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## Fwd: Landscaping Work on Blue Goose/Cindy Miller Property Ling

10 messages

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Jeff Tarling <jst@portlandmaine.gov>

Tue, Apr 24, 2018 at 2:02 PM

To: Philip DiPierro <pd@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>

FYI - This sound familiar or is it just a landscape project?

Thanks

Jeff  
Jeff Tarling  
City Arborist - City of Portland Maine  
Parks, Recreation & Facilities Department  
Forestry & Horticulture  
212 Canco Road  
Portland, ME. 04103  
(207) 808-5446  
[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)

----- Forwarded message -----

From: **Brad Forsythe** <[baf2365@yahoo.com](mailto:baf2365@yahoo.com)>

Date: Tue, Apr 24, 2018 at 1:33 PM

Subject: Landscaping Work on Blue Goose/Cindy Miller Property Ling

To: Carol Mulvey <[cmdomulvey@gmail.com](mailto:cmdomulvey@gmail.com)>, Cindy Miller <[cindy5004@yahoo.com](mailto:cindy5004@yahoo.com)>, Jeff Tarling <[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)>

Cc: Coastline Property Services <[coastlinepropertyservices@gmail.com](mailto:coastlinepropertyservices@gmail.com)>

Dear All: In spirit of continuing to clean up the Blue Goose property on Great Diamond Island which is next to both of our properties I wanted to ensure that everyone is on the page. Currently the property line between the Blue Goose and Cindy Millers property is completely over grown per the pictures that I have included. I have spoken to both Dan, Cindy and Scott who would do the work in regards to cleaning this all out.

Jeff--I am including you on this email so that are compliant with any city ordinances and or clean out procedures. This would is well about the 75 foot mark from the end of the property.

Dan I explained to Scott that we did speak about this work, and that you would cover this cost. If needed Scott ca provide an estimate of the cost and I also explained I would help also if needed to make this happen. After living for so long with the Blue Goose in this condition I am very open to helping to clean this up. Once we have a green light from all parties Scott will begin to clean this all out and tidy up the property as much as possible. This is a great next step to getting the Blue Goose ready for a restoration project and will show signs of improvement and further increase the air flow through these properties.

Please take a look at the pictures in this email and then please confirm that you are acceptable to this work.

Regards, Brad  
203-258-1301 cell

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 **Blue Goose Clean Up Pictures 2018.pdf**  
16571K

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Philip DiPierro <pd@portlandmaine.gov>

Tue, Apr 24, 2018 at 2:11 PM

To: Jeff Tarling <[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)>

Cc: Christina Stacey <[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)>, "Barhydt, Barbara" <[bab@portlandmaine.gov](mailto:bab@portlandmaine.gov)>

I'm not familiar with this property and don't know anything about the project. If it's in the shoreland zone, it may need review and approvals.

Phil

Philip DiPierro  
Development Review Coordinator  
City of Portland Planning Division  
[389 Congress Street](#)  
[Portland, Maine 04101](#)

Phone 207 874-8632

Fax 207 756-8258

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**Jeff Tarling** <jst@portlandmaine.gov>

Wed, Apr 25, 2018 at 8:24 AM

To: Brad Forsythe <baf2365@yahoo.com>, Christina Stacey <cstacey@portlandmaine.gov>, Martin Mulkern <mm@portlandmaine.gov>

Cc: Carol Mulvey <cmdomulvey@gmail.com>, Cindy Miller <cindy5004@yahoo.com>, Coastline Property Services <coastlinepropertyservices@gmail.com>

Hi Brad -

We appreciate the note about the clearing project. The City of Portland oversees clearing within the Shoreland Zone along with the Maine DEP regulations. It is always best, as stated in your email to go over a plan first before just jumping in.

Always recommend reviewing the Maine DEP Shoreland Zone Clearing guide for any work near the coast or waterways. Christine Stacey from our Inspections Department oversees this ordinance and we work closely together on recommendations and oversight as needed.

From the photos it looks like you have some invasive plants to deal with as well, you will note in the guidelines that invasive plant removal / replacement options are a less restrictive with a plan.

Let us know if you have any questions.

Thanks,

Jeff

<https://www.maine.gov/dep/land/slz/citizenguide.pdf>

<http://www.maine.gov/dep/land/slz/ip-szveg.html>

Jeff Tarling  
City Arborist - City of Portland Maine  
Parks, Recreation & Facilities Department  
Forestry & Horticulture  
[212 Canco Road](#)  
[Portland, ME. 04103](#)  
(207) 808-5446  
[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)

On Tue, Apr 24, 2018 at 1:33 PM, Brad Forsythe <baf2365@yahoo.com> wrote:

Dear All: In spirit of continuing to clean up the Blue Goose property on Great Diamond Island which is next to both of our properties I wanted to ensure that everyone is on the page. Currently the property line between the Blue Goose and Cindy Millers property is completely over grown per the pictures that I have included. I have spoken to both Dan, Cindy and Scott who would do the work in regards to cleaning this all out.

Jeff--I am including you on this email so that are compliant with any city ordinances and or clean out procedures. This would is well about the 75 foot mark from the end of the property.

Dan I explained to Scott that we did speak about this work, and that you would cover this cost. If needed Scott ca provide an estimate of the cost and I also explained I would help also if needed to make this happen. After living for so long with the Blue Goose in this condition I am very open to helping to clean this up. Once we have a green light from all parties Scott will begin to clean this all out and tidy up the property as much as possible. This is a great next step to getting the Blue Goose ready for a restoration project and will show signs of improvement and further increase the air flow through these properties.

Please take a look at the pictures in this email and then please confirm that you are acceptable to this work.

Regards, Brad  
203-258-1301 cell

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**Brad Forsythe** <baf2365@yahoo.com>

Fri, Jul 20, 2018 at 9:02 AM

Reply-To: Brad Forsythe <baf2365@yahoo.com>

To: Christina Stacey <cstacey@portlandmaine.gov>, Cindy Miller <cindy5004@yahoo.com>

Cc: "msm@portlandmaine.gov" <msm@portlandmaine.gov>, Martin Mulkern <mm@portlandmaine.gov>, Jeff Tarling <jst@portlandmaine.gov>, Carol Mulvey <cmdomulvey@gmail.com>, Coastline Property Services <coastlinepropertyservices@gmail.com>

Dear Christina: Please see attached per your suggestion a site plan and pictures of the landscaping work to continue to clean up this property. Please advise what additional information you need for approval, and timing of approval.

Regards, Brad Forsythe

PS: In regards to the fence that Dan Carr has put up. We are on an island and in all of the Casco Bay Islands there is not other barrier fence that has ever been put up on any of the Casco Bay Islands. This is simple not acceptable even if we are in a R2 zone. If this was classified as at R3 zone this fence would have to be torn down, and we should be in an R3 zone. This fence is causing a big hardship in regards to selling my house, along with a broken swing that sits in the view to the water, and of course the condition of the "Blue Goose". We have already dropped our sales price by over 35K. The feedback is always about these three items.

By allowing this fence to stay this sets a precedence across all Maine Island's. In the fall with feedback from potential buyers I will begin a lawsuit to allow a court to make a decision as the city will not do anything to help this outrageous behavior of my neighbor who sits in front of my home.

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**From:** Christina Stacey <cstacey@portlandmaine.gov>

**To:** Cindy Miller <cindy5004@yahoo.com>

**Cc:** "msm@portlandmaine.gov" <msm@portlandmaine.gov>; Brad Forsythe <baf2365@yahoo.com>; Martin Mulkern <mm@portlandmaine.gov>; Jeff Tarling <jst@portlandmaine.gov>; Carol Mulvey <cmdomulvey@gmail.com>; Coastline Property Services <coastlinepropertyservices@gmail.com>

**Sent:** Wednesday, May 30, 2018 10:06 AM

**Subject:** Re: Thursday May 10th--Landscaping Work on Blue Goose/Cindy Miller Property Ling

Brad,

I did just see the e-mail from Carol giving permission.

The city does not have any permitting requirements for fences less than 7 feet in height. The only zoning regulations regarding fences is that they cannot exceed 4 feet in height if within 25 feet of a road. It does not appear that the fence violates any of these regulations or requirements. The city does not have any rules regulating or protecting view sheds on private property.

Dead trees may be removed but we ask that the owner provide us documentation on the condition of the tree, or we try to have Jeff do a site visit to confirm.

Chris

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**9 attachments**



**Site Plan GDI 2.jpg**  
87K



**Invasive Growth-Barrier Fence.jpg**  
346K



**Overgrowth 2a.jpg**  
167K



**Overgrowth 2b.jpg**  
188K



**Overgrowth 3.jpg**  
232K

**Overgrowth 5.jpg**  
225K



**Overgrowth 6.jpg**  
246K



**Overgrowth View from Brooks Porch.jpg**  
274K



**Overgrowth4.jpg**  
215K

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**Brad Forsythe** <baf2365@yahoo.com>

Mon, Jul 23, 2018 at 1:33 PM

Reply-To: Brad Forsythe <baf2365@yahoo.com>

To: Christina Stacey <cstacey@portlandmaine.gov>, "mnm@portlandmaine.gov" <mnm@portlandmaine.gov>, "jst@portlandmaine.gov" <jst@portlandmaine.gov>

Hi Christina: Wondering if you have had a chance to review the below documentation to give approval for this work to begin. Please advise.

Regards, Brad

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### 9 attachments



**Site Plan GDI 2.jpg**  
87K

**Invasive Growth-Barrier Fence.jpg**



346K



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**Overgrowth View from Brooks Porch.jpg**  
274K



**Overgrowth4.jpg**  
215K

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**Brad Forsythe** <baf2365@yahoo.com>

Fri, Jul 27, 2018 at 1:55 PM

Reply-To: Brad Forsythe <baf2365@yahoo.com>

To: Christina Stacey <cstacey@portlandmaine.gov>, Cindy Miller <cindy5004@yahoo.com>

Cc: "msm@portlandmaine.gov" <msm@portlandmaine.gov>, Martin Mulkern <mm@portlandmaine.gov>, Jeff Tarling <jst@portlandmaine.gov>, Carol Mulvey <cmdomulvey@gmail.com>, Coastline Property Services <coastlinepropertyservices@gmail.com>

Hi Christina: I am following up on the documents that were submitted to gain approval for the Site Plan. I am assuming that the city has received this information, and it is complete? Just wondering what the next steps are with the city.

If possible can you let us know if these documents were complete, and what is needed to give approval for this work.

Regards, Brad  
203-258-1301 cell

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**From:** Brad Forsythe <baf2365@yahoo.com>

**To:** Christina Stacey <cstacey@portlandmaine.gov>; Cindy Miller <cindy5004@yahoo.com>

**Cc:** "msm@portlandmaine.gov" <msm@portlandmaine.gov>; Martin Mulkern <mm@portlandmaine.gov>; Jeff Tarling <jst@portlandmaine.gov>; Carol Mulvey <cmdomulvey@gmail.com>; Coastline Property Services <coastlinepropertyservices@gmail.com>

**Sent:** Friday, July 20, 2018 9:02 AM

**Subject:** Landscaping Work on Blue Goose/Cindy Miller Property Ling

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**Brad Forsythe** <baf2365@yahoo.com>

Fri, Jul 27, 2018 at 1:56 PM

Reply-To: Brad Forsythe <baf2365@yahoo.com>

To: Christina Stacey <cstacey@portlandmaine.gov>, Jeff Tarling <jst@portlandmaine.gov>, Martin Mulkern <mm@portlandmaine.gov>

Forwarding again in case this got lost. Regards, Brad

----- Forwarded Message -----

**From:** Brad Forsythe <baf2365@yahoo.com>

**To:** Christina Stacey <cstacey@portlandmaine.gov>; Cindy Miller <cindy5004@yahoo.com>

**Cc:** "msm@portlandmaine.gov" <msm@portlandmaine.gov>; Martin Mulkern <mm@portlandmaine.gov>; Jeff Tarling <jst@portlandmaine.gov>; Carol Mulvey <cmdomulvey@gmail.com>; Coastline Property Services

<coastlinepropertieservices@gmail.com>

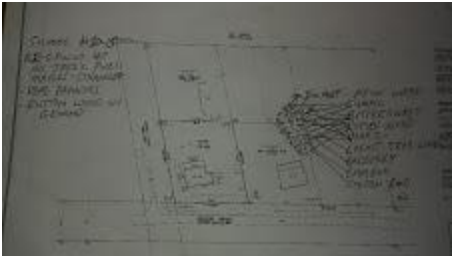
Sent: Friday, July 20, 2018 9:02 AM

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**Overgrowth View from Brooks Porch.jpg**  
274K



**Overgrowth4.jpg**  
215K

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**Christina Stacey** <cstacey@portlandmaine.gov>  
To: Brad Forsythe <baf2365@yahoo.com>  
Cc: Jeff Tarling <jst@portlandmaine.gov>, Martin Mulkern <mm@portlandmaine.gov>

Fri, Aug 3, 2018 at 2:34 PM

Hi Brad,

I am sorry for the long delay in getting back to you. It is extremely busy right now.

In reviewing the information you submitted, I have a few comments and questions:

- 1) Sumac and goldenrod are native species and should not be removed.
- 2) "Locust tree limbs" - is this referring to limbs that are already on the ground? If so, they can be removed. If the limbs are still attached to the tree and dead, they may be pruned. Otherwise, we may need to make a case-by-case decision.
- 3) "Rotten wood" - this appears to be referring to dead trunks/wood on the ground, which may be removed.
- 4) OK to remove bittersweet, barberry, and bamboo. If the area remains well-covered by sumac, then no replacement plantings would be necessary. The concern under the shoreland zone rules is increasing the open canopy/lawn area. If the project will result in a significant increase in open canopy/lawn, replacement native shrubs should be installed.

If you can e-mail me clarification on these questions, I would appreciate it. There is no formal approval process on this, I just accept the plan (with any alterations we make via e-mail) and save it in our files.

Thanks,  
Chris

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Chris Stacey - Zoning Specialist  
Permitting & Inspections Department  
City of Portland  
389 Congress St.  
Portland, ME 04101  
(207) 874-8695  
[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)

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**Brad Forsythe** <[baf2365@yahoo.com](mailto:baf2365@yahoo.com)>

Sat, Aug 4, 2018 at 3:10 PM

Reply-To: Brad Forsythe <[baf2365@yahoo.com](mailto:baf2365@yahoo.com)>

To: Christina Stacey <[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)>

Cc: Jeff Tarling <[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)>, Martin Mulkern <[mnm@portlandmaine.gov](mailto:mnm@portlandmaine.gov)>

Hi Christina: Please see answers to your questions in blue. The entire property being the structure and landscaping has not been taken care of for over 13 plus years. If this property was on the mainland in Portland the city would of forced the structure to be removed or fixed. The overall landscaping surrounding this property has not been taken care of for over 13 years, and hence the overgrowth of everything, dead limbs hanging down off of tree's, and rotten wood piles. For so many years I have had to deal with living next to this neglected property as the property is in an estate and the executor of the estate lives in New Jersey. They visit the property maybe once every 3 years if that, and it has been completely boarded up. It has been impossible selling my house at a normal price because of the condition of this property. I am sure that when you visited the property you so the condition of the structure also. I appreciate your understanding, and please let me know if you need any further information.

1) Sumac and goldenrod are native species and should not be removed.

2) "Locust tree limbs" - is this referring to limbs that are already on the ground? If so, they can be removed. If the limbs are still attached to the tree and dead, they may be pruned. Otherwise, we may need to make a case-by-case decision. [The tree limbs are have either fallen to the ground and or are dead.](#)

3) "Rotten wood" - this appears to be referring to dead trunks/wood on the ground, which may be removed.

4) OK to remove bittersweet, barberry, and bamboo. If the area remains well-covered by sumac, then no replacement plantings would be necessary. The concern under the shoreland zone rules is increasing the open canopy/lawn area. If the project will result in a significant increase in open canopy/lawn, replacement native shrubs should be installed. [There will not be a lot of open lawn created by removing these items. It is a fairly small area to be cleared out. If this property was on the mainland in Portland the city would of forced the structure to be removed or fixed. The overall landscaping surrounding this property has not been taken care of for over 13 years, and hence the overgrowth, dead limbs, and rotten wood.](#)

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**From:** Christina Stacey <[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)>

**To:** Brad Forsythe <[baf2365@yahoo.com](mailto:baf2365@yahoo.com)>

**Cc:** Jeff Tarling <[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)>; Martin Mulkern <[mnm@portlandmaine.gov](mailto:mnm@portlandmaine.gov)>

**Sent:** Friday, August 3, 2018 2:35 PM

**Subject:** Re: Fw: Landscaping Work on Blue Goose/Cindy Miller Property Ling

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Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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**Christina Stacey** <[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)>

Mon, Aug 6, 2018 at 12:09 PM

To: Brad Forsythe <[baf2365@yahoo.com](mailto:baf2365@yahoo.com)>

Cc: Jeff Tarling <[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)>, Martin Mulkern <[mnm@portlandmaine.gov](mailto:mnm@portlandmaine.gov)>

Hi Brad,

Based on your plan and discussion, I am OK with removal of the invasive species and dead/downed limbs and wood. Please be careful to leave the native species, particularly the sumac. I will save your plan and this e-mail chain to our records. If any questions/concerns come up during the clearing process, please contact me immediately.

The issues with the condition of the building are outside the purview of zoning, so I am not able to comment on that. I believe it is the building code/inspections staff that make decisions on that type of thing. If you have questions on that issue, you can contact the Inspections Director, Jon Rioux, at [jrioux@portlandmaine.gov](mailto:jrioux@portlandmaine.gov) or 207-874-8702.

Sincerely,  
Chris

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