

TO: JOHN HAAS/5TH WARD COUNCILMAN
FM: BILL BEAUMONT/ASST. DIR. OF ENGINEERING
RE: JANE MURRAY'S E-MAIL OF 2/2/09

I. PLANNING COMMISSION DUTIES:

1. Laying out and platting of new subdivisions/per Charter Chapter 115
2. Geological report to be submitted to Planning Commission who shall evaluate its contents and any other applicable data and information and render a decision within sixty (60) days of report submission/per Ord. 1117.05.
3. City building officials shall not issue a permit for construction or addition to any existing building until the decision of the City Planning commission is reached. In reviewing and acting upon the geological report required by Chapter 1117.04, the Planning commission shall be reviewing it solely to determine if the terms and conditions of this chapter have been complied with. By approving the report and issuing a permit, the City is not adopting the report as its own, and shall not be responsible from any consequences resulting therefrom. The responsibility shall be that of the engineer and developer, builder or owner.

II. OLD POST/FLINT RIDGE HOME SITE

1. The EPA visited this home site prior to start of construction. The land had been cleared. Since the total cleared area was less than one (1) acre, the EPA regulations did not come into play. A geotechnical engineering firm visited the site twice – took core drillings and soil samples, and came up with requirements for foundations, retaining walls, grading, etc. These requirements were incorporated into the building of the house. The City Planning commission reviewed the geotechnical report as required in Chapter 1117.05. An engineer from M-E Engineering also reviewed the report. A meeting was also held with the home builder, AEP, Columbia Gas, City sewer and water crews, and City building and electrical inspectors in order to lay-out locations and tie-ins to existing utilities. The building, plumbing, and electrical inspectors have all made inspections on this new home. Residents of Seneca and Old Post were at the meeting held with the EPA. Also present was Jane Murray of Dorman Dr.

III. FUTURE CONSTRUCTION ON OLD POST ROAD

1. There are three (3) lots at the top of Old Post road that were for sale. They have been purchased by a man and his wife who do not plan on building anything on those lots. They are going to leave them wooded. This information came from the father of the woman who bought the lots. He lives at the top right of Old Post road.

IV. FUTURE CONSTRUCTION ON CHARIOT WAY

1. Mr. Justin Schmidt has purchased three (3) lots at the top of Chariot Way. How he wants to lay out his house and grading has not been determined. We have received a copy of the geotechnical report established during the laying out of the sub-division in the mid-80's. There is not a storm sewer on Chariot Way. Storm water is funneled to the street from the property, down the street

to the bottom of the hill, and into a double catch basin at the intersection of Chariot and Chateau. Some sort of retention/holding system will have to be initiated by the homeowner – possibly a holding tank of some sort with a slow outlet. Currently there are four (4) houses on the street.

V. STORM SEWERS

1. Subsurface water, rainwater from roofs, subsoil drainage, cistern overflows, clean water from condensers, and any other clean or unobjectionable water, shall be discharged into storm sewers(921.4). Storm sewage, if not drained into a natural watercourse, shall be carried under the sidewalk to the gutter, either through a vitrified sewer pipe or iron pipe so laid as to be entirely below the grade of the walk, or through a cross-gutter having an iron cover flush with the top surface of the walk, unless there is provided in front of the premises a storm sewer, in which case the connection for sewage, such as is provided shall be made into such storm sewer(923.03).

VI. TORRENTS OF WATER

1. The contractor on Flint Ridge has been notified to replace the existing silt fence and hay bales to hold back any run-off of mud or gravel from their property. Water will still percolate thru to the street. The remaining water was coming off the natural hillside which has not been disturbed.

VII. COMPETENT ENGINEER

1. The City retains and has retained for many years, M-E Engineering out of Cincinnati/Columbus to assist in any engineering problems that arise in the City. They can usually have an engineer on site within 24 hours of a request. A professional engineer from M-E, as well as a geotechnical engineer, reviewed the reports and requirements for the Flint Ridge home.

VIII. CONCLUSION

1. The sewers in this town are old. There are too many combination sewers and they need to be separated into storm and sanitary. There has been over the past 30 years a major home development push, particularly in the vicinities of North Hill Road, Willow Way, Sheridan Road, and Sandstone Road. Also, SOMC and Hillview Retirement Center have had large amounts of development. Hillview storm water drainage drains into the large pond located in the center of Hillview village where it gradually drains into the City storm/combination sewer system. There are also several parking lots which also drain into the sewer system. In the latest SOMC expansion, an underground retention system consisting of different sized piping was installed to slow the flow of storm water into the City sewer system. You must also consider this – over the last several years the City has had at least three (3) rain storms that would be considered 100 year rains. Also, there is discussion between the engineering department and the sewer department to extend the storm water line to the top of Old

Post , and possibly install a retainage basin inside of the grassy area in the cul-de-sac to catch excess storm water off the property at the top of the hill. This way any storm lines from property could be tied into the basin slowing the flow of water into the existing storm line.

If you have any other questions and/or concerns, feel free to contact me.

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3rd Ward Councilman

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February 23, 2009

Jim Kalb, Mayor
Michael Jones, Solicitor
Honorable Council Members
728 Second Street
Portsmouth, Ohio 45662

Re: Compliance with Ordinances and Regulations for New Construction Permit

Citizens have expressed concern with the City's recent construction permit approval process because it was reported to not have addressed their concerns during a City Planning Commission Meeting. I am requesting pertinent documentation to assure compliance of applicable regulations and codified ordinances concerning the new residential construction above Seneca Drive with the entrance from the top of Old Post Road. It was reported the citizens objected because neighbors felt harm may occur to adjacent properties from the additional storm water and potential hillside slippage.

Confirm that prior to approval of the permit for construction the requirements within the City's Codified Ordinances Part 11 – Planning and Zoning Code were met. More specifically consider the requirements within Chapter 1113 - Prerequisites to Approval of Final Plan and Municipal Services, Chapter 1117 - Hillside Regulations, and 2001 Storm Water Regulations.

It is reasonable to expect local government to respond to their citizens concerns by assuring them applicable standards were established prior to construction and enforced during construction. Please address this issue expediently to alleviate the anxiety felt and avert potential legal actions within this neighborhood.

Please notify me if you should have any questions.

Respectfully,



Bob Mollette, 3rd Ward Advocate and Representative on City Council

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cc: City Planning Commission
Engineering Department
Jo Ann Aeh, Clerk (Record)

SEE ATTACHED!