September 21, 2012

**January 17, 2013**

TO: Jean Fraser

 Barbara Barhydt

FROM: David Margolis-Pineo

 Dept. of Public Services

RE: Review Comments: 1062 Ocean Ave – Old Barn Estates

The Department of Public Services has the following comments:

1. As stated by David Senus, “it appears the proposed project is adjacent to several natural resources (i.e., wetlands, stream). As noted, one on-site freshwater wetland will require a 75-foot setback; however, at this time, the plans do not appear to note this wetland setback.” The applicant will need to clearly demarcate the wetland/stream setback (FENO Markers?) and ensure that it is recorded on the deed (per usual process). The goal is to discourage the owner from clearing vegetation within the setback area.

**I saw evidence that this issue was addressed. We are not supportive of reducing the 75’ no clear, no cut setback.**

1. A Stormwater Management Plan is required for this project.

**Plan submitted.**

1. A sidewalk and curbing waiver is required to eliminate the sidewalk and curbing from one side of the proposed street. Also a sidewalk with curbing is required on Ocean Ave at the corner of Ocean and Ledgewood Drive.

**This Department is supportive of a waiver to install one sidewalk do to the stormwater conveyance ditch. However, the applicant has not provided adequate justification to waive the elimination of curbing on one side of the proposed street. The lack of sidewalk in front of lot 14 on Ocean Ave still needs to be addressed.**

1. The proposed street will require a street name agreeable to the Town of Falmouth and City of Portland.

**Issue addressed.**

1. It is assumed that a stream crossing is planned to access lot #2 in this subdivision. DEP review of this crossing may be required.

**We are requesting to review DEP’s response to this issue.**

1. The applicant will need to clearly demarcate the wetland/stream setback (FENO Markers?) and ensure that it is recorded on the deed (per usual process). The goal is to discourage the owner from clearing vegetation within the setback area.

**I saw evidence that this issue was addressed. Again, we are not supportive of reducing the 75’ no clear, no cut setback.**

1. Note that Lot 13 will require an address off the Proposed Subdivision Drive with a Falmouth zip code.

**No comment necessary**

1. The final Plat Plan will need to be on a Maine State Plane with NGVD 29 vertical datum. Property pins will need to be set and Street Monuments shall be placed on the sidewalk side.

**Issue addressed.**

1. The Proposed Subdivision Drive currently shows pavement outside the drive right of way. The pavement should be brought back inside the drive right of way or an access easement will be required from the abutting lots.

**The plans still the roadway encroaching private property.**

1. **It request that the roadway be extended and the turn-around be incorporated with the maintenance access drive.**

A note to Falmouth/Portland Planning Staff that the two communities will need to coordinate on snow removal, street maintenance and emergency responses.

**No comment necessary.**

We have no further comments at this time.