulations will invoke undue hardship provided that ... "such variation will not have the effect of nullifying the intent of the land use development plan and the regulations in this article." Chapter 14-506 (b) further provides the Planning Board the authority to grant such waivers when two or more of the criteria set forth in 14-506 (b) exist for a project.

On behalf of the applicant, Archie Giobbi, we are requesting the Planning Board grant a waiver of the requirement for construction of sidewalks per Portland Land Use Ordinance Section 14-498 (b).8.a. – Sidewalks and Curbs. The criteria which follow correspond to the same numbered conditions or criteria of Ordinance Chapter 14-506 (b) – Sidewalks. (Criteria are stated in italics.)

1. *There is no reasonable expectation for pedestrian usage coming from, going to and traversing the site.*

The development of two new in-fill lots (Lots 1 and 2) within an established neighborhood in the Ray Gardens area of North Deering, will not create any new subdivision streets. The lots are located within a medium density developed residential area with minimal sidewalk infrastructure. The increase of the two lots in comparison to the developed neighborhoods would not anticipate any significant increase in pedestrian usage coming from, going to and certainly not traversing the site. Humbolt Street itself contains approximately 11 homes. Lot 4, while legally part of the subdivision is an existing occupied residence and therefore will not increase pedestrian usage or circulation over pre-existing conditions.

2. *There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure:.*

The neighboring streets (Humbolt, Huntington, Van Vechten, etc.) do not have sidewalks. The closest sidewalk is a short section on Marlboro Street, over 300 ft. to the north of the site. While sidewalks have been constructed as part of street development further north on Huntington Street, there is no connectivity to this project. This is a single section of walk and not part of a larger network of pedestrian paths or walks in this neighborhood. Adding walks along the frontage of Lots 1 and 2 would be essentially create "an island to itself" and would not contribute to a larger neighborhood pedestrian oriented infrastructure. Attached is an aerial view of the site and closest sidewalks.

3. *A safe alternative-walking route is reasonably and safely available, for example, by way of a sidewalk on the other side of the street that is lightly traveled.*

The existing Ray Gardens neighborhoods are generally older, mature residential neighborhoods as stated, with minimal sidewalk infrastructure or plans to create such. There is no known history of pedestrian safety issues within the neighborhood suggesting that the streets themselves are used for pedestrian travel or exercise. We would argue that this establishes that the current lack of sidewalks, while not ideal for planning of new street infrastructure by today's standards, can and does work to create livable neighborhoods where the expectation of pedestrians walking on low speed streets encourages safer driving habits and consciousness of street activity thereby creating a safe option for pedestrian useage of streets and shoulders for foot travel.

4. *The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program or has been funded through an earlier CIP or through other sources.*

The project Phase 1 (Lots 1, 2, and 4) does not propose construction of any streets. Ordinance Chapter 14-498 Technical and Design Standards –Section (b) 8. Sidewalks and Curbs, is written expressly as related to the construction of new streets. Where Phase 1 of this subdivision does not propose any new streets, the standard for sidewalk construction should not apply.

Furthermore, Van Vechten Street has been approved for reconstruction by the applicant as part of a separate project without the need for sidewalks. Phase 2 (Lot 3) of this subdivision is proposed to front on Van Vechten Street and the applicant has agreed to a conditional approval of Lot 3 subject to the re-construction of Van Vechten Street in accordance with plans approved by the City under Ordinance Chapter 14-403.

5. *The street has been constructed or reconstructed without sidewalks within the last 24 months.*

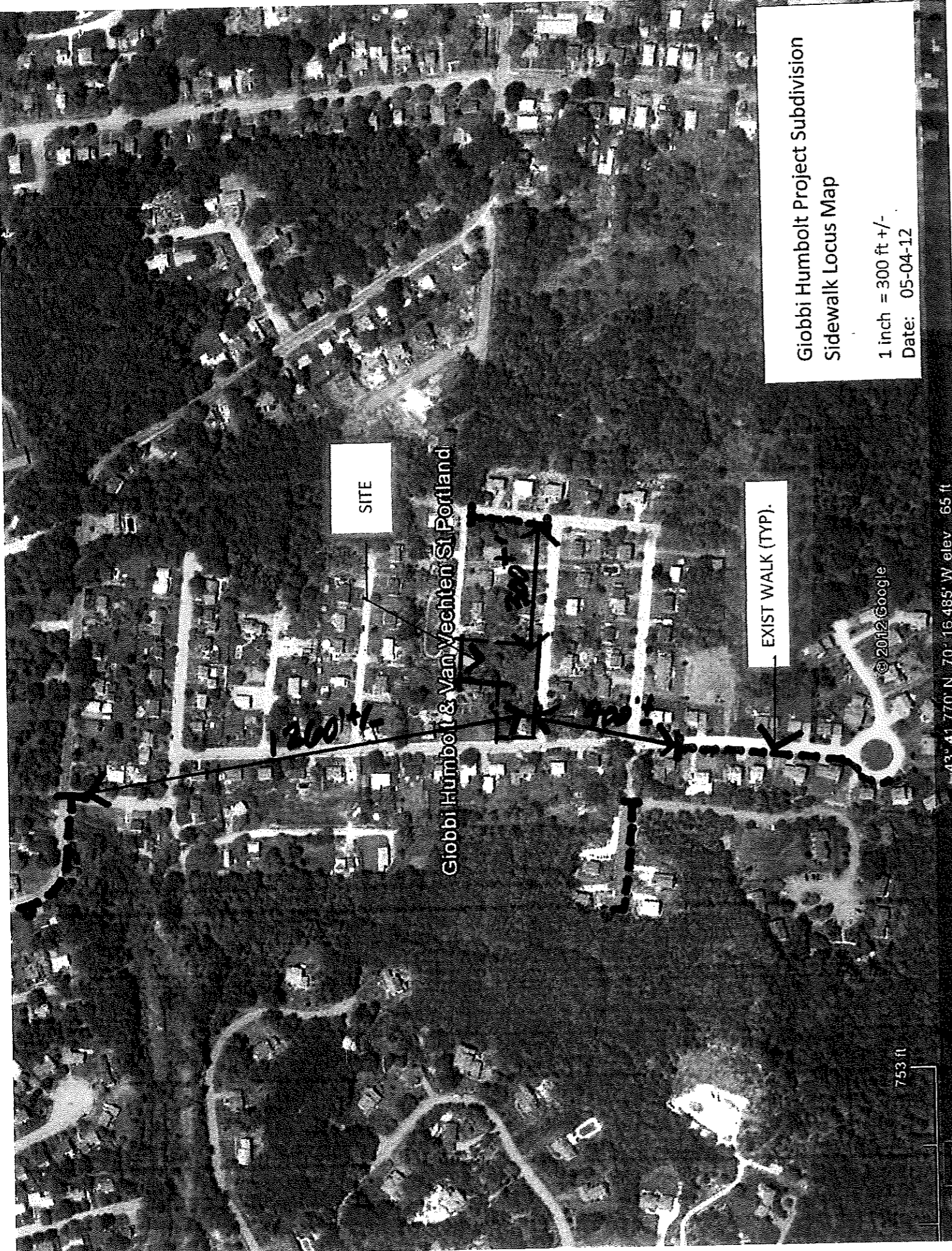
Criteria does not apply.

6. *Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.*

Criteria does not apply – no significant loss of site features would result.

From the above we find that the applicants request for a sidewalk waiver meets two or more of the above conditions or criteria allowing the Planning Board to grant the waiver request.

H.6



Giobbi Humbolt Project Subdivision
Sidewalk Locus Map
1 inch = 300 ft +/-
Date: 05-04-12

SITE

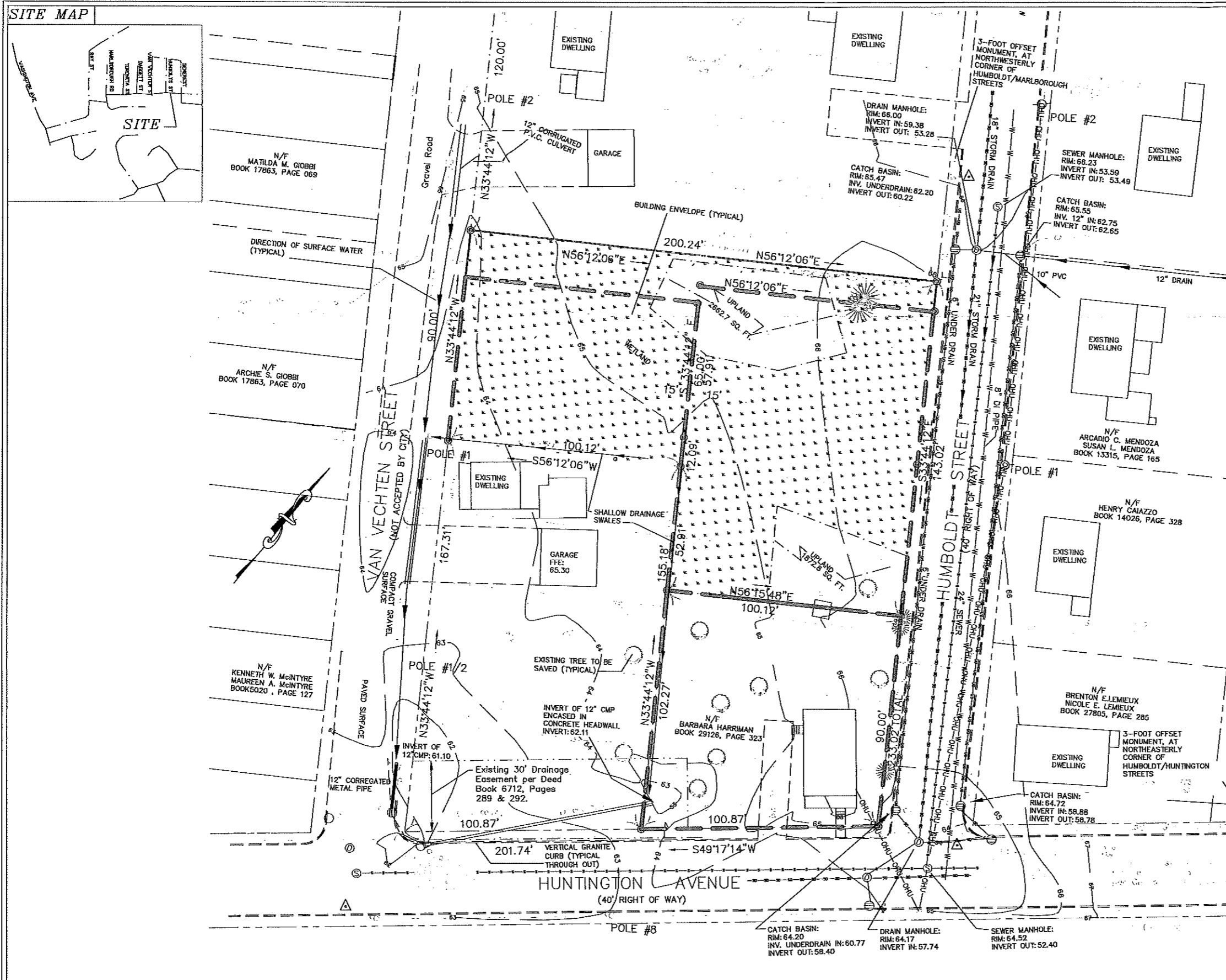
Giobbi Humbolt & Van Vechten St Portland

EXIST WALK (TYP)

© 2012 Google

753 ft

43° 41' 770" N 70° 16' 485" W elev 65 ft



GENERAL NOTES:

1. RECORD OWNER OF PARCEL: ARCHIE S. GIOBBI AND MATILDA M. GIOBBI BOOK 29269, PAGE 288 AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD).
2. THIS SURVEY AND PLAN THEREOF WAS PERFORMED, UTILIZING THE FOLLOWING EQUIPMENT:
LIETZ SOKKISHA SET 4 TOTAL STATION, LIETZ SDR 33 DATA COLLECTOR.
3. AREA OF SUBJECT PARCEL: 32,950.00 SQ. FT., 0.76 ACRES
4. REFERENCE IS MADE TO THE FOLLOWING PLANS:
a.) RAY GARDENS, RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 12 PAGE 103.
b.) CITY OF PORTLAND ASSESSORS PLAN NO. 410.
c.) BOUNDARY PLAN OF LAND ON THE CORNER OF HUNTINGTON AND HUMBOLDT STREETS PORTLAND MAINE BY BHM INC. DATED 01/20/2012.
5. ELEVATIONS ARE BASED UPON A BENCHMARK ELEVATION ON A COPPER BOLT IN A 3' OFFSET MONUMENT LOCATED ON THE NORTHERLY SIDE OF WASHINGTON AVENUE AT FIRST ANGLE POINT WESTERLY OF RAY STREET. SAID BM ELEVATION WAS REPORTED TO BE 66.397' N.G.V.D. 1929 CITY OF PORTLAND DATUM. A NEW BENCHMARK WAS ESTABLISHED ON THE COPPER BOLT SET IN THE NEW MONUMENT INSTALLED AT THE NORTHWEST CORNER OF MARLBOROUGH ROAD AND HUMBOLDT STREET. THE BENCHMARK ELEVATION SET = 68.11 FEET N.G.V.D AND CITY OF PORTLAND DATUM.
6. BEARINGS SHOWN HEREON ARE BASED UPON THE MAINE STATE GRID WEST ZONE AS REFERENCED BELOW AND SUPPLIED BY THE CITY OF PORTLAND.

HORIZONTAL DATUM SHOWN ON THE TWO MONUMENTS IS BASED UPON NORTH AMERICAN DATUM 1983 MAINE STATE WEST ZONE AND DERIVED FROM TWO CONTROL MONUMENTS WHOSE HORIZONTAL COORDINATES WERE REPORTED TO ROBERT T. GREENLAW PLS. BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT. SAID CONTROL MONUMENTS WERE A P.K. NAIL FOUND NEAR THE CENTERLINE OF HUNTINGTON AVENUE IN FRONT OF #74 HUNTINGTON AVENUE, CITY OF PORTLAND IDENTITY NUMBER T124-67-1563, SAID P.K. NAIL HAVING COORDINATES OF: NORTH=314336.08, EAST = 2924441.85. THE SECOND CONTROL MONUMENT UTILIZED WAS A COPPER BOLT SET IN GRANITE MONUMENT FOUND IN A DRIP BOX AT OR NEAR THE INTERSECTION FORMED BY THE 3 FOOT OFFSET LINES OF THE NORTHERLY SIDE OF HUNTINGTON AVENUE AND THE EASTERLY SIDE LINE OF TORONITA STREET, SAID BOLT IDENTIFIED AS T124-73-1608 AND HAVING COORDINATES OF: NORTH= 3319906.07, EAST = 2923916.05.

7. THE UPLAND AND WETLAND AREAS SHOWN HEREON ARE BASED UPON A PLAN PROVIDED TO ROBERT T. GREENLAW PLS BY MARK HAMPTON. THE COMPUTED AREA OF UPLAND IS 4535.5 SQUARE FEET. AREA OF WETLANDS IS 18,789.5 SQUARE FEET. AREA OF THE THREE PARCELS: 23,325 SQUARE FEET
8. HUMBOLDT AND HUNTINGTON STREETS ARE ACCEPTED CITY STREETS. VAN VECHTEN STREET IS NOT AN ACCEPTED CITY STREET AT THE TIME OF THIS SURVEY.

ZONING: R-3 RESIDENTIAL ZONE

- a) FRONT SETBACKS: PRINCIPAL OR ACCESSORY STRUCTURES: TWENTY-FIVE (25) FEET.
- b) REAR SETBACKS: PRINCIPAL OR ACCESSORY STRUCTURES: TWENTY-FIVE (25) FEET.
- c) SIDE SETBACKS: PRINCIPAL OR ACCESSORY STRUCTURES: EIGHT(8) FEET, FOR UP TO A 1-1/2 STORY BUILDING.

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PARCEL APPEARS TO BE IN ZONE X, (AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD-PLAIN), OF THE FLOOD INSURANCE RATE MAP, COMMUNITY #230051, PANEL 7C WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 8, 1998. AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

LEGEND:

- Capped 5/8" Rebar To Be Set With Registration Number 2303. (50.00') Distance from reference Plan or deed.
- Iron Pipe or Solid Pin Found N/F Now Or Formerly
- ◁ Survey Instrument Point A.G. Above Grade
- Abutter Line B.G. Below Grade
- Property Line PL Property Line
- Street Line — Overhead Utility
- Direction of Bearing — Utility Pole
- Vertical Granite Curb, Existing — Edge of traveled way

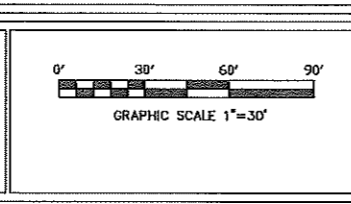
EXISTING CONDITIONS PLAN OF: THE HUMBOLDT PROJECT
AT HUMBOLDT, HUNTINGTON & VAN VECHTEN ST. PORTLAND, MAINE
FOR: **ARCHIE GIOBBI**

REVISIONS:

REVISED 04-30-2012: ADDED CURB TO LEGEND
REVISED 03-26-2012: ADDED NOTES TO PLAN PER CITY REVIEW
REVISED 03-14-2012: ADDED CULVERTS, DRAINAGE SWALES & REVISED CONTOURS
REVISED 02-07-2012: ADDED WETLANDS AND UPLANDS
LOCATION: HUMBOLDT, HUNTINGTON & VAN VECHTEN STREET PORTLAND MAINE

STATE OF MAINE, CUMBERLAND SS
REGISTRY OF DEEDS

RECEIVED 2012
AT : H . M. AND RECORDED IN
PLAN BOOK PAGE



Robert T. Greenlaw

CERTIFICATE:

I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS OF PRACTICE AS ADOPTED APRIL 01, 2001 WITH THE FOLLOWING EXCEPTIONS:

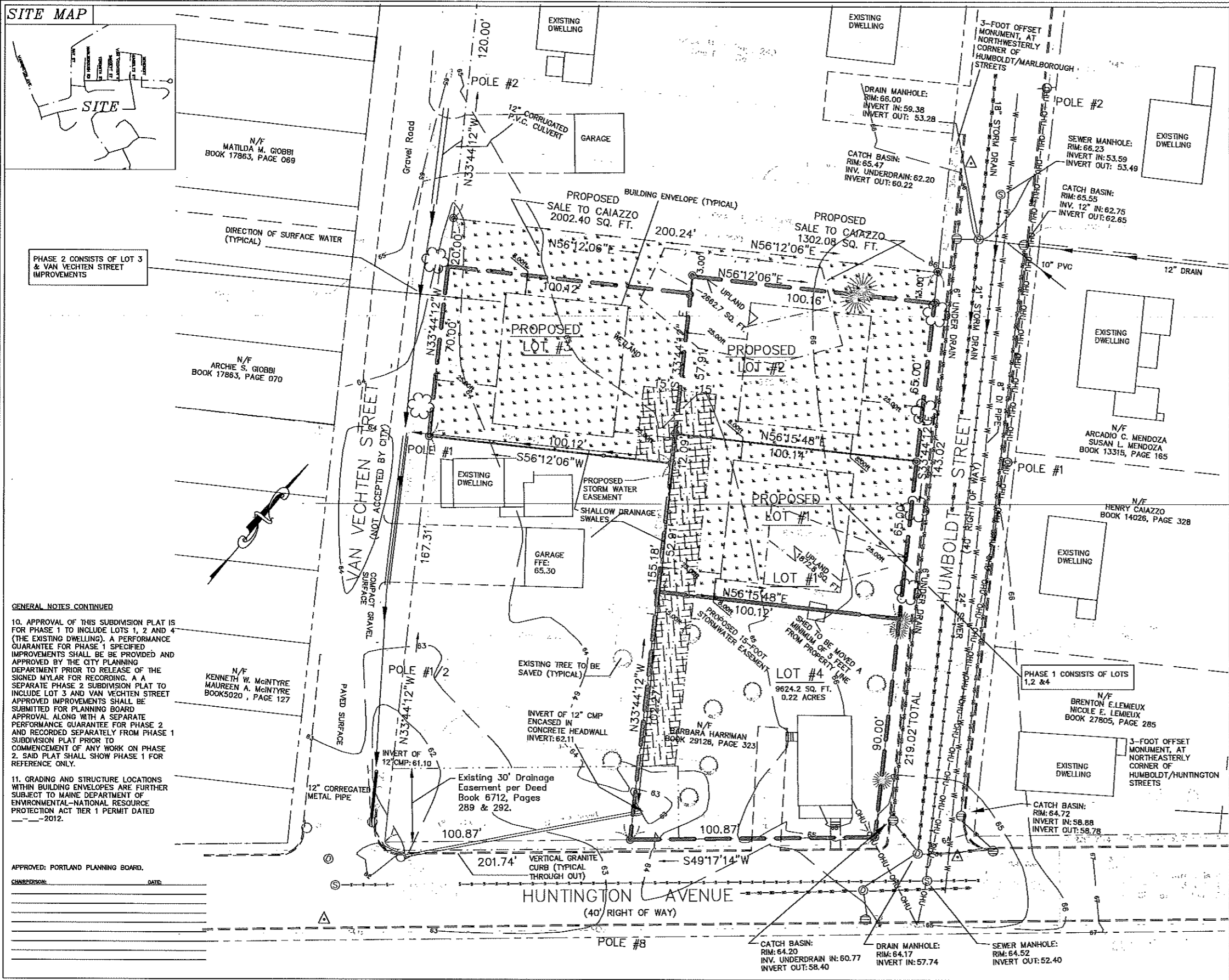
- a) NO WRITTEN REPORT
- b) NO NEW DESCRIPTION
- c) NO PROPERTY CORNERS SET AT THIS TIME.

ROBERT T. GREENLAW P.L.S. DATE: 04-30-2012

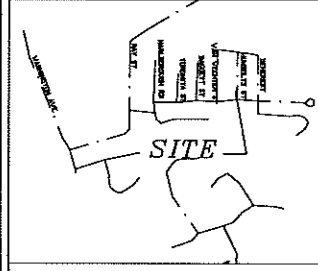
PREPARED BY:
ROBERT T. GREENLAW
LAND SURVEYING

134 PORTLAND AVE
OLD ORCHARD BEACH, MAINE
207-749-9471 - BOBGREENLAW@MYFAIRPOINT.NET

DRAWN BY: RTG
CHECKED BY: KGG
SCALE: 1" = 30'
DATE: 01-17-2012
JOB NUMBER: 2012029
SHEET: 1 OF 2
DRAWER: 2012 NO: 29



SITE MAP



PHASE 2 CONSISTS OF LOT 3 & VAN VECHTEN STREET IMPROVEMENTS

GENERAL NOTES CONTINUED

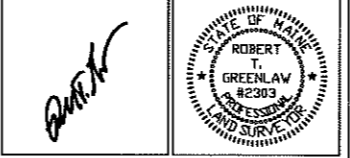
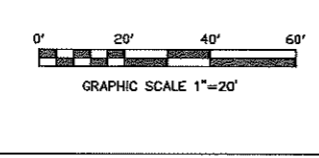
- APPROVAL OF THIS SUBDIVISION PLAT IS FOR PHASE 1 TO INCLUDE LOTS 1, 2 AND 4 (THE EXISTING DWELLING). A PERFORMANCE GUARANTEE FOR PHASE 1 SPECIFIED IMPROVEMENTS SHALL BE PROVIDED AND APPROVED BY THE CITY PLANNING DEPARTMENT PRIOR TO RELEASE OF THE SIGNED MYLAR FOR RECORDING. A SEPARATE PHASE 2 SUBDIVISION PLAT TO INCLUDE LOT 3 AND VAN VECHTEN STREET APPROVED IMPROVEMENTS SHALL BE SUBMITTED FOR PLANNING BOARD APPROVAL ALONG WITH A SEPARATE PERFORMANCE GUARANTEE FOR PHASE 2 AND RECORDED SEPARATELY FROM PHASE 1 SUBDIVISION PLAT PRIOR TO COMMENCEMENT OF ANY WORK ON PHASE 2. SAID PLAT SHALL SHOW PHASE 1 FOR REFERENCE ONLY.
- GRADING AND STRUCTURE LOCATIONS WITHIN BUILDING ENVELOPES ARE FURTHER SUBJECT TO MAINE DEPARTMENT OF ENVIRONMENTAL-NATIONAL RESOURCE PROTECTION ACT TIER 1 PERMIT DATED 2012.

APPROVED: PORTLAND PLANNING BOARD.
 CHAIRPERSON: _____ DATE: _____

REVISIONS:

REVISED 04-30-2012: CHANGED INVERT OF SMH HUMBOLDT ST. & ADDED NOTES	STATE OF MAINE, CUMBERLAND SS REGISTRY OF DEEDS
REVISED 03-26-2012: ADDED NOTES TO PLAN PER CITY REVIEW	RECEIVED _____ 2012
REVISED 03-14-2012: ADDED CULVERTS, DRAINAGE SWALES & REVISED CONTOURS	AT _____ H _____ M. AND RECORDED IN _____
REVISED 02-09-2012: ADDED WETLANDS AND UPLANDS.	PLAN BOOK _____ PAGE _____
LOCATION: HUMBOLDT, HUNTINGTON & VAN VECHTEN STREET PORTLAND MAINE	

STATE OF MAINE, CUMBERLAND SS REGISTRY OF DEEDS
 RECEIVED _____ 2012
 AT _____ H _____ M. AND RECORDED IN _____
 PLAN BOOK _____ PAGE _____



CERTIFICATE:

I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS OF PRACTICE AS ADOPTED APRIL 01, 2001 WITH THE FOLLOWING EXCEPTIONS:
 a) NO WRITTEN REPORT
 b) NO NEW DESCRIPTION
 c) NO PROPERTY CORNERS SET AT THIS TIME.

ROBERT T. GREENLAW P.L.S. DATE: 04-30-2012

GENERAL NOTES:

- RECORD OWNER OF PARCEL: ARCHIE S. GIOBBI AND MATILDA M. GIOBBI BOOK 29289, PAGE 288 AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD).
 - THIS SURVEY AND PLAN THEREOF WAS PERFORMED, UTILIZING THE FOLLOWING EQUIPMENT:
 LIETZ SOKKISHA SET 4 TOTAL STATION, LIETZ SDR 33 DATA COLLECTOR.
 - AREA OF SUBJECT PARCEL: 32,950.00 SQ. FT., 0.76 ACRES
 - REFERENCE IS MADE TO THE FOLLOWING PLANS:
 a.) RAY GARDENS, RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 12 PAGE 103.
 b.) CITY OF PORTLAND ASSESSORS PLAN NO. 410.
 c.) BOUNDARY PLAN OF LAND ON THE CORNER OF HUNTINGTON AND HUMBOLDT STREETS PORTLAND MAINE BY BH2M INC. DATED 01/20/2012.
 - ELEVATIONS ARE BASED UPON A BENCHMARK ELEVATION ON A COPPER BOLT IN A 3' OFFSET MONUMENT LOCATED ON THE NORTHERLY SIDE OF WASHINGTON AVENUE AT FIRST ANGLE POINT WESTERLY OF RAY STREET. SAID BM ELEVATION WAS REPORTED TO BE 88.397' N.G.V.D. 1928 CITY OF PORTLAND DATUM. A NEW BENCHMARK WAS ESTABLISHED ON THE COPPER BOLT SET IN THE NEW MONUMENT INSTALLED AT THE NORTHWEST CORNER OF MARLBOROUGH ROAD AND HUMBOLDT STREET. THE BENCHMARK ELEVATION SET = 68.11 FEET N.G.V.D. AND CITY OF PORTLAND DATUM.
 - BEARINGS SHOWN HEREON ARE BASED UPON THE MAINE STATE GRID WEST ZONE AS REFERENCED BELOW AND SUPPLIED BY THE CITY OF PORTLAND.
- HORIZONTAL DATUM SHOWN ON THE TWO MONUMENTS IS BASED UPON NORTH AMERICAN DATUM 1983 MAINE STATE WEST ZONE AND DERIVED FROM TWO CONTROL MONUMENTS WHOSE HORIZONTAL COORDINATES WERE REPORTED TO ROBERT T. GREENLAW P.L.S. BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT. SAID CONTROL MONUMENTS WERE A P.K. NAIL FOUND NEAR THE CENTERLINE OF HUNTINGTON AVENUE IN FRONT OF #74 HUNTINGTON AVENUE, CITY OF PORTLAND IDENTITY NUMBER 1124-67-1553, SAID P.K. NAIL HAVING COORDINATES OF: NORTH=314336.09, EAST = 292441.85. THE SECOND CONTROL MONUMENT UTILIZED WAS A COPPER BOLT SET IN GRANITE MONUMENT FOUND IN A DRIP BOX AT OR NEAR THE INTERSECTION FORMED BY THE 3 FOOT OFFSET LINES OF THE NORTHERLY SIDE OF HUNTINGTON AVENUE AND THE EASTERLY SIDE LINE OF TORONTO STREET. SAID BOLT IDENTIFIED AS 124-73-1606 AND HAVING COORDINATES OF: NORTH= 3313906.07, EAST = 2922916.05.
- THE UPLAND AND WETLAND AREAS SHOWN HEREON ARE BASED UPON A PLAN PROVIDED TO ROBERT T. GREENLAW P.L.S. BY MARK HAMPTON. THE COMPUTED AREA OF UPLAND IS 4536.5 SQUARE FEET. AREA OF WETLANDS IS 10,799.5 SQUARE FEET. AREA OF THE THREE PARCELS: 23,326 SQUARE FEET
 - HUMBOLDT AND HUNTINGTON STREETS ARE ACCEPTED CITY STREETS. VAN VECHTEN STREET IS NOT AN ACCEPTED CITY STREET AT THE TIME OF THIS SURVEY.
 - SEE THE PLAN TITLED "LOT DEVELOPMENT PLAN" BY LIGHT ENVIRONMENTAL DESIGN LLC FOR PROPOSED STREET TREES, DRIVES, DWELLINGS AND OTHER IMPROVEMENTS TO THE SITES. SAID PLAN IS PART OF THIS SUBMITTAL PACKAGE.

ZONING:

- R-3 RESIDENTIAL ZONE
- FRONT SETBACKS: PRINCIPAL OR ACCESSORY STRUCTURES: TWENTY-FIVE (25) FEET.
 - REAR SETBACKS: PRINCIPAL OR ACCESSORY STRUCTURES: TWENTY-FIVE (25) FEET.
 - SIDE SETBACKS: PRINCIPAL OR ACCESSORY STRUCTURES: EIGHT (8) FEET, FOR UP TO A 1-1/2 STORY BUILDING.

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PARCEL APPEARS TO BE IN ZONE X, (AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD-PLAIN), OF THE FLOOD INSURANCE RATE MAP COMMUNITY #230051, PANEL 7C WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 8, 1998. AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

LEGEND:

● Capped 5/8" Rebar To Be Set With Registration Number 2303.	(50.00') Distance from reference Plan or deed.
● Iron Pipe or Solid Pin Found	N/F Now Or Formerly
▲ Survey Instrument Point	A.G. Above Grade
— Abutter Line	B.G. Below Grade
— Property Line	fl. Property Line
— Street Line	— u — Overhead Utility
— Direction of Bearing	⊙ Utility Pole
⊙ Proposed Street Tree in Excess of 2-1/2 inches in Diameter	— Edge of traveled way
— Vertical Granite Curb, Existing	

PROPOSED SUBDIVISION PLAN OF THE HUMBOLDT PROJECT AT HUMBOLDT, HUNTINGTON & VAN VECHTEN ST. PORTLAND, MAINE

FOR: **ARCHIE GIOBBI**

	PREPARED BY: ROBERT T. GREENLAW LAND SURVEYING	DRAWN BY: RTG
	134 PORTLAND AVE OLD ORCHARD BEACH, MAINE	CHECKED BY: KGG
	207-749-9471 - BOB@GREENLAWMYFAIRPOINT.NET	SCALE: 1" = 20'
		DATE: 01-17-2012
		JOB NUMBER: 2012029
		SHEET: 2 OF 2
		DRAWER: 2012 NO: 029

GENERAL NOTES:

1. WETLANDS DELINEATED BY HAMPTON ASSOCIATES, 2012 AND FIELD LOCATED BY ROBERT T. GREENLAW, LAND SURVEYING.
2. BUILDING LOCATIONS, SIZES AND F.F.E. ELEVATIONS ARE SHOWN TO DEMONSTRATE GENERAL LOT DEVELOPMENT POTENTIAL, LOT GRADING AND WETLAND IMPACTS. FINAL BUILDING LOCATIONS TO BE DETERMINED BY APPLICANT AT TIME OF BUILDING PERMIT.
3. FINISH GRADES MAY VARY FROM THOSE SHOWN, HOWEVER THE POST CONSTRUCTION DRAINAGE PATTERNS AND CONDITIONS SHALL MATCH THE INTENT OF THIS PLAN.
4. LOT 3 NOT TO BE CONSTRUCTED UNTIL IMPROVEMENTS TO VAN VECHTEN STREET ARE COMPLETED. ALL PROPOSED LOT 3 IMPROVEMENTS SHOULD BE CONSIDERED APPROXIMATE ONLY UNTIL SUCH IMPROVEMENTS ARE MADE AND UTILITIES INSTALLED.
5. WETLAND IMPACTS FOR LOTS 1, 2, 3 TOTAL APPROX. 10,400 SF. A DEP-RIPA PER 1 PERMIT HAS BEEN APPLIED FOR WITH THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION. NO ADDITIONAL WETLAND IMPACTS ARE PERMITTED WITHOUT APPROVAL FROM THE DEP.
6. DRIVEWAY AND APRON LOCATIONS ARE CONCEPTUAL ONLY. FINAL LOCATIONS TO BE DETERMINED IN THE FIELD AND COORDINATED WITH THE PORTLAND DEPT. OF PUBLIC SERVICES.
7. LOT 1, 2, AND 3 BUILDINGS SHALL INSTALL A DEP ROOFLINE DRIP EDGE AS SHOWN AND DETAILED ON THESE PLANS TO MEET DEP CHAPTER 500 GENERAL AND FLOODING STANDARDS AND CITY OF PORTLAND STORMWATER STANDARDS.
8. PHASE 1 - LOTS 1 & 2 AND PHASE 2 - LOT 3 TO INCLUDE PROPOSED RAINGARDENS PER PLANS AND DETAILS TO MEET DEP CHAP. 500 AND CITY OF PORTLAND STORMWATER STANDARDS. EACH LOT SHALL BE RECORDED WITH ASSOCIATED COVENANTS AND RESTRICTIONS FOR USE AND MAINTENANCE OF THESE LID BMPs.

LEGEND

- W WATERLINE
- S GRAVITY SEWER PIPE
- OVERHEAD ELECTRIC CABLE & TELEPHONE
- FD FOUNDATION DRAIN
- PROPOSED MINOR CONTOUR
- PROPOSED INTERMEDIATE CONTOUR
- PROPOSED STONE RETAINING WALL
- PROPOSED RIP RAP
- PROPOSED SILT BARRIER
- SPOT GRADE ELEVATION
- GATE VALVE
- PROPOSED DEP ROOF-DRAIN DRIP EDGE
- EXISTING WETLANDS

BUILDING F.F.E., SEWER AND FOUNDATION DRAIN INVERTS

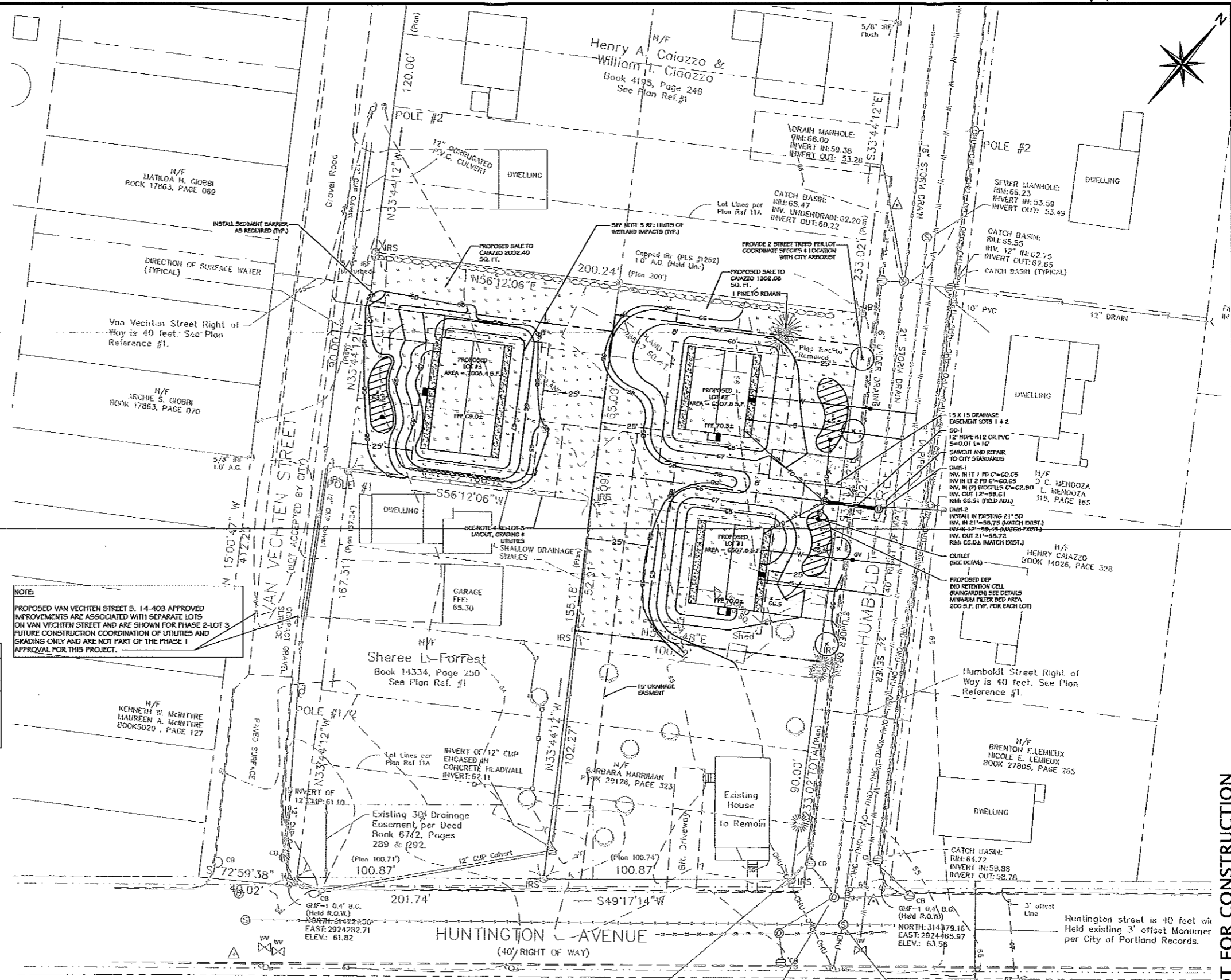
LOT NUMBER	BUILDINGS		SANITARY SEWER		FOUNDATION DRAIN	
	MINIMUM BOTTOM OF FOOTING	F.F.E. (+/-) (FT.)	APPROX INV. 24" S.S. MAIN	PROP. BLDG. S.S. INV. @ 5.5. MAIN	APPROX. INV. 21" S.D.	PROPOSED F.D. INV. @ S.D. (2)
1	60.90	70.00	53.00	54.00	58.65	59.98
2	61.30	70.30	53.25	54.25	58.85	60.18
3	SEE NOTE (3)	76.70	NA	NA	NA	NA

INVERT NOTES:

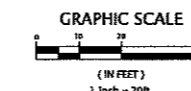
1. SS INVERT BASED ON 6 INCH SERVICE AT SPRINGLINE OF 55 MAIN
2. FD INVERT BASED ON MATCHING CROWNS OF 4 INCH FD & 21 INCH MAINSLOT
3. NOT TO BE DEVELOPED UNTIL VAN VECHTEN ST. IMPROVEMENTS MADE ALL BLDG. INFO. APPROX. ONLY. NO UTILITY SERVICES AVAILABLE.
4. MIN FD AND BLDG. SEWER PIPE SLOPE 1.0%. INSULATE FD IF LESS THAN 1 FT. TO EXIST. 6 INCH LD @ SOUTH SIDE HUMBOLDT ST.

PLAN REFERENCES

1. EXISTING CONDITIONS SURVEY TITLED: "EXISTING CONDITIONS PLAN AT HUMBOLDT, HUNTINGTON & VAN VECHTEN ROAD PORTLAND, MAINE" PREPARED FOR: ARCHIE GIOBBI, SCALE 1"=30' DATED 01-17-2012, PREPARED BY: ROBERT T. GREENLAW LAND SURVEYING, 134 PORTLAND AVE OLD ORCHARD BEACH, MAINE 207-749-9471.



NOTE:
 PROPOSED VAN VECHTEN STREET S. 1-4-03 APPROVED IMPROVEMENTS ARE ASSOCIATED WITH SEPARATE LOTS ON VAN VECHTEN STREET AND ARE SHOWN FOR PHASE 2-LOT 3 FUTURE CONSTRUCTION COORDINATION OF UTILITIES AND GRADING ONLY AND ARE NOT PART OF THE PHASE 1 APPROVAL FOR THIS PROJECT.



REC'D 4-18-12
 PRELIMINARY CITY SUBMITTAL
 3/27/12

REVISIONS

No.	DATE	DESCRIPTION
1	04/18/12	STORMWATER REVS. PER CITY STAFF REVIEW

NOT FOR CONSTRUCTION

PROJECT MANAGER/ENGINEER

LICHT ENVIRONMENTAL DESIGN, LLC
 35 FRANK CIRCLE, GRAY, ME 04039 (207) 749-9824

DRAFTING SERVICES BY:

Fblais civil engineers
 780 BROADWAY, SC. PORTLAND, ME 04106 (207) 767-7900
 © 2012 BLAIS CIVIL ENGINEERS, PA

PRELIMINARY LOT DEVELOPMENT PLAN

HUMBOLDT PROJECT
 PORTLAND, MAINE
 PREPARED FOR: ARCHIE S. GIOBBI
 1184 WASHINGTON AVENUE
 PORTLAND, MAINE 04103

LATEST REVISION (SEE REV. SHEET):
 DATE: March 27, 2012
 DRAWN/CHECKED BY: MW/SB
 SCALE: 1" = 20'
 CONTOUR INTERVAL: 1'
 SCE PROJECT NO: 12110

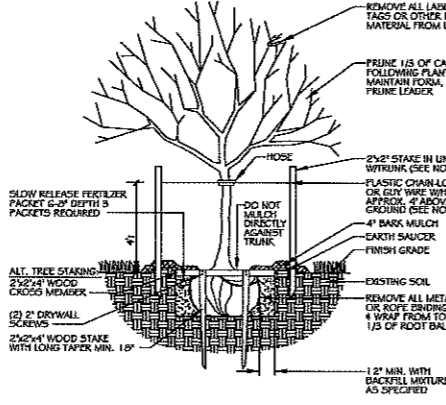
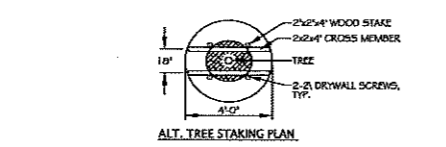
C100

SHEET 1 OF 3

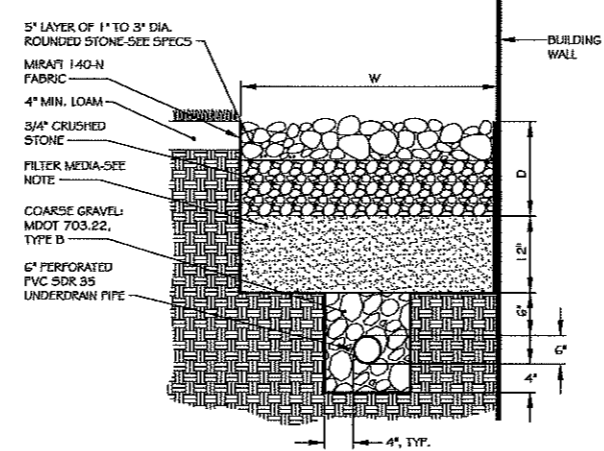
EROSION CONTROL NOTES

1. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST "MANE EROSION AND SEDIMENT CONTROL BURY" BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
2. THE CONTRACTOR SHALL ONLY DISTURB THE AREAS OF THE PROPOSED CONSTRUCTION AND GRADING. ANY DISTURBANCE OUTSIDE THESE LIMITS MUST BE APPROVED BY THE ENGINEER.
3. THE CONTRACTOR SHALL INSTALL ALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH THE DESIGNER'S CONTROL PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SHIELDING EROSION CONTROL METHODS BEYOND THE CONTROLS SHOWN ON THE PLANS IN ORDER TO MEET THE ADOPTED REPERKED DEPT. EROSION CONTROL STANDARDS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE DISTURBANCE OR REGRADING. ALL DISTURBED AREAS ON SITE NOT COVERED BY BUILDINGS OR DESIGNATED PARKING AREAS, DRIVEWAYS, OR DRIVEWAYS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED DESCRIBED IN THE MAINE DEPT. ENV. STANDARDS.
5. PERMANENT SEEDING OR STABILIZATION SHALL BE PERFORMED IMMEDIATELY AFTER FINISH GRADING IS COMPLETED OR TEMPORARY MEASURES SHALL BE APPLIED SUCH AS MULCHING OR SEEDING UNTIL PERMANENT MEASURES ARE IN PLACE.
6. WITHIN 7 CALENDAR DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT, MULCH MUST BE APPLIED ON ANY EXPOSED SOILS.
7. THE CONTRACTOR SHALL STABILIZE ANY SOIL STOCKPILES WHICH WILL REMAIN UNUSED FOR MORE THAN 7 DAYS, OR PRIOR TO A STORM EVENT.
8. ALL EROSION CONTROL DEVICES MUST BE CHECKED WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL TO MINIMIZE PONDING, DAMAGE, RESTORATION OR UNDERMINING. ANY PROBLEMS SHALL BE REPAIRED IMMEDIATELY. TRAPPED SEDIMENT SHALL BE REMOVED WHEN IT HAS ACCUMULATED TO NO MORE THAN HALF THE ORIGINAL HEIGHT OF ANY BARRIER OR AS OTHERWISE SHOWN ON THE PLANS.
9. ALL TRAFFIC INTO AND OUT OF THE SITE SHALL BE OVER THE STABILIZED CONSTRUCTION SITE.
10. LINEAR UTILITY CONSTRUCTION SHALL BE SEEDING AND MULCHED WITHIN 7 DAYS AFTER BACKFILL AND NO MORE THAN 300 FEET SHALL BE OPEN AT ANY ONE TIME. WHERE CONSISTENT WITH JOB SAFETY REQUIREMENTS, ALL EXCAVATED MATERIALS SHALL BE PLACED ON THE UPHILL SIDES OF ALL TRENCHES. ALL TEMPORARY EXCAVATION DEPOSITS SHALL BE SEEDING AND MULCHED WITH TEMPORARY VEGETATION WITHIN 7 DAYS AFTER GRADING.
11. SEDIMENT BARRIERS MUST BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
12. EROSION CONTROL DEVICES SUCH AS SILT FENCE AND SILT PROTECTION SHALL BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION.
13. SEEDING AREAS SHALL BE FERTILIZED AND MULCHED AS NECESSARY TO PROMOTE VEGETATION ESTABLISHMENT.
14. SILT BARRIER TYPE TO BE FIELD DETERMINED BY DESIGN ENGINEER.

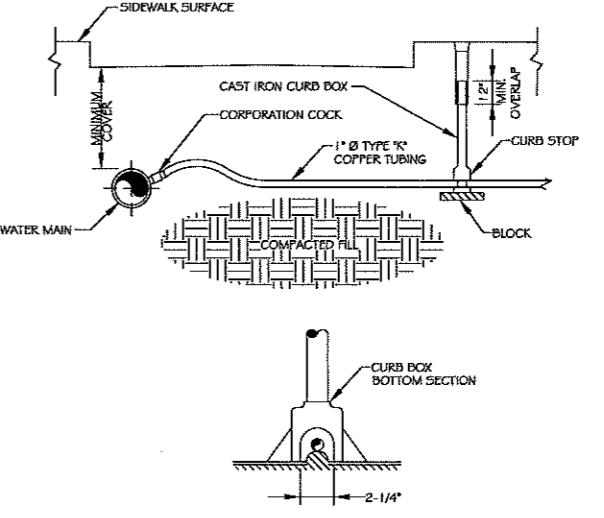
- NOTES:**
1. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE PROJECT SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL, SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SPREAD BARK, STUMP GROUNDINGS, COMPOSTED BARK, OR ACCEPTABLE MANUFACTURED PRODUCTS. WOOD AND BARK CHIPS, GROUND CONSTRUCTION DEBRIS OR REFINISHED WOOD PRODUCTS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX.
 2. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH. THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
 - a. THE ORGANIC PORTION SHALL BE BETWEEN 5.0 AND 8.0.
 - b. THE FIN SHOULD FALL BETWEEN 5.0 AND 8.0.
 - c. THE MIX SHOULD BE PLACED ALONG A RELATIVELY LEVEL CONTOUR. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.
 - d. ON SLOPES LESS THAN 5% OR AT THE BOTTOM OF STEEPER SLOPES ($4:1$) UP TO 20 FEET LONG, THE BARRIER MUST BE A MINIMUM OF 12" HIGH, AS MEASURED ON THE UPHILL SIDE OF THE BARRIER, AND A MINIMUM OF TWO FEET WIDE. ON LONGER OR STEEPER SLOPES, THE BARRIER SHOULD BE WIDER TO ACCOMMODATE THE ADDITIONAL RUNOFF.
 - e. OTHER BARRIERS SHOULD BE USED AT LOW POINTS OF CONCENTRATED RUNOFF, BELOW CLAVERTY OUTLET APRONS, AROUND CATCH BASINS AND CLOSED STORM SYSTEMS, AND AT THE BOTTOM OF STEEP PERMETER SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM (E.G., A LARGE UP-DRAIN CONTRIBUTING WATERSHED). BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. THEY SHALL BE REPAIRED IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THEM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES OF THE BARRIER, OR BOUNDING OF LARGE VOLUMES OF WATER BEHIND THEM, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY CHECK DAM.
 - f. SEDIMENT DEPOSITS MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
 - g. FILTER BARRIERS SHOULD BE RESHAPED AS NEEDED.
 - h. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE BARRIER IS NO LONGER REQUIRED SHOULD BE GRADED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDING.
 - 2.1. PARTICLE SIZE BY WEIGHT SHALL BE: 100% PASSING A 6" SCREEN AND A MINIMUM OF 70% MAXIMUM OF 85% PASSING A 0.75" SCREEN.
 - 2.2. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
 - 2.3. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
 - 2.4. SOLUBLE SALTS CONTENT SHALL BE <math>< 4.0</math> M/M.
 - 2.5. THE PH SHOULD FALL BETWEEN 5.0 AND 8.0.
 3. THE BARRIER MUST BE PLACED ALONG A RELATIVELY LEVEL CONTOUR. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.
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 8. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE BARRIER IS NO LONGER REQUIRED SHOULD BE GRADED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDING.



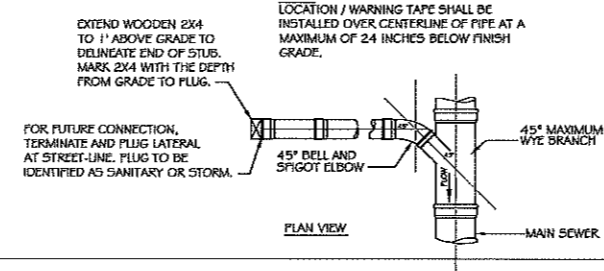
1 DECIDUOUS TREES
NOT TO SCALE



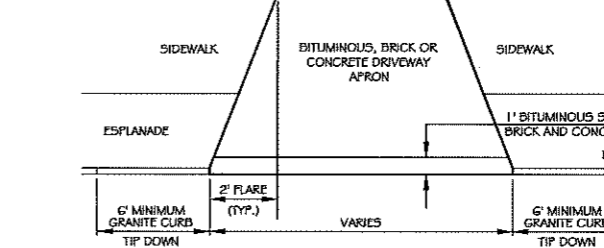
4 ROOF DRIPLINE FILTRATION DETAIL
NOT TO SCALE



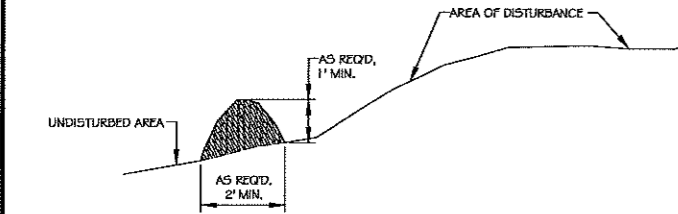
7 TYPICAL COPPER HOUSE SERVICE DETAIL
NOT TO SCALE



5 TYPICAL HOUSE LATERAL WYE CONNECTION
NOT TO SCALE

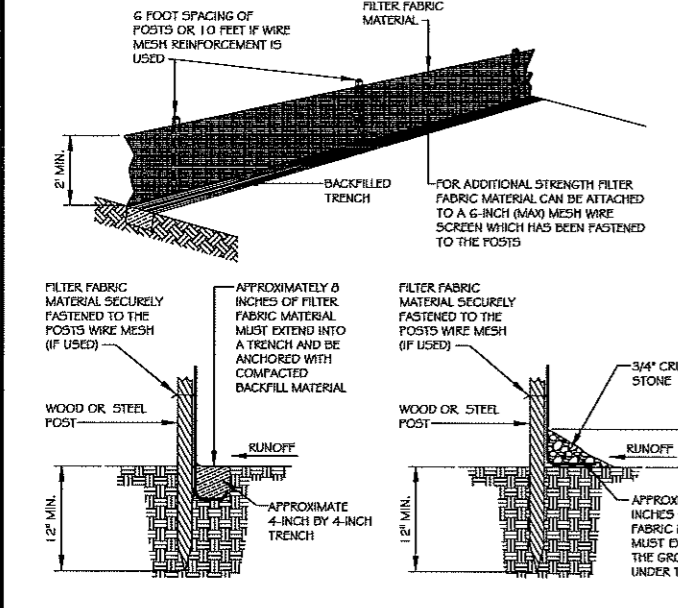


8 DRIVEWAY APRON LAYOUT
NOT TO SCALE

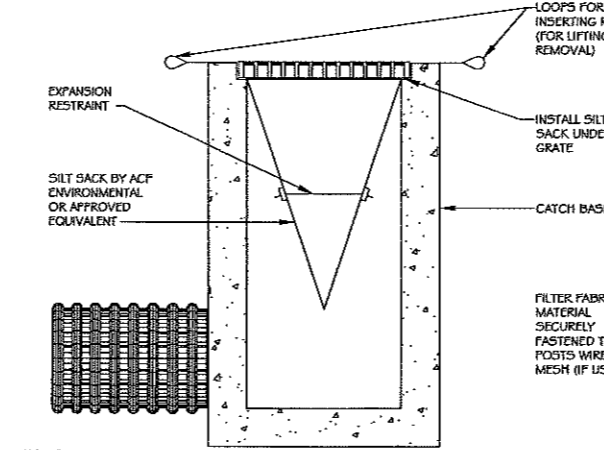


2 SEDIMENT BARRIER DETAIL - EROSION CONTROL MIX BERM OPTION
NOT TO SCALE

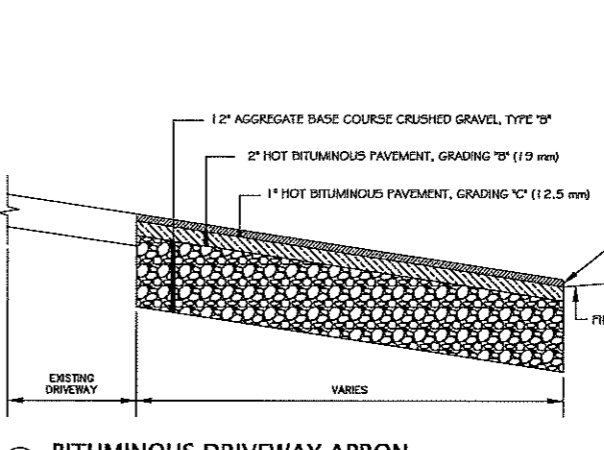
- NOTES:**
1. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. MAXIMUM SEDIMENT BUILD-UP: 9 INCHES.
 2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
 3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE EFFICIENCY. DO NOT PLACE SILT FENCE IN STREAMS OR IN CONCENTRATED FLOW CONDITIONS.



3 SEDIMENT BARRIER DETAIL - SILT FENCE OPTION
NOT TO SCALE



6 INLET PROTECTION - SILT SACK
NOT TO SCALE



9 BITUMINOUS DRIVEWAY APRON
NOT TO SCALE

REVISIONS

No.	DATE	DESCRIPTION
1	04/18/12	STORMWATER REVS. PER CITY STAFF REVIEW

rec'd 4/18/12
PRELIMINARY CITY SUBMITTAL
3/27/12

NOT FOR CONSTRUCTION

PROJECT MANAGER/ENGINEER:
LICHT
ENVIRONMENTAL DESIGN, LLC
35 FRAN CIRCLE, GRAY, ME 04039 (207) 749-4924

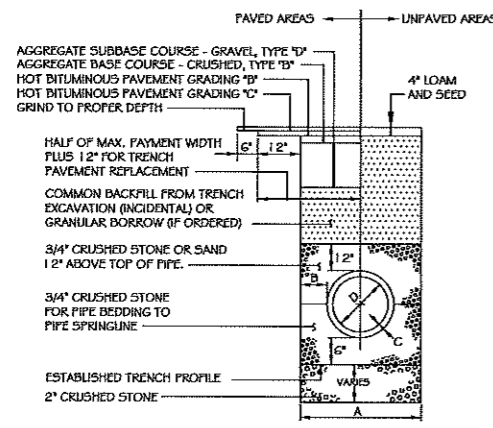
DRAFTING SERVICES BY:
Blais
civil engineers
780 BROADWAY, 50, PORTLAND, ME 04106 (207) 767-7900
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PRELIMINARY DETAILS
HUMBOLT PROJECT
PORTLAND, MAINE
PREPARED FOR:
ARCHIE S. GIOBBI
1184 WASHINGTON AVENUE
PORTLAND, MAINE 04103

LATEST REVISION OR REV. NO.:
DATE: March 27, 2012
DRAWN/CHECKED BY: MV/SB
SCALE: 1" = 20'
CONTOUR INTERVAL: N/A
BCE PROJECT NO: 12110

C101
SHEET 2 OF 3

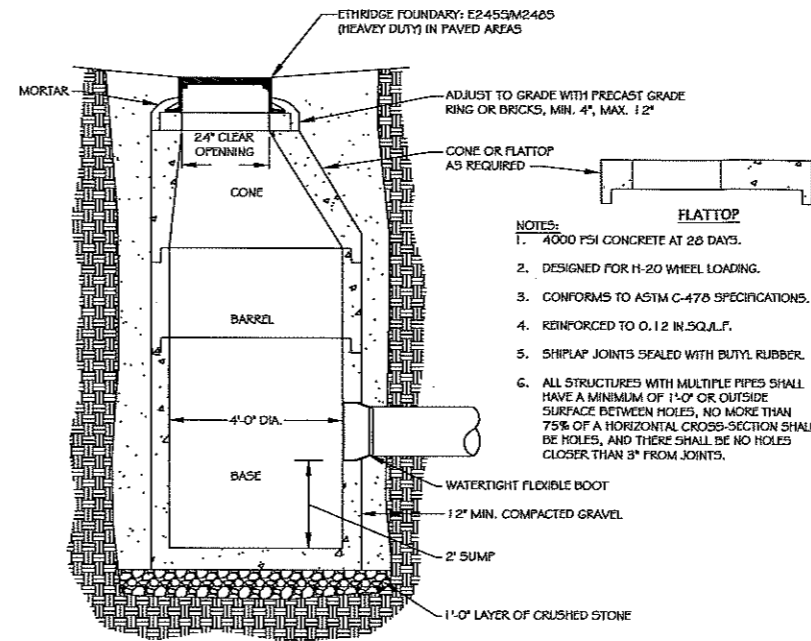
NOTES:
DEPTH OF BITUMINOUS PAVEMENT AND AGGREGATE COURSES SHALL BE DETERMINED BY STREET CLASSIFICATION.
ANY ALTERNATE TRENCHING OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY OF PORTLAND, DEPARTMENT OF PUBLIC SERVICES.



NOTES:
1. ALTERNATIVE CONSTRUCTION METHODS OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
2. IN PAVED AREAS, DEPTHS OF GRAVEL AND HOT MIX ASPHALT PAVEMENT SHALL MATCH THE GREATER OF EXISTING CONDITIONS OR THE REQUIREMENTS FOR THE CORRESPONDING STREET CLASSIFICATION.
3. DIMENSION B SHALL BE SUFFICIENT TO ALLOW CRUSHED STONE BEDDING TO BE PLACED AND COMPACTED UNDER THE HAUNCHES OF THE PIPE; BUT IN ALL CASES DIMENSION B SHALL BE AT LEAST 9".
4. DIMENSION A IS THE MAXIMUM WIDTH ALLOWED FOR CALCULATING PAY QUANTITIES UNDER GRANULAR BORROW, CRUSHED STONE, STRUCTURAL EARTH EXCAVATION, AND STRUCTURAL ROCK EXCAVATION. DIMENSION A SHALL BE BASED ON PIPE DIAMETER, D, AS SET FORTH IN THE FOLLOWING TABLE.

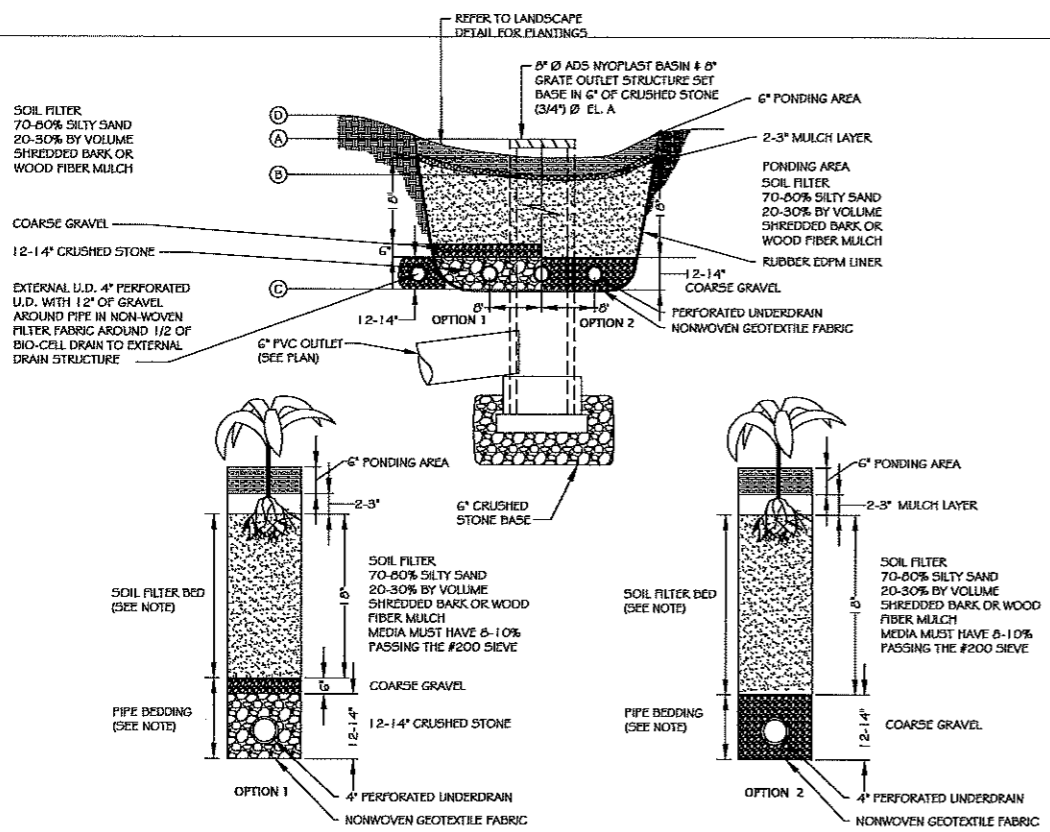
PIPE DIAMETER, D (INCHES)	MAX. TRENCH WIDTH A (FEET)
4	4.0
6	4.0
8	4.0
10	4.0
12	5.0
15	5.0
18	5.0
21	5.0
24	6.0
27	6.0
30	6.0
36	6.0
42	7.0
48	7.0

1 TYPICAL PIPE TRENCH INSTALLATION & STANDARD NOTES
NOT TO SCALE



NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
2. DESIGNED FOR H-20 WHEEL LOADING.
3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
4. REINFORCED TO 0.12 IN.²/SQ.F.
5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
6. ALL STRUCTURES WITH MULTIPLE PIPES SHALL HAVE A MINIMUM OF 1'-0" OR OUTSIDE SURFACE BETWEEN HOLES. NO MORE THAN 75% OF A HORIZONTAL CROSS-SECTION SHALL BE HOLES, AND THERE SHALL BE NO HOLES CLOSER THAN 3" FROM JOINTS.

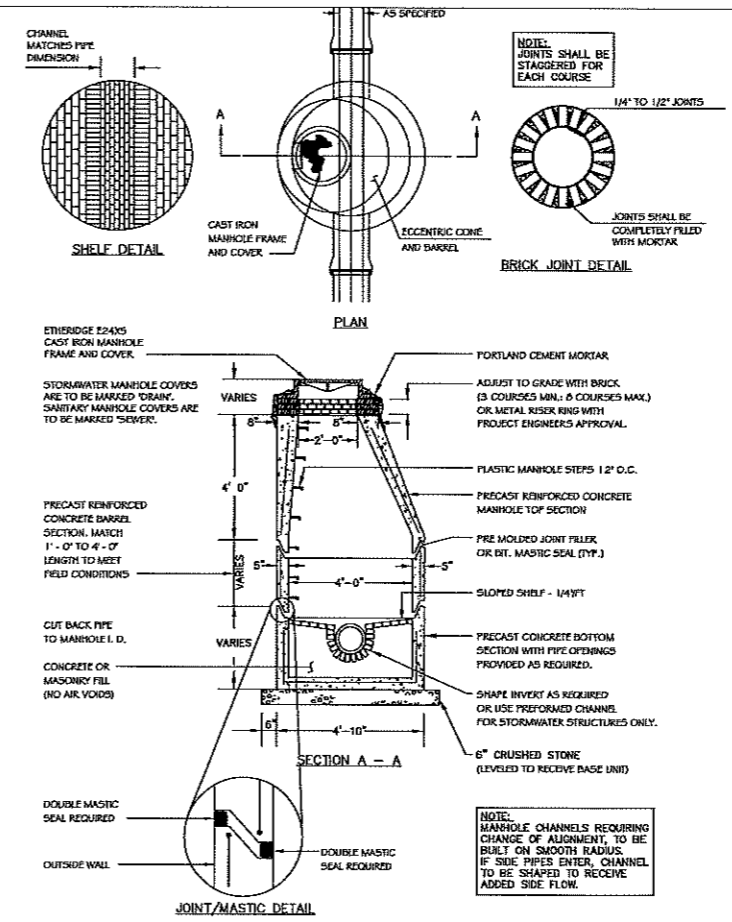
3 DRAIN MANHOLE 1 WITH 2' SUMP DETAIL
NOT TO SCALE



BIO-CELL RAINGARDEN	A	B	C	D	ROWS OF UNDERDRAINS
LOT 1	66.0	65.5	62.7	67.0	1
LOT 2	65.5	65.0	62.2	66.5	1
LOT 3	65.0	64.5	61.7	65.5	1

NOTE: PIPE BEDDING MATERIALS SPECIFIED IN OPTION 1 AND OPTION 2 ARE INTERCHANGEABLE.

2 BIO-CELL (RAIN GARDEN) DETAIL
NOT TO SCALE



NOTE: JOINTS SHALL BE STAGGERED FOR EACH COURSE.
1/4" TO 1/2" JOINTS
JOINTS SHALL BE COMPLETELY FILLED WITH MORTAR.

4 DRAIN MANHOLE 2 DETAIL
NOT TO SCALE

rec'd 4.18.12
PRELIMINARY CITY SUBMITTAL
3/27/12

REVISIONS		
No.	DATE	DESCRIPTION
1	04/18/12	STORMWATER REVS. PER CITY STAFF REVIEW

PROJECT MANAGER/ENGINEER
LICHT
ENVIRONMENTAL DESIGN, LLC
35 FRAN CIRCLE, GRAY, ME 04039 (207) 749-4924

DRAFTING SERVICES BY:
Blais
civil engineers
780 BROADWAY, 50, PORTLAND, ME 04106 (207) 765-7300
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PORTLAND, MAINE
PREPARED FOR:
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DRAWN/CHECKED BY: MV/SS
SCALE: 1" = 2'
CONTOUR INTERVAL: N/A
BCE PROJECT NO: 12110

NOT FOR CONSTRUCTION

CITY OF PORTLAND, MAINE
 PLANNING BOARD

	Workshop	P/H
	✓	✓
Carol Morrisette, Chair	✓	✓
Stuart G. O'Brien, Vice Chair	✓	✓
Timothy Dean	✗	✓
Bill Hall	✓	✓
Joe Lewis	✓	✗
David Silk	✓	✗
Patrick Venne	✓	✓

arrived 7:00 ←

PLANNING BOARD AGENDA
 May 8, 2012
 Room 209, 2nd Floor, City Hall

WORKSHOP – 3:30 p.m.

- i. 4-Lot Subdivision; Humboldt, Huntington and Van Vechten Streets; Archie Giobbi, Applicant.
 (3:30–4:15 p.m. – estimated time) Archie Giobbi is proposing a 4-lot subdivision on land between Humboldt and Van Vechten Street, to include an existing house at 74 Huntington Avenue as required under State Subdivision Law. The property is in the R-3 zone. Van Vechten Street is currently unimproved but the applicant received approval for a proposed street extension in 2011.
- ii. 2 Phase Construction Project; Level III Site Plan and Conditional Use Review; 850 Baxter Boulevard; Seaside Rehabilitation Center, Applicant. (4:15-5:15 p.m. – estimated time) The Seaside Rehabilitation Center is proposing an addition and renovation to their facility at 850 Baxter Boulevard. Phase I is to build a 2-story addition with a total of 38 private rooms. Phase II will be the renovation of 2 wings of the existing facility in which a total of 76 semi-private rooms will be converted to 38 private rooms. The overall bedroom count of 154 beds and 87 parking spaces will remain the same.
- iii. Patient Care Center; Level III Site Plan and Conditional Use Review; 1 College Street, University of New England, Applicant. (5:15-6:30 p.m. – estimated time) The University of New England is proposing a Patient Care Center to serve the new Dental Medicine curriculum at 1 College Street. The proposed building will face Stevens Avenue with a building footprint of 18,200 sq. ft. and a total floor area of 39,500 sq. ft. The proposed building will replace 3 existing structures on the campus.

PUBLIC HEARING – 7:30 P.M. (Note Change in Time)

1. ROLL CALL AND DECLARATION OF QUORUM
2. COMMUNICATIONS AND REPORTS
3. REPORT OF ATTENDANCE AT THE MEETING HELD ON APRIL 24, 2012:
Workshop: All Members were present
Public Hearing: Morrisette, O'Brien, Dean, Hall, ~~Lewis~~ and Venne present; Lewis absent.
Silk
4. REPORT OF DECISIONS AT THE MEETING HELD ON APRIL 24, 2012:
 - i. Amendment to Contract Zone; 81-85 Danforth Street; Danforth on High, L.P., Applicant.
 The Planning Board voted unanimously 6-0 (Lewis absent) to recommend approval of the conditional zone amendment to the Portland City Council with two (2) conditions.

ii. Conditional Use and Level II Site Plan Review; 801 Washington Avenue; Cumberland Farms, Applicant.

The Planning Board voted unanimously 6-0 (Lewis absent) on all of the following motions:

- to waive the driveway width;
- to waive the number of curb cuts subject to the condition that the curb cut on Washington Avenue, closest to Ocean Avenue, be ingress only;
- to waive the curb cut distance to intersection;
- to waive the size of the parking space;
- to approve the conditional use subject to one (1) condition of approval; and
- to approve the site plan subject to seven (7) conditions of approval.

iii. Convenience Store; Gas Station and Bank; 1884 Forest Avenue; John Chau and Phuong Neang, Applicants.

The Planning Board voted unanimously 6-0 (Lewis absent) on all of the following motions:

- to approve the conditional use subject to one (1) condition of approval;
- to waive the maximum curb cut standard;
- to approve the traffic movement permit subject to one (1) condition of approval;
- to approve the stormwater management permit subject to two (2) conditions of approval; and
- to approve the site plan subject to ten (10) conditions of approval.

5. NEW BUSINESS

i. Building and Showroom Additions; Level III Major Site Plan Review; 191 Riverside Street;

Berlin City of Portland, Inc., Applicant. (7:30 -8:15 p.m. – estimated time) The Planning Board

will consider a Level III: Major Site Plan Application by Berlin City of Portland, Inc. to

construct an 11,800 sq. ft. service addition and a 1,910 sq. ft. showroom addition, along with

minor adjustments to parking and sidewalks, to the existing Berlin City Lexus/Toyota dealership

located at 1919 Riverside Street. *The Planning Board voted unanimously (5-0) Silk*

and Lewis absent to approve waivers of parking space and aisle width, and

ii. Bus Sign Amendments, Text Amendment, City of Portland, Applicant. (9:00 p.m. – estimated

time) The Planning Board will consider amendments to Division 22, the Sign Ordinance and to

the City of Portland Technical Manual concerning transit shelter advertising signage and the

design and placement of public transit facilities. *The Planning Board voted*

5-0 (Silk and Lewis absent) to approve the Technical

Manual update revisions and to recommend the

To access agenda materials on-line, please visit the following web address on or after the Friday

preceding the meeting date: <http://www.portlandmaine.gov/planning.htm>

CAROL MORRISSETTE, CHAIR - PORTLAND PLANNING BOARD

*proposed zoning
amendment
to the City
Council.*



**MEMORANDUM
DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT
PLANNING DIVISION**

TO: Chair Morrissette and Members of the Portland Planning Board
FROM: Jean Fraser, Planner
DATE: Prepared: May 4, 2012
Presented: May 8, 2012
RE: **HUMBOLDT, HUNTINGTON AND VAN VECHTEN STREETS:
4 LOT SUBDIVISION**
Address: 74 HUNTINGTON STREET CBL: 410-D-6,7,8
Project ID: 2012-423
Applicant: Archie Giobbi

*1,000-2,000
for home-made
tree box
in 1 hr.*

*Ch 500 x 2 say 600 x 2 =
1200
into escrow.*

I. INTRODUCTION

Home made tree box possible

Archie Giobbi is proposing a 4-lot subdivision on land between Humboldt and Van Vechten Street, to include an existing house at 74 Huntington Avenue (not owned by the applicant) as required under State Subdivision Law. The property is in the R-3 zone. Van Vechten Street is currently unimproved but the applicant received approval for a proposed street extension in 2011 (Attachment 1).

The Planning Board is being requested to review the application under Portland's Subdivision Ordinance.

The applicant and his wife also own land (3 lots) on the west side of the unimproved and unaccepted part of Van Vechten Street.

A total of 154 notices were sent out to neighbors and interested parties, and the public notice appeared in the April 30 and May 1, 2012 editions of the *Portland Press-Herald*.



II. PROJECT DATA

<i>DATA</i>	<i>Existing s/f home at 74 Huntington) (Lot #4)</i>	<i>Proposed lot fronting Van Vechten Street (Lot #3)</i>	<i>Proposed lots fronting Humboldt St (Lots #1 and #2)</i>	<i>Total Subdivision (4 lots)</i>
Existing Zoning	R-3	R-3	R-3	R-3
No of Lots	1	1	2	4
Existing Use	Single family	vacant	vacant	vacant
Proposed Use	Single family- no change (not owned by applicant)	1 single family lot	2 single family lots	4 Single family lot
Lot Size Min lot size in R-3 is 6500 sq ft	9624.2 sq ft	7008.4 sq ft	Lot #1: 6507.5 sq ft Lot #2: 6507.5 sq ft Total: 13015.0 sq ft	20,023.4 sq ft (Note: 3304.5 sq ft of original parcel to be sold to neighbor to north, Caiazzo)
Street Frontage	Huntington (accepted): 100 ft	Van Vechten (unimproved): 70 feet	Humboldt (accepted): 65 feet each lot	235 ft
Total Disturbed Area				23, 325 sq ft
Existing impervious areas	Not submitted (house & small driveway)	0	0	Not known- just Lot #4
Proposed impervious areas (house footprint and driveways)	No change	1,796 sq ft	Lot #1: 1188 sq ft Lot #2: 1248 sq ft	4232 sq ft
Area of existing wetland	Not known	Approx 6750 sq ft (staff estimate)	Lot #1: 4635 sq ft Lot #2: approx. 4900 sq ft (staff estimate)	Approx. 16, 285 sq ft (approx. 70%)
Area of wetlands proposed to be filled	None	Not submitted- this lot has larger house proposed, located completely in wetlands	Not submitted	10,400 sq ft (approx. 60% of existing wetland area of the 3 new lots)

III. EXISTING CONDITIONS

The parcel is located on the north side of Huntington Street between Van Vechten St and Humboldt St within a residential area of mixed lot sizes and house types. It is abutted on all sides by existing single family homes.

The 4 lots were part of a single parcel (one owner) with a single family home and driveway at 74 Huntington. Upon the death of the then-owner, the developed lot on Huntington was sold to one party and the remaining land was sold to Giobbi, who now proposes to divide the undeveloped part of the parcel into 3 lots after selling a strip along the north side to the neighbor. The proposed new lots are largely wetland.

The property is located in the Fall Brook Urban Impaired Stream catchment area.

Huntington and Humboldt Streets are paved and accepted by the City, with curbing. One of the lots (#3) fronts onto Van Vechten street, which is an unimproved and unaccepted street for which the applicant has already obtained 14-403 approval for upgrading to city standards, with sidewalks and curbing waived due to drainage requirements (Attachment 1). This previous approval was obtained to provide access to 3 lots owned by the applicant/his family on the other side of Van Vechten.



From Humboldt looking SW

IV. PROPOSED DEVELOPMENT

The proposed subdivision comprises 3 new lots and one existing lot with a house dating from 1915 (Attachment G). In order to address stormwater requirements the project includes a bio-retention cell in the front yard of each new house lot. In order to minimize wetland fill, the wetland is retained at the rear of the new lots to within 10-15 feet of the suggested house footprints.

Although the roof dripline infiltration is proposed to address stormwater standards, this application does not include site plans for the homes on these lots.

Lots 1, 2 and 4 are accessed by existing, accepted City streets (Huntington and Humboldt). Lot #3 fronts onto Van Vechten Street which is currently unimproved; the applicant has already received approval for its improvement (Attachment 1). The applicant has included notes on the proposed plat (Attachment G.2) to the effect that the Lot #3 and construction of Van Vechten Street would comprise a Phase 2, with a separate Plat and Performance Guarantee arranged in advance of construction.

V. STAFF REVIEW

A. ZONING ASSESSMENT

The proposed subdivision is within the R-3 Residential Zone.

Marge Schmuckal, Zoning Administrator, reviewed the original submissions and considered them unclear and requested further information (Attachment 2). The applicant has submitted revised plans (the most recent 4.30.2012) and the Zoning Administrator has not had an opportunity to review them.

B. SUBDIVISION STANDARDS

14-496. Subdivision Plat Requirements

A draft subdivision plat (Attachment G.1) has been submitted to address staff comments (Zoning and DPS comments and staff letter 2.21.2012 in Attachments 1, 2 and 3). The Plat was submitted on 4.30.2012 so there has not been time for a full review.

One of the central issues for the Subdivision plat review is how to refer to Lot #3, which fronts onto the unimproved Van Vechten Street. Originally the applicant, supported by his attorney, requested (Attachment B.8) a note or condition on Lot # 3 that it cannot be built upon until it meets the 14-403 approval requirements. The city's attorney questioned that approach and suggested that phasing may be more appropriate mechanism (Attachment 6).

The applicant has agreed to phasing the project as outlined in Attachment D.1 and shown on the proposed plat in Attachment G.2. The plat indicates the two phases (phase 1 being Lots 1, 2 and 4; Phase 2 being Lot 3) and adds the following note to the plat:

10. Approval of this subdivision plat is for Phase 1 to include Lots 1, 2 and 4 (the existing dwelling). A performance guarantee for phase 1 specified improvements shall be provided and approved by the City Planning Department prior to the release of the signed mylar for recording. A separate phase 2 subdivision plat to include lot 3 and Van Vechten Street approved improvements shall be submitted for Planning Board approval along with a separate performance guarantee for phase 2 and recorded separately from phase 1 subdivision plat prior to commencement of any work on phase 2. Said plat shall show phase 1 for reference only.

This suggested note has been reviewed by the City's Associate Corporation Counsel (Attachment 6, b) who comments:

Finally, I do not think the note is ok - because section 14-496(17) requires it to depict all future phases on the plat - it can ultimately be recorded sectionally if it meets the requirements in section 14-495(h) - and can also be subject to conditions that the Planning Board deems necessary under that same section (like making sure to bold and delineate the two phases so future buyers are aware, etc.).

The Board is requested to provide direction on how to ensure that Lot #3 has an approved street access within this 4 lot subdivision.

14-497. Subdivision General Requirements (a) Review Criteria

Water, Air Pollution and Soil Erosion

The applicant has submitted a 2,6,2012 letter (Attachment B.12) confirming that there is an adequate water supply for the 3 proposed new single family lots.

Traffic

The proposed subdivision does not include any traffic proposals as it makes use of existing or approved streets.

Sanitary Sewer/Soils

The proposals show sewer connections to existing and proposed street services.

Confirmation of sanitary sewer capacity is included at Attachment B.

Storm water

In addition to the plat issues discussed above, the main focus of the staff discussions with the applicant has been how to address the stormwater requirement given the scale of wetland and the location of the property in the direct watershed of an urban impaired stream. The applicant outlined an approach to stormwater management on March 27, 2012 (Attachment B, particularly B.3) which was discussed at a meeting with the applicant on April 3, 2012. Staff indicated that the 3.27.2012 proposals needed to further address treatment requirements under Chapter 500, which require treating, reducing or eliminating an off site or on site pre-development stormwater source in accordance with Chapter 500 standards.

Since the meeting the applicant has reconfigured the site layout (Attachment G.3) to include bio-retention cells in each front yard (of the 3 new lots) as a means of addressing the Chapter 500 requirements. The Engineering Peer Reviewer has commented (Attachment 6) that the applicant is not able to meet the treatment standard on site and has suggested the applicant look for options to treat a nearby untreated stormwater source (ie also within the Fall Brook Watershed), potentially from a city roadway or from another nearby property.

In response to these comments the applicant has offered (letter of 5.1.2012 in Attachment E) to make a contribution to an escrow fund or other appropriate fund that addresses the water quality issue rather than invest in costly tree filters in the nearby streets.

Staff note that the applicant owns land on the other side of Van Vechten and would have an opportunity there to incorporate treatment of stormwater, or alternatively could utilize lower cost tree filters in nearby streets (eg when constructing Van Vechten) that would provide additional treatment.

Scenic Beauty

The undeveloped lots are mostly wetland with a few trees on the high ground (see aerial on page 1). The regrading required to allow the homes to be built on filled and raised land would require removal of most existing vegetation. Once the overall approach to stormwater and wetland fill is finalized, the applicant should confirm the size of the trees in the setbacks and staff will determine whether the tree replacement requirements of the ordinance waiver provisions apply.

Two street trees per lot have been shown on the plat.

Financial Capability

The applicant has not submitted a letter confirming financial capability.

Wetlands

The applicant has submitted a wetlands determination as part of their subdivision application and this is also included in the NRPA tier 1 Wetland fill application to the MDEP (Attachment C). Lot #3 is almost entirely wetland; Lots # 2 and #3 are mostly wetland with small areas of high ground. The proposals appear to require filling of over 60% of the wetlands on Lots 1, 2, and 3.

Staff are concerned at the scale of wetland fill but this wetland does not fall within the definition of a wetland under the subdivision ordinance (quoted below). The applicant will update on their discussions with the MDEP concerning the Tier 1 application to fill over 10,000 sq ft of wetlands.

14-497 a 11. Whenever situated, in whole or in part, within the watershed of any pond or lake or within two hundred fifty (250) feet of any wetland, great pond or river as defined in Title 38, chapter 3, subchapter I, article 2-B, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water;

14-498. Technical and Design Standards

Sidewalk Requirements

The subdivision ordinance states:

14-498 8a. Sidewalks and curbs:

- a. Sidewalks shall be constructed on each side of each street in accordance with article III of chapter 25. Sidewalks to be used by pedestrians are to be so located as to minimize contacts with normal automotive traffic, with preference given to interior walks away from streets in common open space in block interiors.**

The proposed subdivision fronts onto three streets with three different sets of circumstances:

- Lots #1 and #2: front onto Humboldt, an accepted street with curbs;
- Lot #3: fronts onto unimproved and unaccepted Van Vechten, where the applicant has approval for a street extension without sidewalks (sidewalks were waived in 2011 review to facilitate drainage swales) (Attachment 1);
- Lot #4 (existing house and drive, not owned by applicant): fronts onto Huntington, a accepted street with curbs

The applicant initially suggested that 14-498 would not apply in this case because the streets exist already (ie are not new streets proposed as part of the subdivision infrastructure) and the City's Associate

Corporation Counsel has confirmed her opinion that this requirement does apply in this case, although noting that installation of the sidewalk on Lot #4 may be problematic (Attachment 5b).

The applicant has requested waivers from the provision of sidewalks on all of the lots, with narratives included in several of the submissions and a recent update (received 5.3.2012, attached at end of Attachment F) that addresses each of the waiver criteria and concludes that the proposals meet two of the waiver criteria. Staff have not had the opportunity to review this in detail, but the Traffic Engineering reviewer Tom Errico has indicated that he does not agree with these conclusions (Attachment 7).

VI NEXT STEPS

1. Neighborhood Meeting – not required
2. Revise Subdivision Plat - address issues identified by the Board
3. Submit letter of financial capability
4. Submit information regarding existing trees in setbacks
5. Address stormwater treatment requirements

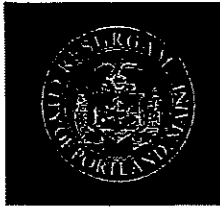
ATTACHMENTS:

Attachments to Memorandum

1. Van Vechten 14-403 Extension Approval and plan
2. DPS comments 2.10.2012
3. Zoning Administrator comments 2.17.2012
4. Staff Review letter 2.21.2012
5. Legal comments from Associate Corporation Counsel, Danielle West-Chuhta:
 - a. Re Lot #3 - response to letter from applicant's attorney David Lourie
 - b. Re Sidewalk Ordinance requirements and waivers
6. Peer Engineering Review comments 2.10.2012 and 4.27.2012 and
7. Traffic Engineering comment re sidewalk waiver 5.4.2012

Applicant's Submittal

- A. Cover Letter and Application dated 1.30.2012
- B. Letters from Licht Environmental Design and Archie Giobbi 3.27.2012 responding to staff review letter, including capacity letters and letter from David Lourie
- C. NRPA Tier 1 Application
- D. Letter from Licht Environmental Design 4.19.2012 with Stormwater Management Analysis
- E. Letter from Licht Environmental Design 5.1.2012
- F. Waiver Request re sidewalks Att to 5.1.2012 letter in E above
- G. Plan Set
 1. Existing Conditions Plan
 2. Proposed Subdivision Plat 4.30.2012
 3. C100 Preliminary Lot Development Plan 4.18.2012
 4. C101 Preliminary Details
 5. C102 Preliminary Details



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Planning and Urban Development Department
Penny St. Louis, Director

JUNE 12, 2011

Planning Division
Alexander Jaegerman, Director

ARCHIE GIOBBI
1184 WASHINGTON AVE.
PORTLAND, ME 04102

PETER DALFONSO, P.E.
DALFONSO ENGINEERING
17 LEDGE HILL RD.
GORHAM, ME, 04038

Project Name: VAN VECHTEN STREET EXTENSION Project ID: 10-7970001
Address: 23 VAN VECHTEN ST. CBL: 410-C-026-001
Applicant: ARCHIE GIOBBI
Planner: ERICK GILES

Dear Mr. Giobbi:

On June 13th 2011, the Planning Authority approved the Van Vechten Street Extension project at 23 Van Vechten St. as shown on the plans submitted by Dalfonso Engineering and Ocean Park Land Surveying dated June 6th 2011, with the following waivers and conditions of approval:

WAIVERS:

1. The Planning Authority waives section 14-498 and 14-499 pertaining to the provision and construction of curbs and sidewalks.

STORM WATER MANAGEMENT CONDITION OF APPROVAL:

1. The applicant and all assigns, must comply with the conditions of Chapter 32 Storm Water including Article III. Post-Construction Storm Water Management, which specifies the annual inspections and reporting requirements. The developer/contractor/subcontractor must comply with conditions of the construction storm water management plan and sediment & erosion control plan based on our standards and state guidelines.

CONDITIONS OF APPROVAL:

1. Upon construction completion and prior to street acceptance by the City, a revised boundary survey shall be submitted to Department of Public Services for review and approval.
2. Upon construction completion and prior to street acceptance by the City, a complete set of record drawings shall be submitted to the Department of Public Services and Planning Authority for review and approval.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require

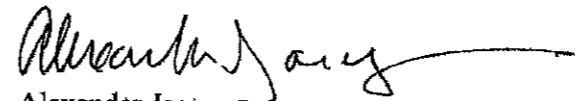
the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.

- 2. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
- 3. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
- 4. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
- 5. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. 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. **Department of Public Services Permits** 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.)
- 7. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. 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.

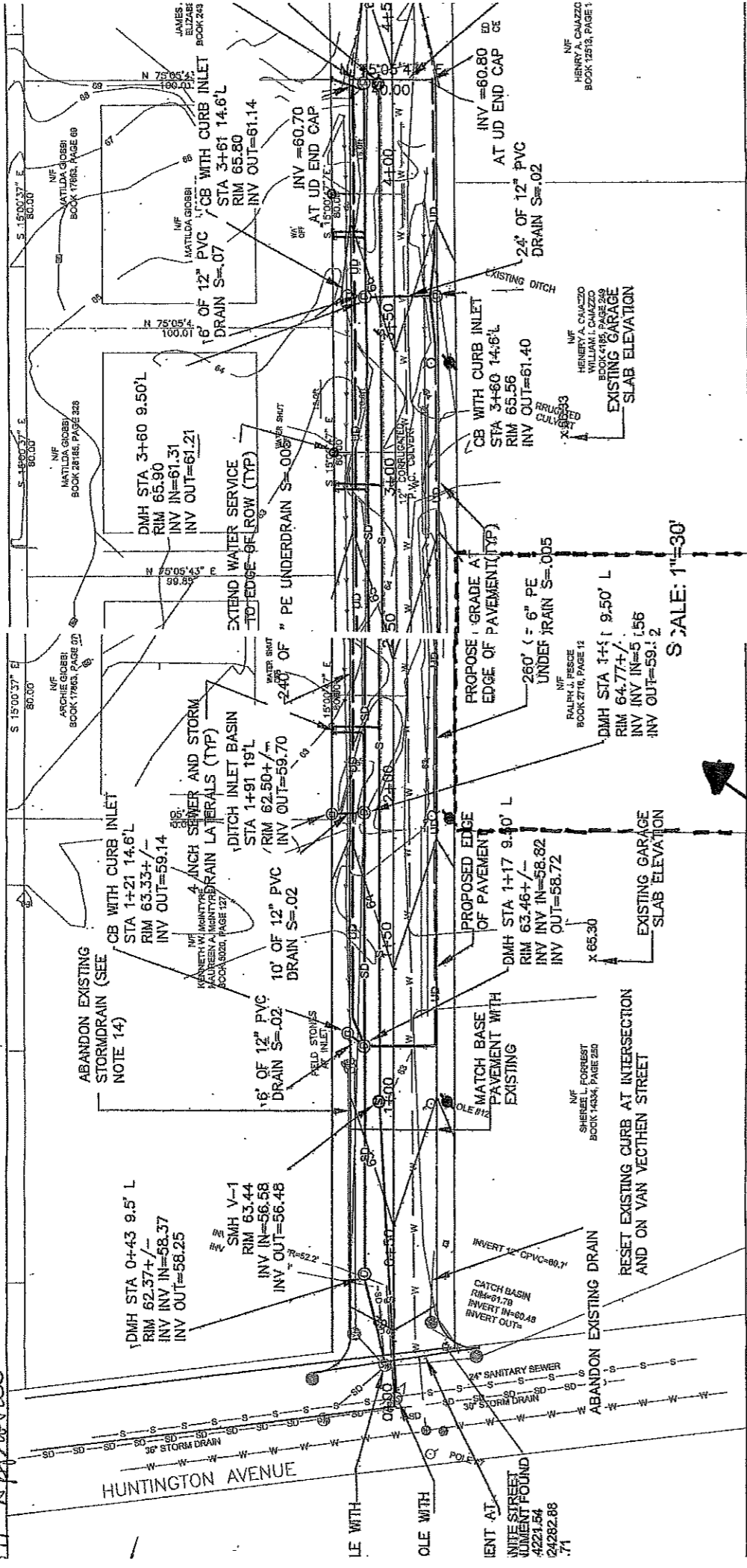
If there are any questions, please contact egiles@portlandmaine.gov at (207) 874-8723

Sincerely,


 Alexander Jaegerman
 Planning Division Director

Previously approved Van Vechten Street Extension (6-13-2011)

Approval



Lot # 3 of Giobbi's
4-lot Subdivision

13

3

February 10, 2012

TO: Jean Fraser
Barbara Barhydt
FROM: David Margolis-Pineo
Dept. of Public Services
RE: Preliminary Review Comments: 74 Huntington Ave
Humboldt/Van Vechan
Four Lot Subdivision

The submitted plan is lacking deficient detail for a full Department review. Bill Clark has review the plan and has offered preliminary survey comments.

1. All lot lines need labeling.
2. Line weights need to accentuate the proposed lines versus the existing subdivision lines.
3. All streets need to be labeled.
4. Note 6 is in conflict as it says the bearings are magnetic and the horizontal Datum is NAD83. Bearings for the two systems are not the same.
5. Note 6 stated that "New survey control monuments were set and labled (sic) hereon." This was not done, and new monuments are not shown as set. Please show State Plane Coordinates for the three foot offset monuments at Van Vechten/Huntington, Demerest/Huntington, Humboldt/Huntington, and Humboldt/Marlborough.
6. Tie lines (bearings and distances) are needed from the monuments at Van Vechten/Huntington and Humboldt/Huntington to the nearest street line corners of the block in which the subdivision resides.
7. Plan does not state if the monument at Humboldt and Marlborough was held, or if it was a three foot offset monument.
8. Plan does not state that any of the monuments are three foot offset monuments for the two streets they reference.

This Department has no further comments at this time.

Jean Fraser - Humbolt Subdivision

From: Marge Schmuckal
To: Jean Fraser
Date: 2/17/2012 11:14 AM
Subject: Humbolt Subdivision

Jean,
There is no zoning review set-up for me in the One Solution to put comments in. So here is this.

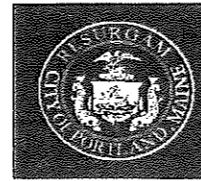
Humbolt Subdivision - #2012-423
4 lot subdivision - R-3
2/17/2012

I have made a preliminary review of the submission for this proposed 4 lot subdivision. The subdivision/site plan is not at all clear. The boundaries of the lots are not clear. There is no information on the 4th lot containing the existing dwelling. What is the lot size? How much area is being conveyed to the abutter, Caiazzo?

I am also confused by the surveyor who has signed and sealed with his name that the subject parcel is only 23,325 square feet in size. Whereas the applicant claims on the Project Data sheet that the total site area is 32,325 square feet. What is the correct information?

At this time I can not complete my zoning review based upon the confusing and questionable submission.

Marge Schmuckal
Zoning Administrator



PORTLAND MAINE

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Planning & Urban Development Department
Gregory A. Mitchell, Acting Director

Planning Division
Alexander Jaegerman, Director

copy
out

February 21, 2012

Archie Giobbi
1184 Washington Avenue
Portland, ME 04103

**Re: Subdivision Review:
4 lot subdivision fronting Huntington, Humboldt and Van Vechten Streets and
including 74 Huntington Street
Application No. 2012-423**

Dear Mr. Giobbi

I write to confirm the receipt of the application for level III Subdivision review of the 4 lots referenced above.

The proposals are being reviewed in relation to the City's Subdivision Review standards set out in Sections 14-496 and 14-497, and the zoning and street requirements of the City's Ordinance. In order to complete the preliminary review and confirm the timetable for Planning Board consideration, I would request that the following information be submitted as soon as possible:

1. **Subdivision Plan (Plat) (as received 2.17.2012):** A complete subdivision plat is required. This should:
 - Comply with the Subdivision Plat requirements as set out in 14-496 (copy attached);
 - Show and label the boundaries of the 4 lots clearly and also outline the existing buildings on the lots surrounding the site;
 - Show existing trees, proposed treesaves and proposed street trees;
 - Show calculations and information for the 4 lots that comprise this one subdivision (the lot with an existing house is part of the subdivision); and
 - Address the following survey comments:
 - i. Note 6 is in conflict as it says the bearings are magnetic and the horizontal Datum is NAD83. Bearings for the two systems are not the same.
 - ii. Note 6 stated that "New survey control monuments were set and labled (sic) hereon." This was not done, and new monuments are not shown as set. Please show State Plane Coordinates for the three foot offset monuments at Van Vechten/Huntington, Demerest/Huntington, Humboldt/Huntington, and Humboldt/Marlborough.
 - iii. Tie lines (bearings and distances) are needed from the monuments at Van Vechten/Huntington and Humboldt/Huntington to the nearest street line corners of the block in which the subdivision resides.

Att. 4.2

- iv. Plan does not state if the monument at Humboldt and Marlborough was held, or if it was a three foot offset monument; Plan does not state that any of the monuments are three foot offset monuments for the two streets they reference.
2. **Zoning:** I have received the following comments from the Zoning Administrator:
I have made a preliminary review of the submission for this proposed 4 lot subdivision. The subdivision/site plan is not at all clear. The boundaries of the lots are not clear. There is no information on the 4th lot containing the existing dwelling. What is the lot size? How much area is being conveyed to the abutter, Caiazza?

I am also confused by the surveyor who has signed and sealed with his name that the subject parcel is only 23,325 square feet in size. Whereas the applicant claims on the Project Data sheet that the total site area is 32,325 square feet. What is the correct information?

At this time I can not complete my zoning review based upon the confusing and questionable submission.
3. **Wetlands:** Please show on a plan the proposed building locations for the three undeveloped lots (which would meet setback requirements and allow for drainage to all yards) in relation to the identified wetlands and provide a calculation showing the square footage of wetlands that would need to be filled in. This will clarify what level of MDEP permit is needed. Any MDEP permit needs to be obtained and submitted prior to final subdivision plat being signed by the Planning Board.
4. **Drainage:** In your submission you describe the various contributing factors that have caused so much of this site to be wet. The subdivision plat (or a separate drainage plan) needs to show a stormwater management plan that shows how drainage for the existing house and the proposed development of the other three lots will be revised to meet the City and MDEP stormwater management rules. This subdivision may also be subject to additional requirements because it falls within the watershed of the Fall Brook, an urban impaired stream.
5. **Access:** Please clarify how the lot fronting onto Van Vechten Street will be accessed, since Van Vechten has not yet been upgraded or accepted by the City.
6. **Utilities :** Please clarify how the proposed new homes on the three undeveloped lots will be served and provide capacity letters from the sewer and water utilities.
7. **Sidewalks and curbing:** Please note that the previous waiver of these on Van Vechten Street related to a particular type of drainage (as shown on approved plans) and that this waiver does not automatically apply to the subdivision application now under consideration.
8. **Right, title and Interest:** Please submit evidence of right, title and interest for the lot fronting onto Huntington Street.

If you have any questions, please do not hesitate to contact me on (207) 874 8728 or at jf@portlandmaine.gov. As mentioned, I would be happy to setup a meeting with appropriate reviewers to discuss/clarify any issues.

Sincerely,

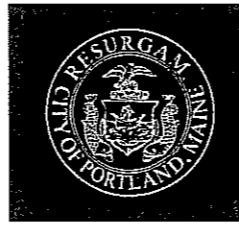


Jean Fraser
Planner

cc.

Rick Licht, Licht Environment Design LLC
Barbara Barhydt, Development Review Services Manager
David Margolis-Pineo, Deputy City Engineer

Marge Schmuckal, Zoning Administrator
Jeff Tarling, City Arborist
David Senus, City's Engineering Reviewer



Attachment 5a.1

Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Corporation Counsel
Gary C. Wood

Associate Counsel
Danielle P. West-Chuhta
Ann M. Freeman
Lawrence C. Walden

March 26, 2012

*Response to
applicant's
attorney*

David A. Lourie, Esq.
189 Spurwink Avenue
Cape Elizabeth, ME 04107

Re: Van Vetchen Street/Humbolt Street Subdivision

Dear David:

This letter is written in response to the enclosed letter dated March 21, 2012. As you indicated, we spoke on the telephone regarding the above referenced matter. During that conversation, I did indicate that it was for the Planning Board (the "Board") to determine whether or not the condition was appropriate, but that it would be best if the lot on Van Vetchen Street (that is not being proposed for development) was not actually divided/spilt off from the larger tract or parcel of land. I further informed you, however, that a similar condition on another project had actually been denied by the Board.

Please note that it may be difficult for the Board to approve the proposed condition unless your client's project is phased. Also, be aware that section 14-499 requires infrastructure improvements to be performed by the subdivider/applicant and not the buyer of property.

Thank you for your time and attention to this matter.

Sincerely,

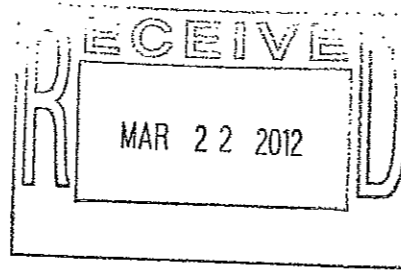
Danielle West-Chuhta
Associate Corporation Counsel

cc: Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner

5a. 2

Law Offices of David A. Lourie
189 Spurwink Avenue
Cape Elizabeth, Maine 04107
and
97 India Street, Portland ME 04101
(207) 799-4922 (Fax) 221-1688
david@lourielaw.com

March 21, 2012



Archie S Giobbi
400 Allen Avenue
Portland, ME 04103

Re: Van Vechten St./Humbolt Street Subdivision

Dear Archie:

This will confirm our telephone discussions concerning the lot proposed to be created by a Humbolt Street subdivision, which will lack sufficient access on Van Vechten Street until such time as you construct Van Vechten Street past that lot to service your previously approved Van Vechten Street subdivision, per §403.

It is my opinion that the Planning Board may approve the Humbolt Street subdivision on condition that the resulting Van Vechten Street lot not be built upon until it meets the requirements of §403. Per your request, I called Danielle West-Chuta, Associate Corporation Counsel to confirm this opinion. It is my understanding that Danielle agrees that the Planning Board has discretion to approve the Humbolt Street Subdivision (with a condition prohibiting development of the third lot on Van Vechten Street) until such time as sufficient access is provided. I am copying Danielle on this letter, in case I have misstated her position.

Please advise if you have any questions concerning the above.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Lourie".

David A. Lourie

cc: Danielle West-Chuta

Jean Fraser - Re: Fwd: Giobbi, Humbolt Subdivision additional information

From: Danielle West-Chuhta (Danielle West-Chuhta)
To: DSenus@woodardcurran.com; David Margolis-Pineo; Errico Thomas; Jean ...
Date: 5/2/2012 2:32 PM
Subject: Re: Fwd: Giobbi, Humbolt Subdivision additional information
CC: Barbara Barhydt; Jeff Tarling; Marge Schmuckal

I disagree with their interpretation. Section 14-498 references the Tech Manual and lays out and describes what technical and design standards for the construction of streets and sidewalks within a subdivision. The section does describe what you need to do regarding street lay-out and design, but it also describes what needs to be done with regard to the construction of sidewalks and requires sidewalks to be constructed on each side of each street (which is defined as a public way....under the code). It does not limit the construction of sidewalks to new streets. It just generally requires their construction. In addition, section 14-499 (required improvements) indicates that the subdivider complete numerous improvements including, but not limited to, sidewalks and curbs as required in section 14-498. Of course, they still have the ability to seek a waiver pursuant to section 14-506(b).

With regard to lot 4 - I think that the City Code includes lot 4 for purposes of the subdivision criteria and therefore it is/will be on the plat (they should notify the owner of this), and so I think it would be within the purview of the Board to require a sidewalk on this frontage. It may be difficult, however, since they do not own the property and it was not/could not be required with regard to the recent project on Canco Avenue (but that was different since it was not part of a subdivision seeking approval).

Finally, I do not think the note is ok - because section 14-496(17) requires it to depict all future phases on the plat - it can ultimately be recorded sectionally if it meets the requirements in section 14-495(h) - and can also be subject to conditions that the Planning Board deems necessary under that same section (like making sure to bold and delineate the two phases so future buyers are aware, etc.).

Thanks,

Danielle

Danielle P. West-Chuhta
Associate Corporation Counsel
City of Portland, Maine

COMMITMENT & INTEGRITY 41 Hutchins Drive T 800.426.4262
 DRIVE RESULTS Portland, Maine 04102 T 207.774.2112
 www.woodardcurran.com F 207.774.6635

MEMORANDUM

TO: Jean Fraser, Planner
 FROM: David Senus, P.E. & Ashley Auger, E.I.T.
 DATE: April 27, 2012
 RE: Humboldt & Van Vechten St Subdivision



Woodard & Curran has reviewed the Application for the Humboldt & Van Vechten Street Subdivision project located in Portland, Maine. The project includes a four lot subdivision, and three single family residential structures.

Documents Reviewed

- Response to Comments Letter and attachments dated April 19, 2012, submitted by Licht Environmental Design, LLC, on behalf of Archie Giobbi.
- Engineering Plans, Sheets C100, C101, and C102, dated March 27, 2012 (REV. April 18, 2012), prepared by Licht Environmental Design, LLC, on behalf of Archie Giobbi.

Comments

1. The Applicant has submitted a Tier 1 NRPA Wetland Permit Application to the MaineDEP. Permit approval should be forwarded to the Planning Office upon receipt.
2. The City of Portland requires that all Level III Site Plan applications, and Subdivision applications involving significant new construction, submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including the Basic, General, and Flooding Standards (*Technical Manual, Section 5. II. Applicability in Portland. C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.*). Additionally, the project falls within the Fall Brook Watershed, which is classified as an Urban Impaired Stream. 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. Applicability in Portland. A.*).
 - a. Basic Standards: In addition to the erosion and sediment control practices identified on the plans, details, and notes, the Applicant should show a stabilized construction exit(s) on the plan along with locations for catch basin inlet protection. In addition, the Final Application will need to include an Inspection and Maintenance Plan for the stormwater management systems developed in accordance with Chapter 500 and City Code of Ordinances Chapter 32 guidance.
 - b. General Standards: The Applicant has developed a plan that meets the requirements of the General Standards for water quality treatment.
 - c. Flooding Standard: At this time, a Stormwater Management Report and HydroCAD model has not been submitted. The Applicant has noted that the Final Site Plan submittal will include a Stormwater Management Report with additional information, and will likely indicate "minimal insignificant increases in peak flows to the City system". We will likely be supportive of a waiver from the Flooding Standard for insignificant increases in peak flow, but reserve the right to review the additional information submitted by the Applicant as part of the Final Site Plan submission before making that recommendation.
 - d. Urban Impaired Stream Standard: The project is in the direct watershed of an urban impaired stream (Fall Brook), and therefore must mitigate project impacts by treating, reducing, or eliminating an off-site or on-site pre-development stormwater source following the guidance outlined in MaineDEP Chapter 500 standards. Given that the existing site is completely undeveloped, and that the Applicant is providing treatment



under the General Standards for onsite developed and impervious areas, the Applicant will likely not be able to meet the UIS Standard by treating or eliminating an on-site stormwater source. As such, we recommend that the Applicant look for options to treat a nearby existing untreated stormwater source (within the Fall Brook Watershed), potentially from the City roadway or from another nearby property.

3. The plans show a drainage discharge pipe from Lots 2 and 3 with an outlet to the City stormdrain system in Humboldt Street. The discharge point from Lot 3 is unclear. Outlet piping information from Lot 3 will need to be clarified on the Final Site Plan.
4. Per Section 7.2 of Volume III of the MaineDEP Stormwater BMP Manual for Underdrained Bioretention Cells:
 - a. The Applicant intends to provide a planting plan for the proposed Bioretention Cells upon preliminary approval; please note that these cells must be planted with plant species that are tolerant of drought and wet conditions.
5. Clarification should be provided regarding the drip edge filter drains relative to the foundation drains. How will the foundation drain systems outlet? Are they proposed to tie into the storm drain system? The foundation drains are proposed well below the existing, natural wetland grade for the site, and may be continuously submerged within the groundwater table.
6. On Sheet C100, it appears that the leaders and notes for DMH 1 & DMH 2 point to the incorrect structures. Please clarify.
7. On Sheet C100, Pipe SD 1 is called out as HDPE or PVC. The City does not allow HDPE pipe within the Right-of-Way. Acceptable pipe options are noted in Section 2.5.2 of the City's Technical Manual.
8. Final Plans will need to be stamped and signed by a professional engineer licensed in the State of Maine.

MEMORANDUM

TO: Jean-Fraser, Planner
FROM: David Senus, P.E., & Ashley Auger, E.I.T.
DATE: February 10, 2012
RE: Humboldt & Van Vechten St Subdivision



Woodard & Curran has reviewed the Application for the Humboldt & Van Vechten Street Subdivision project located in Portland, Maine. The project includes a four lot subdivision.

Documents Reviewed

- Subdivision Application and attachments dated January 25, 2012, submitted by Archie Giobbi.
- Subdivision Plans, January 25, 2012, prepared by Robert T. Greenlaw Land Surveying on behalf of Archie Giobbi.

Comments

- The applicant has provided a letter from Mark Hampton Associates, Inc. related to wetland classification and delineation on the project site, along with a wetland delineation sketch for the project area. The wetlands have been determined to be freshwater wetlands that do not meet the definition of Wetlands of Special Significance, as defined by the Maine Department of Environmental Protection (MaineDEP). The amount of proposed wetland impacts are not identified within the application, as development plans for the lots have not been submitted. MaineDEP eligibility criteria and standards for wetland alterations stipulate that single, complete activities that impact less than 4,300 square-feet (SF) of wetlands (that do not meet certain significance criteria) are exempt under the Natural Resources Protection Act (NRPA), 38 M.R.S.A. Section 480-Q(17). An NRPA permit is required for activities disturbing greater than 4,300 SF of freshwater wetlands (Note: These applications constitute a joint review by both the MaineDEP and the US Army Corps of Engineers):
 - 4,300-14,999 SF: Tier 1 Freshwater Wetland Alteration
 - 15,000-43,560 SF: Tier 2 Freshwater Wetland Alteration
 - 43,561+ SF: Tier 3 Freshwater Wetland Alteration
- The City of Portland requires that all Level III Site Plan applications, and Subdivision applications involving significant new construction, submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including the Basic, General, and Flooding Standards (*Technical Manual, Section 5. II. Applicability in Portland. C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.*). The application, as submitted, does not depict an alteration of land or new building construction. If site development plans are submitted or required by the City as part of this application (or as part of future applications), they may be subject to these regulations.
- The project appears to fall within the Fall 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. Applicability in Portland. A.*). A project in the direct watershed of an urban impaired stream must pay a compensation fee (as allowable by the City) 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 application, as submitted, does not depict an alteration of land or new building construction. If site development plans are submitted or required by the City as part of this application (or as part of future applications), they may be subject to these regulations.

Jean Fraser - Fwd: RE: Giobbi Humblot Revised Sidewalk Waiver Request

From: Jean Fraser
To: Fraser, Jean
Date: 5/4/2012 10:52 AM
Subject: Fwd: RE: Giobbi Humblot Revised Sidewalk Waiver Request

>>> Tom Errico <thomas.errico@tylin.com> 5/4/2012 10:50 AM >>>
The applicant indicates they meet two criteria for a waiver, but I don't come to the same conclusion.

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TYLIN INTERNATIONAL
12 Northbrook Drive
Falmouth, ME 04105
207.347.4354 direct
207.400.0719 mobile
207.781.4753 fax
thomas.errico@tylin.com
Visit us online at www.tylin.com

"One Vision, One Company"
Please consider the environment before printing.

>>> "rick licht" <rlicht@securespeed.net> 5/4/2012 9:47 AM >>>
Jean:

As requested I have revised and updated the Sidewalk Waiver to add to the May 01 submittal to replace the prior Sidewalk Waiver Request attachment 1 for your packets to the Planning Board.

Regards,

Rick Licht

Frederic (Rick) Licht, PE, LSE
Licht Environmental Design, LLC
35 Fran Circle
Gray, Maine 04039
rlicht@securespeed.net
(v) 207.749.4924
(f) 207.428.4167

=====
Email scanned by PC Tools - No viruses or spyware found.
(Email Guard: 9.0.0.898, Virus/Spyware Database: 6.19600)
<http://www.pctools.com>
=====

Staff Comment

Workshop Agenda Item 1
Page 1 of 1

4 lot subdivision

Jean Fraser - Fwd: Re: Humbolt Street Project - Giobbi

Humboldt/Hanbury Ave/
Van Vechten Sts.

From: Jean Fraser
To: Fraser, Jean
Date: 5/8/2012 2:43 PM
Subject: Fwd: Re: Humbolt Street Project - Giobbi

TO: Jean Fraser
Barbara Barhydt
FROM: David Margolis-Pineo Dept. of Public Services
RE: Review Comments: Giobbi – Humbolt Street Project -
Subdivision

The Department of Public Services has the following comments.

1. Survey does not meet submittal standards and therefore is not acceptable.
2. Staff continues to review the applicant's request to waive the construction of a sidewalk..
3. The applicant is requested to restrict deeds to assure remaining wetlands shall not be filled by future property owners.
4. HDPE pipe is not allowed within the street right of way. Please consult the City of Portland Technical Manual for allowable pipe materials.
5. Plans need to be stamped by a Professional Engineer.
6. Grading proposed land to be sold to Caiazzo must take place before the sale or a grading easement is needed.
7. Drainage as show for lots 1 & 2 should have a shared drainage maintenance agreement.

TO MEMBERS OF THE PORTLAND PLANNING BOARD

May 5, 2012

Mr. name is Robert Fuller. My residence is College Street.

In terms of the UNE plans for expansion, the whole development, approval process is still hazy to me. The big haunting question is: Who decides and whose responsibility?

To make an abstraction, any developer could be likened to a planet rolling along in space surrounded by a group of moons or satellites. Each one of these revolving moons could represent principal players in the development process. They could be tax paying neighbors, city councilors, city professional staff, mayor's office and various boards such as planning.

When questions are asked by the neighbors to the developer and the reply is "I don't know", it does not matter. That planet continues to move through space undisturbed. Between the satellites and the planet, there is little intercommunication. The ineffectual moons whirling around the planet is like a weather forecaster promising to keep a close eye on the storm. While it sounds reassuring to the viewing audience, the forecaster cannot regulate the storm, only monitor its progress.

More specifically, neighborhood meetings are held. The developer makes a presentation, while the city cannot participate. In an hour meeting questions are asked by the neighbors, sometimes leaving them more frustrated. Then, just as the meeting is beginning to hit its stride, the hour is reached and the whole affair is stopped.

The city could host another neighborhood meeting, this time with the developer remaining silent. Once again, there is no three-way interaction.

Another step in the process is the workshop. The name would certainly imply that all three parties would sit down, roll up their sleeves and work things out. Instead, the neighbors make a presentation to the planning board. The board makes note of the questions and tries to answer them. No cross exemption of the developer is allowed by the neighbors. At the last UNE workshop, no city councilors were present.

Neighbors may try to form a neighborhood organization hoping to get more clout. They may contact their city councilors and the mayors office. Both will politely listen.

The last round in the development process is the hearing itself. Any neighbors or organizations still left at this point show up at an evening session misguidedly putting all their hopes and fears upon a notion that the planning board will say a flat "no" and turn back the developer.

But that is not the case. The planning board works WITH the developer. The project is progressed meeting certain guidelines and conditions until it is approved. Apparently, in this entire process there is not a clear-cut mechanism to say "no" to development. There appears to be no means for the three parties to be together in one session to work things out.

The government is supposed to be a creation of the people. In this planning and development process outlined, the people-the citizen property owning tax payers, have taken a back seat and are betrayed by their own creation.

This atmosphere described is ripe for developers-not just here but in many other communities. The boards that make their decisions are in no way obligated to follow what a majority of citizens are telling them. Look what happened in Morrill's Corner despite the loud protests of a nearby neighborhood. The project would have gone through except for a sour economy. What will happen there, when economic conditions improve? Who could blame an entity like UNE wanting more projects in an atmosphere tailor suited for growth and expansion?

Perhaps by some miracle the city council could intervene and overturn a decision. Otherwise, until this disjointed system is changed, the best that neighbors can hope for are any good graces of the developer.

To: Shukria Wiar,
Portland Planning Board
University of New England
Room 209
City Hall
Portland, Maine 04101

MAY 8, 2012

Re:UNE Plan for Patient Care Center

I, John Linscott and my wife, Judy Linscott live at 743 Stevens Avenue directly across the street from the location the proposed building on Stevens Avenue. We are opposed to the plan as it will affect our comfort, property values and future as private residents. Meetings prior to today's were professed to be concerns and plans regarding parking facilities for UNE students. There has been no mention of building a dental school in any previous notices.

Apparently, the erection of the building across from our property is now considered a "done deal" and there are only minor matters to be considered from here on out. The building directly across(one of the three which are to be destroyed) is now closed and a notice of a new location is posted on the door. This is certainly evidence of what is to be.

I am certainly not against education as I hold a masters degree in education from UMO and I recognize that there appears to be a place for a dental school in our state. I am greatly disappointed in the administrators of the college in that there has been opportunity for them to confer a meeting with my wife and I to let us know what was in the future for the school and how that future impacts our future.


The destruction of the three buildings will cause noise, traffic and considerable dirt, dust and other materials toxic to the air to become part of our personal environment. After this, there will be many months when construction vehicles will load and unload by the end of our driveway. This will not be pleasant.

I therefore ask the question,"UNE and the City of Portland--what are you going to do for us in return?" We are people, not a municipal body, not a board of college administrators. The Planning Board can pass by, observe the destruction/building and go home, just as the members of the UNE administration board can do so.--Judy and I cannot walk away from what is a big adjustment for us. Since we bought our home in 1999 our "neighborhood" has morphed from a pleasant residential neighborhood to an ever-widening college that now dominates one side of our street with plans to continue that process.

We invite any of you to drop by the house,sit in our front room and see how you would feel.

I ask again,"What are you going to do for us?"

Respectfully,


John H. Linscott
743 Stevens Avenue
Portland, Maine 04103

