

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.

APL – all documents behind this target sheet pertain to the original application submitted by the Applicant.

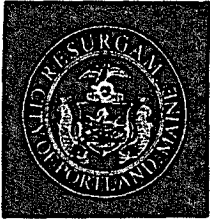
PBM1 – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR1 - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

CC1 - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

DRC1 - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

MISC1 - all documents behind this target sheet are those that may not be included in any of the categories above.



PORTLAND MAINE

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

Planning & Urban Development Department

Penny St. Louis Littell, Director

Planning Division

Alexander Jaegerman, Director

DECEMBER 21, 2009

Project Name: Peaks Island Community Garden at Trott-Littlejohn Park; Jubal Kessler
Project ID: 09-79900016
Project Address: Florida Ave (At Upper A St.),
Planner: Shukria Wiar

Dear Applicant:

On December 21, 2009, the Portland Planning Authority approved a minor site plan for the Peaks Island Community Garden at Florida Ave (At Upper A St.), Trott-Little John Park on Peaks Island as submitted by the Applicant and shown on the approved plan prepared by Albert Presgraves and dated November 23, 2009 with the following conditions:

1. The applicant must obtain all applicable building permits for the proposed shed on the above approved site plans.
2. The applicant shall incorporate gutters and rain barrel for the future shed for the community gardens.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

STANDARD CONDITIONS OF APPROVAL

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


1. The site shall be developed and maintained as depicted in the site plan and 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 the planning authority pursuant to the terms of this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.
5. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 you have any questions, please contact Shukria Wiar at 756-8083 or shukriaw@portlandmaine.gov

Sincerely,



Alexander Jaegerman
Planning Division Director

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director
Gayle Guertin, Inspections Division
Lisa Danforth, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services

Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Todd Merkle, Public Services
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File

**City of Portland
Development Review Application
Planning Division Transmittal form**

Application Number: 09-79900016 **Application Date:** 10/14/09

Project Name: PEAKS ISLAND COMM. GARDEN

Address: 250 Brackett Ave **CBL:** 088 - K-001-001

Project Description: Florida Ave (At Upper A St.), Trott-Littlejohn Park; Peaks Island Community Garden; Jubal Kessler

Zoning: ROS

Other Reviews Required:

Review Type: MINOR SITE PLAN

Jubal Kessler
20 Lower A Street

Peaks Island Me 04108

Distribution List:

| | | | |
|--|----------------------|---|----------------------|
| <input checked="" type="checkbox"/> Planner | Barbara Barhydt | <input checked="" type="checkbox"/> City Arborist | Jeff Tarling |
| <input checked="" type="checkbox"/> Zoning Administrator | Marge Schmuckal | <input checked="" type="checkbox"/> Design Review | Alex Jaegerman |
| <input checked="" type="checkbox"/> Traffic | Tom Errico | <input checked="" type="checkbox"/> Corporation Counsel | Danielle West-Chuhta |
| <input checked="" type="checkbox"/> Inspections | Tammy Munson | <input checked="" type="checkbox"/> Sanitary Sewer | John Emerson |
| <input checked="" type="checkbox"/> Fire Department | Keith Gautreau | <input checked="" type="checkbox"/> Stormwater | Dan Goyette |
| <input checked="" type="checkbox"/> Parking | John Peverada | <input checked="" type="checkbox"/> Historic Preservation | Deb Andrews |
| <input checked="" type="checkbox"/> Engineering | David Margolis-Pineo | <input type="checkbox"/> Outside Agency | |
| <input checked="" type="checkbox"/> DRC Coordinator | Phil DiPierro | | |

Preliminary Comments needed by: 12.16.09

Final Comments needed by:

179 Central Avenue
Peaks Island, ME 04108

November 23, 2009

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101

RE: Peaks Island Community Garden project

Dear Barbara:

Enclosed are seven copies of a Site Plan and Narrative, with a section titled Erosion and Sedimentation Plan. After speaking with you and Dave Pineo last week, I am hopeful that the enclosed information will satisfy your concerns about this project. If not, please consider these documents as draft versions, and I will revise them as necessary.

You can reach me during the week on my cell phone at 756-9420.

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Albert M. Presgraves", followed by a horizontal line extending to the right.

Albert M. Presgraves, P.E.

cc: Jubal Kessler



Development Review Application
PORTLAND, MAINE
 Department of Planning and Urban Development,
 Planning Division and Planning Board

PROJECT NAME: PEAKS ISLAND COMMUNITY GARDEN

PROPOSED DEVELOPMENT ADDRESS:
TROTT-LITTLEJOHN PARK, @ UPPER ST. PEAKS
FLORIDA AVE ISLAND

PROJECT DESCRIPTION:
A 15-plot community garden for use by island residents
to grow for themselves (non-profit)

CHART/BLOCK/LOT: _____

CONTACT INFORMATION:

APPLICANT

Name: JUBAL KESSLER
 Address: 20 LOWER A ST.
PEAKS ISLAND, ME
 Zip Code: 04108
 Work #: 207 766-5845
 Cell #: 207 450-3490 (text)
 Fax #: 207 766-2444
 Home: 207 766-5845
 E-mail: jubal@cheeze.org
 ^ not on "s"

PROPERTY OWNER

Name: _____
 Address: _____
 Zip Code: _____
 Work #: _____
 Cell #: _____
 Fax #: _____
 Home: _____
 E-mail: _____

BILLING ADDRESS

Name: _____
 Address: _____
 Zip: _____
 Work #: _____
 Cell #: _____
 Fax #: _____
 Home: _____
 E-mail: _____

RECEIVED

OCT 14 2009

City of Portland
 Planning Division

~As applicable, please include additional contact information on the next page~

PROJECT DATA

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

Total Site Area 4,125 sq. ft.
 Proposed Total Disturbed Area of the Site 4,125 sq. ft.
 (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.)

IMPERVIOUS SURFACE AREA

Proposed Total Paved Area - sq. ft.
 Existing Total Impervious Area - sq. ft.
 Proposed Total Impervious Area - sq. ft.
 Proposed Impervious Net Change - sq. ft.

BUILDING AREA

Existing Building Footprint 0 sq. ft.
 Proposed Building Footprint 50 sq. ft.
 Proposed Building Footprint Net change 50 sq. ft.
 Existing Total Building Floor Area 0 sq. ft.
 Proposed Total Building Floor Area 50 sq. ft.
 Proposed Building Floor Area Net Change 50 sq. ft.
 New Building yes (yes or no)

ZONING

Existing DOS
 Proposed, if applicable _____

LAND USE

Existing _____
 Proposed _____

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 _____

PARKING SPACES

Existing Number of Parking Spaces _____
 Proposed Number of Parking Spaces _____
 Number of Handicapped Parking Spaces _____
 Proposed Total Parking Spaces _____

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces _____
 Proposed Number of Bicycle Parking Spaces _____
 Total Bicycle Parking Spaces _____

ESTIMATED COST OF PROJECT

Please check all reviews that apply to the proposed development

| | | | |
|--------------------------------|-------|--------------------------------|-------|
| Design Review | _____ | Stormwater Quality | _____ |
| Flood Plain Review | _____ | Traffic Movement | _____ |
| Historic Preservation | _____ | Zoning Variance | _____ |
| Housing Replacement | _____ | Historic District/Landmark | _____ |
| 14-403 Street Review | _____ | Off Site Parking | _____ |
| Shoreland | _____ | Multi-Family Dwelling | _____ |
| Site Location Act Local Review | _____ | B-3 Pedestrian Activity Review | _____ |
| Single Family Dwelling | _____ | Change of Use | _____ |
| 2 Family Dwelling | _____ | | |

The Peaks Island Community Garden

The proposed community garden dimensions are a rectangle 75 feet by 55 feet, with a total area of 4,125 feet. The site of the garden is located in the southwestern portion of Trott-Littlejohn Park, as bounded by the former construction road that ringed the area prior to its conversion from a gravel pit to park in 2006.

The garden will consist of fifteen plots, each of them raised beds roughly a foot high. Each plot will be roughly 9 feet by 15 feet, with about 3 feet in between plots for walkways. There will be an 8-foot-wide path bisecting the site for winter traffic, including cross-country skiing trails. (A proposed fence will be gated at either end.)

Island residents using the garden must adhere to the guidelines stipulated as part of the lease agreement with the City. Those guidelines prohibit any structure or contrivance that would cause, among other nuisances, drainage problems.

The garden site is undeveloped and is currently undisturbed grassy land. The proposed timeline for developing the garden is:

October/November 2009 – Build and amend soil via large-scale composting

Winter 2009 – No activity

April/May 2009 – Fencing, water-tank, toolshed and other infrastructure

May 15 – Open for planting (optimistic date after last frost)

Surface drainage

The site of the garden is undeveloped and there are no waterways or other water sources near it. Drainage on the site is more or less rainwater percolating through the grassy topsoil, with a roughly 6 to 7 degree slope facing east. The soil is presently undisturbed.

The proposed garden site would slightly change the drainage pattern. The site is centered on top of a light rise, perhaps one or two feet high, with the north end higher than the south. The planned structural changes include a small, 50 sq ft. toolshed, a 500-gallon steel water tank for irrigation, and the raised garden beds themselves, bordered with wood planks about 9 to 12 inches high. The walkways and footpaths between beds would be covered with wood chips. Water use would consist of drawing water from the tank via a hose and directing it onto the desired garden bed. Any runoff would generally trend toward the east-facing slope.

The garden site would likely use a sediment barrier composed of erosion-control mix, and possibly a filter sock to keep it in place. The barrier would be placed primarily on the eastern slope, and be about three feet wide and a foot high.

20 Lower A St.
Peaks Island, ME 04108
October 13, 2009

Planning & Development Department

Greetings,

I am helping to coordinate a community-garden project on Peaks Island. The garden, which is located in the new Trott-Littlejohn Park and will have up to 15 raised-bed plots, is intended for residents of the island. The group of volunteers organizing the garden hope to open for planting in the spring of 2010.

We have obtained permission from the City of Portland and the Peaks Island Council to proceed with the garden project on City property. We have also agreed to a five-year lease through October 2014 for that purpose. Additionally, we've secured two grants, one from the Island Institute and the other from the Peaks Island Fund, to purchase materials for fencing, soil and other capital expenses. We believe we have enough funding to meet our needs for the first year.

We would like the City's assistance with preparing the garden site for soil amendment. The favor involves asking Public Works to move a large pile of wood chips presently situated at the island transfer station, a block away from the garden site, over to the site and spreading the pile to a depth of a few inches. We hope the request can be granted separately from the site-plan application process, and expeditiously, as the composting process would allow us to build soil at low cost and avoid having to import more soil in springtime.

Regards,



Jubal Kessler

MISC1

From: Barbara Barhydt
To: Wiar, Shukria
Date: 11/4/2009 12:41:54 PM
Subject: Fwd: Recap of Peaks Community Garden progress

lets discuss

>>> Mike Murray Wednesday, November 04, 2009 9:10 AM >>>
FYI

>>> Jubal Kessler <jubal@cheeze.org> 11/01 10:23 PM >>>
Hi AJ and Mike,

It had been a while since Justin and I, et al, had reported on the community garden. I thought it would be a good time to give some of you a recap of where the garden has been, and where it's at now.

Since we received PIC approval of a garden in early June, we've completed the legal tenancy agreement for the garden, which did require proof of liability insurance. That has been paid for through September 2010, and Mary Costigan (City legal liaison) has a copy of the signed agreement on file. It took a while to get this together during the summertime, and the lease was signed in mid-September.

Additionally, we've received a couple of grants, one from the Island Institute and another from the Peaks Island Fund. The total will allow us to purchase a quantity of organic soil in springtime, as well as erect a fence and install a small toolshed in the northwest corner of the site -- also to be done in late spring.

The city's Planning Board has requested a minor site review of the garden, as it is a new "development", and my understanding is that this step is largely a formality -- the garden boundaries and topography have to be established on a digital (CAD) map that then becomes a site plan, on file. The review process is a joint one with the City and the garden, so the city has provided some assistance and guidance. We expect to finish the site plan before the end of the month.

Until that process completes, we are permitted to basically mulch the garden site. I've attached a copy of the permission letter stating as such from Penny Littell, director of planning.

Members of the garden are planning to continue mulching the site this coming Saturday the 7th at 10 a.m., and hope that Island Services personnel will be available for a little assistance with bringing over woodchips from the station. If things don't work out then, we will continue trying before the ice sets in!

If you have any questions or comments please let me know.

cheers,

Jubal

From: Michael Bobinsky
To: Barbara Barhydt; Jeff Taring ; Penny Littell
Date: Thursday, September 17, 2009 11:12:05 PM
Subject: Re: Peaks Island Community Garden

Thanks Jeff. I agree with your suggestion to organize a meeting with Barbara., yourself and the rep of the gardeners. However, what is the status of the lease agreement? Do you know how far along that is and who is working on it in Corp Counsel?..also, do you mean to say the Garden group met with the Friends of the Parks Commission back in April?..why would this group go before the Health and Recreation Committee?

>>> Jeff Taring 9/17/2009 4:36 PM >>>

FYI - The Peaks Island Garden group met with me this afternoon at 3 PM.

They have completed the following:

Met with the 'Health & Recreation' Committee back in April and got their vote of support for the project. Next they presented to the Peaks Island Council the plan to use a portion of Trott-Littlejohn Park off Upper A Street for a community garden. They were recommended to create or gain support from a non-profit group or agency and enter a lease / license agreement with the City of Portland for this use. An agreement is either near completion or pending. They have two supporting groups, the Peaks Island Land Preserve and Peaks Island Senior Housing, I believe is the second group.

I informed them today that per our meeting earlier concerning the Brentwood Street Deering Center Community Garden that new community gardens need to complete a Site Plan Application. Our next step would be to invite them to meet with City staff to review the Site Plan process and Site Plan Application. This project does not plan to change grades, or add parking. It does propose to create a garden area roughly 65' x 65' = 4,225 sq ft, slightly under 1 acre, enclose the space with a deer fence, install a small garden shed and a water tank.

Unlike the Brentwood Garden the Peaks Island project is spearheaded by two interested gardeners. I think it would be good to meet with them to review.

Thanks, let me know

Jeff Taring

CC: Mike Murray; Tom Civiello

From: Jeff Taring
To: Kevin Donoghue
Date: Friday, September 18, 2009 7:33:49 AM
Subject: Re: Peaks Island

Hi Kevin -

The Peaks Island Garden group presented the concept idea earlier this summer to the Health & Recreation Committee, which indorsed the idea of creating a garden and using the Trott-Littlejohn Park area for a garden. Next the garden project was presented to the Peaks Island Council which also approved and indorsed the garden project for Trott-Littlejohn Park. The garden group then worked with the city to create a lease or license agreement to use the area in Trott-Littlejohn Park on Peaks Island. This agreement is either complete or in the final stages of completion.

One of the hurdles for the project was the insurance to cover liability. They also have two supportive non-profit groups, Peaks Island Land Preserve and the Peaks Island Senior Housing. The last step for the project is to complete a Site Plan application to make sure all the Land Use Regulations are covered. I met with Jubal & Justin yesterday to go over the project.

Jeff Taring

>>> Kevin Donoghue <kjdonoghue@portlandmaine.gov> 9/17/2009 5:34:20 PM >>>

Hi Jeff, Could you give me your version of what the status is in the effort to create a community garden on Peaks Island?

Thanks,
Kevin

—
Kevin Donoghue - Portland City Council
www.kevindonoghue.com

CC: Barbara Barhydt; Michael Bobinsky; Penny Littell ; Tom Civiello

From: Jubal Kessler <jubal@cheeze.org>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
Date: 12/17/2009 1:43:07 PM
Subject: Re: Staff comments letter (Peaks Island Community Garden)

Hi Shukria,

Thanks much for the copy of the staff comments. Per your request, I've asked for a copy of the signed lease agreement from Corp Counsel, 2nd floor of City Hall, and will come by their front desk to pick it up today about 3:30 p.m. I will then bring it upstairs to the 4th floor.

Per your other request about irrigation for the garden -- Jeff Tarling of Parks & Rec has said that we can use a 500-gallon steel water tank, which would be situated next to the future shed. The water tank sits on top of skids and can be moved relatively easily. The tank would be filled as needed by the Peaks Island Fire Department. We would provide some hoses and possibly factor in drip irrigation.

Per David Margolis-Pineo, we would certainly incorporate gutters and a rain barrel for the future shed.

For Jeff, whom I've cc:'d, I've attached a PDF copy of the staff comments.

I do have one question regarding Marge Schmuckal's comments. She mentions a setback requirement for the ROS zone, which we will need to factor in when we design the plot layouts of the garden and have to situate the shed and tank. Do you know what the setback requirements are?

Thanks,

Jubal

CC: Jeff Tarling <jst@portlandmaine.gov>, Albert Presgraves <alpeaks@netscape.net>

From: Tom Civiello
To: Shukria Wiar
Date: 12/18/2009 3:20:21 PM
Subject: Peaks Island garden

Hi Shukria,

It is OK to change the dimensions of the Peaks Island Community Garden lease to 55' X 75'.

Thanks, Tom

Thomas G. Civiello, CPRP
Parks and Open Space Manager
City of Portland Public Services Dept.
55 Portland St.
Portland, ME 04101-2921
PH 207-874-8801 FX 207-874-8816
tgc@portlandmaine.gov

**LEASE AGREEMENT BY AND BETWEEN
CITY OF PORTLAND
AND
PEAKS ENVIRONMENTAL ACTION TEAM**

THIS INDENTURE made this 17th day of September, 2009, by and between the **CITY OF PORTLAND**, a municipal corporation located in Cumberland County, State of Maine (hereinafter the "**CITY**") and **PEAKS ENVIRONMENTAL ACTION TEAM**, a Maine corporation, having a mailing address of 25 Crescent Avenue, Peaks Island, Maine 04108 (hereinafter "**TENANT**").

WITNESSETH:

That **CITY**, for and in consideration of the rent hereinafter to be paid by **TENANT**, and other consideration, and the covenants and agreements hereinafter contained, to be kept and performed by **TENANT**, does hereby demise, lease and let unto **TENANT**, the property located in the vicinity of Trott-Littlejohn Park, Peaks Island, Maine as shown on Exhibit A, attached hereto and incorporated herein by reference ("**PREMISES**").

To have and to hold unto said **TENANT** on the following terms and conditions:

1. **TERM**

This Agreement shall be in effect from October 1, 2009 to September 30, 2014, unless sooner terminated as provided herein.

2. **RENT**

TENANT agrees to pay to **CITY** as rent for use and occupancy of the **PREMISES** rental in the amount of One Dollar (\$1.00) per year.

3. **PURPOSES**

TENANT shall use the **PREMISES** solely for the purpose of non-commercial gardening activities in accordance with the Peaks Island Community Gardens Guidelines, attached hereto as Exhibit B. The **TENANT** will not use motorized equipment on the **PREMISES** nor employ the use of chemicals. Only organic, non-toxic materials will be applied to the soil and the crops.

4. REPAIRS AND MAINTENANCE

No permanent improvements may be made without the prior written approval of the CITY. TENANT may bring fill to the PREMISES to make it suitable for a garden. TENANT will be responsible for procuring all approvals and permits necessary to install and maintain the fill and garden. TENANT will maintain garden according to the CITY's applicable standards for community gardens.

5. ASSIGNMENT

This Lease may not be assigned.

6. LIABILITY INSURANCE

TENANT shall provide at its own expense and keep in force during the Term, or any renewal thereof, commercial general liability insurance in a good and solvent insurance company or companies licensed to do business in the State of Maine, selected by TENANT, in the amount of at least \$400,000.00 for bodily injury, death or property damage, naming the CITY as an additional insured thereon. TENANT agrees to deliver copies of the certificates of such insurance to CITY prior to the execution by CITY of this Agreement; and, thereafter, not less than thirty (30) days prior to the expiration of any such policy.

7. INDEMNIFICATION

To the fullest extent permitted by law, TENANT shall at its own expense defend, indemnify, and hold harmless CITY, its officers, agents, and employees from and against any and all liability, claims, damages, penalties, losses, expenses, or judgments, just or unjust, arising from injury or death to any person, property, or environmental damage sustained by anyone in and about the PREMISES or as a result of activities at the PREMISES, including, but not limited to, farming operations conducted by the TENANT on the PREMISES, resulting from any act or omission of TENANT, its officers, agents, servants, employees, or persons in privity with TENANT, except to the extent that such injury, death, or property damage results from any negligent act or omission of CITY, its officers, agents, employees, or servants. TENANT shall, at its own cost and expense, defend any and all suits or actions, just or unjust, which may be brought against CITY or in which CITY may be impleaded with others upon any such above-mentioned matter, claim or claims, including claims of contractors, employees, laborers, materialmen, and suppliers. Such obligation of indemnity and defense shall not be construed to negate nor abridge any other right of indemnification or contribution running to CITY which would otherwise exist.

The foregoing provision (Indemnification) will survive either expiration or termination of this lease.

8. TERMINATION

Either party may terminate this Lease for cause at any time upon thirty (30) days' prior written notice to the other party; and, thereafter, the **TENANT** shall have no further right to use or occupancy of the **PREMISES**. Either party may terminate this lease for convenience upon a ninety (90) day written notice to the other party. All personal property shall be removed therefrom by the **TENANT** upon termination of this Lease.

9. DEFAULT

In the event that **TENANT** shall be in default in the performance of any of the terms or conditions herein agreed to be kept and performed by **TENANT**, then, in that event, **CITY** may terminate and end this Lease upon a thirty (30) day prior written notice; and, thereafter, **CITY** may enter upon said **PREMISES** and remove all persons and property therefrom if **TENANT** has failed to cure said default within said notice period. **TENANT** shall be liable to **CITY** for all costs incurred by it as a result of the **TENANT's** default and **TENANT** shall pay all costs of collection and cure incurred by **CITY**, including reasonable attorney's fees.

10. HOLD OVER

In the event that **TENANT** shall hold over and remain in possession of the **PREMISES** with the consent of the **CITY**, such holding over shall be deemed to be from month to month only, and upon all the same rents, terms, covenants and conditions as contained herein.

11. NOTICE

Notices required under this Lease shall be deemed sufficient if mailed to the parties at the following addresses:

TENANT: Peaks Environmental Action Team
c/o Lavinia Demos
25 Crescent Avenue
Peaks Island, ME 04108

CITY: Joseph E. Gray, Jr., City Manager
Portland City Hall
389 Congress Street
Portland, Maine 04101

cc: Corporation Counsel

12. WAIVER

Waiver by either party of any default in performance by the other of any of the terms, covenants, or conditions contained herein, shall not be deemed a continuing waiver of the same or any subsequent default herein.

13. COMPLIANCE WITH LAWS

Each party agrees to comply with all laws, ordinances, rules and regulations which may pertain or apply to the **PREMISES** and the use thereof.

14. SUCCESSORS AND INTEREST

All of the terms, covenants and conditions contained herein shall continue, and bind all successors in interest of **TENANT** and **CITY** respectively.

IN WITNESS WHEREOF, the said **CITY OF PORTLAND** has caused this Lease Agreement to be signed in its corporate name and sealed with its corporate seal by Joseph E. Gray, Jr., its City Manager, thereunto duly authorized, and **PEAKS ENVIRONMENTAL ACTION TEAM** has caused this Lease Agreement to be signed by Jubal Kessler, its Member, thereunto duly authorized, as of the day and date first set forth above.

WITNESS:

Sonia Bean

CITY OF PORTLAND

By: *Joseph E. Gray, Jr.*
Joseph E. Gray, Jr.
Its: City Manager

WITNESS:

[Signature]

PEAKS ENVIRONMENTAL ACTION TEAM

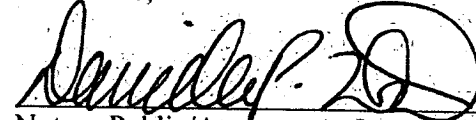
By: *Jubal Kessler*
JUBAL KESSLER
Its: member

STATE OF MAINE
CUMBERLAND, ss.

September 21st, 2009

Personally appeared the above named Joseph E. Gray, Jr., City Manager of the CITY OF PORTLAND and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the City of Portland.

Before me,

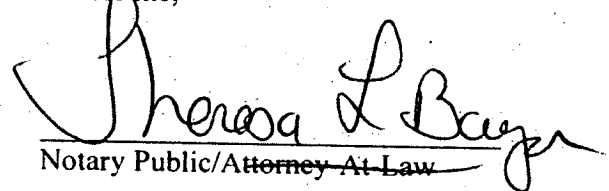

~~Notary Public/Attorney-At-Law~~

STATE OF MAINE
CUMBERLAND, ss.

September 12, 2009

Personally appeared the above named Jubal Rossler, as its member for PEAKS ENVIRONMENTAL ACTION TEAM, and made oath that the foregoing is his or her free act and the free act and deed of Peaks Environmental Action Team.

Before me,


~~Notary Public/Attorney At Law~~

EDWARD BOURBOIN
MY COMMISSION EXPIRES
OCTOBER 26, 2014

Peaks Island Community Garden Guidelines 2010 Season

Thank you for your interest in the community garden! If you have any questions, please contact Justin Palmer at (207) 232-9959 or palmerjd@aol.com, or Jubal Kessler at jubal.kessler@gmail.com.

REGISTRATION AND GENERAL

- The community garden is primarily intended for residents of Peaks Island.
- The garden is to be used for non-commercial purposes only, per the terms of the lease with the City of Portland.
- Plot fees are \$40 per plot for the 2010 season. The fees go toward city-mandated insurance for the garden site, and its upkeep as well.
- Plots may be renewed in following years.
- Registered gardeners will be notified by e-mail and/or phone of the spring informational meeting, and sent application forms via e-mail sometime in early March.
- Fees and applications must be received or postmarked by the March 15, 2010 deadline, or plots will be reassigned from a waiting list.
- The informational meeting will be held sometime in mid-April.
- Individuals or groups may sign up for one plot. The primary gardener, or group leader, may register one other name (the secondary gardener) at the time of application. The primary gardener will receive all mailings. The plot is *not transferable* to anyone other than the primary or secondary gardener, e.g. no subletting.
- It is the gardener's responsibility to keep his or her mailing address, e-mail address, and phone number current with the organizers of the community garden. Please make sure you can be reached in a timely fashion using one of the above contact methods.
- Refunds will be given for gardeners withdrawing prior to May 15.
- The growing season varies, of course, but typically the last frost on Peaks is mid-May and the first frost is in early October.
- Plots are to be turned over and planting begun by June 1. (If frost is really expected after that date, planting can take place later.) Untended plots will be reassigned after that date.
- Gardeners are expected to complete fall clean-up and at least one workday if they wish to continue using their plot for the following season.

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4/66

UPPERAS

PLANTING

- The community garden will follow organic planting methods. Do not use any pesticides or herbicides. This includes compost that may have been treated with chemicals, such as lawn clippings – be careful.
- Do not nurse and baby sick plants.
- Immediately remove diseased plants, such as tomato or potato plants that suffer from late blight. They can rapidly affect neighboring plots.
- Be aware of sources of disease, such as blighted seedlings purchased from, say, Home Depot or Lowes, or other big-box stores.
- Keep destructive insects such as Japanese beetles, tomato hornworm, and cabbage worm picked or organically at bay. Read about integrated pest management, and learn how to recognize and encourage the good bugs while identifying and discouraging the bad bugs.
- Do not ground-plant invasive species. The list of those plants may surprise you. They include herbs such as mint, horseradish, lemonbalm, comfrey, nettles, strawberries, grasses, and bamboos that spread by perennial root runners. Confine them to pots or other containers.
- Woody perennials such as blueberry and raspberry bushes, and dwarf trees, should also be potted.
- Do not plant hardy invasive species which procreate by seed, such as garlic mustard, purple loosestrife, wild lobelia, amaranth, and others.
- If you spot Japanese knotweed (aka Mexican bamboo) anywhere near the garden, remove immediately, and if possible, dispose of at the nearby island transfer station. Knotweed is a noxious weed with a tenacious rhizome system, and is extremely hard to eradicate once established.
- Tall plants such as corn can overshadow smaller plants. When possible, you may be able to coordinate tall plantings, like corn, with your neighbors – but in general, organize your plantings to avoid casting shade on a neighboring plot.
- Please refer to <http://www.umext.maine.edu/onlinepubs/htmlpubs/2500.htm> for additional guidelines on invasive plant species in Maine, and to <http://nbii-nin.ciesin.columbia.edu/ipane/> for an invasive plant atlas for New England.

| | | | |
|---|--|---|--------------------------------------|
| ACORD CERTIFICATE OF LIABILITY INSURANCE | | OP ID TG PEAT-01 | DATE (MM/DD/YYYY) 09/15/09 |
| PRODUCER Noyes Hall & Allen Insurance www.noyeshallallen.com 170 Ocean Street, PO Box 2403 South Portland ME 04116-2403 Phone: 207-799-5541 Fax: 207-767-7590 | | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. | |
| INSURED PEAT, Inc. DBA Peaks Island Community Garden 20 Lower A Street Peaks Island ME | | INSURERS AFFORDING COVERAGE INSURER A: MMG Insurance INSURER B: INSURER C: INSURER D: INSURER E: | NAIC # 15997 |


COVERAGES

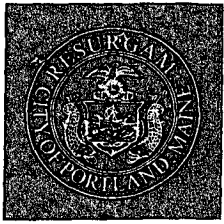
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR ADD'L TR | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS |
|---------------|---|---------------|----------------------------------|-----------------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR | MMG GL TBA | 10/01/09 | 10/01/10 | EACH OCCURRENCE \$ 1,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input type="checkbox"/> LOC | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| | AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| | GARAGE LIABILITY ANY AUTO | | | | AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY EA ACC \$ AGG \$ |
| | EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$ | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below | | | | WC STATUTORY LIMITS DIR. FR. E.L. EACH ACCIDENT \$ C.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| | OTHER | | | | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Community garden east end of Littlejohn Park, Peaks Island, Maine. City of Portland is listed as additional insured.

| | |
|--|---|
| CERTIFICATE HOLDER CITY OF P City of Portland 389 Congress Street Portland ME 04101 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE  |
|--|---|



PORTLAND MAINE

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

Planning & Urban Development Department
Penny St. Louis Littell, Director

October 16, 2009

Jubal Kessler
20 Lower A Street
Peaks Island, ME 04108

Dear Mr. Kessler:

I am granting permission to spread wood chips on the community-garden project on Peaks Island in Trott-Littlejohn Park – limiting the wood chip spread to no more than four (4) inches. Please be advised that no further work shall take place until you have received site plan approval.

If you have any questions, please contact me.

Sincerely,

Penny St. Louis Littell
Director of Planning and Urban Development

20 Lower A St.
Peaks Island, ME 04108
October 15, 2009

Penny Littell, Director
Planning & Urban Development

Greetings Ms. Littell,

I am helping to coordinate a community-garden project on Peaks Island, in Trott-Littlejohn Park near the center of the island. The group of volunteers organizing the garden hope to open for planting in the spring of 2010.

Per a recommendation from Barbara Barhydt and David Margolis-Pineo, I am writing to you to request permission from the City to proceed with spreading wood chips on the garden site's surface. Specifically, the request is to have a large pile of wood chips (presently situated at the island transfer station, a block away from the garden site) moved over to the site and spread to an even depth of a few inches. This is somewhat of an urgent matter, as the community garden had advertised a volunteer workday for composting this Saturday, October 17 at 10 a.m., in the island newspaper and other media – and we have many volunteers who have committed to the workday. We were unfortunately unaware of the requirement for a minor site-plan review until two weeks ago.

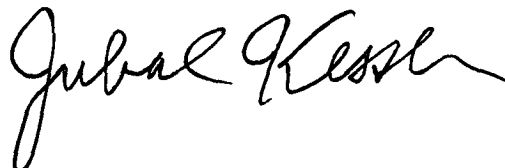
Spreading wood chips will smother the grassy undergrowth and act as the first step of composting. We hope to complete the remaining composting steps if and when the minor site-plan review process completes, but in the meantime, the requested wood-chip spreading would be a major boost and take advantage of precious time on the behalf of island volunteers.

There will be no disturbance of the underlying soil, or any kind or type of digging involved for this step.

If you could kindly contact me at (207) 766-5845 or email me at jubal@cheeze.org regarding permission in this short timeframe, I would appreciate it. I need to then coordinate with Public Works to gain their assistance with transport of the woodchip pile.

Regards,

Jubal Kessler



20 Lower A St.
Peaks Island, ME 04108
October 13, 2009

Planning & Development Department

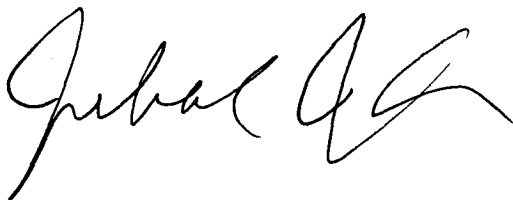
Greetings,

I am helping to coordinate a community-garden project on Peaks Island. The garden, which is located in the new Trott-Littlejohn Park and will have up to 15 raised-bed plots, is intended for residents of the island. The group of volunteers organizing the garden hope to open for planting in the spring of 2010.

We have obtained permission from the City of Portland and the Peaks Island Council to proceed with the garden project on City property. We have also agreed to a five-year lease through October 2014 for that purpose. Additionally, we've secured two grants, one from the Island Institute and the other from the Peaks Island Fund, to purchase materials for fencing, soil and other capital expenses. We believe we have enough funding to meet our needs for the first year.

We would like the City's assistance with preparing the garden site for soil amendment. The favor involves asking Public Works to move a large pile of wood chips presently situated at the island transfer station, a block away from the garden site, over to the site and spreading the pile to a depth of a few inches. We hope the request can be granted separately from the site-plan application process, and expeditiously, as the composting process would allow us to build soil at low cost and avoid having to import more soil in springtime.

Regards,

A handwritten signature in black ink, appearing to read "Jubal Kessler". The signature is fluid and cursive, with a large initial "J" and a stylized "K".

Jubal Kessler



Development Review Application
PORTLAND, MAINE
 Department of Planning and Urban Development,
 Planning Division and Planning Board

PROJECT NAME: PEAKS ISLAND COMMUNITY GARDEN

PROPOSED DEVELOPMENT ADDRESS:
TROTT-LITTLEJOHN PARK, @ UPPER ST. PEAKS
& FLORIDA AVE ISLAND

PROJECT DESCRIPTION:
A 15-plot community garden for use by island residents
to grow for themselves (non-profit)

CHART/BLOCK/LOT: _____

CONTACT INFORMATION:

APPLICANT

Name: JUBAL KESSLER
 Address: 20 LOWER A ST.
PEAKS ISLAND, ME
 Zip Code: 04108
 Work #: 207 766-5845
 Cell #: 207 450-3490 (text)
 Fax #: 207 766-2444
 Home: 207 766-5845
 E-mail: jubal@cheeze.org
^ not an "s"

PROPERTY OWNER

Name: _____
 Address: _____
 Zip Code: _____
 Work #: _____
 Cell #: _____
 Fax #: _____
 Home: _____
 E-mail: _____

BILLING ADDRESS

Name: _____
 Address: _____
 Zip: _____
 Work #: _____
 Cell #: _____
 Fax #: _____
 Home: _____
 E-mail: _____

~As applicable, please include additional contact information on the next page~

PROJECT DATA

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

| | | |
|---|-------|---------|
| Total Site Area | 4,125 | sq. ft. |
| Proposed Total Disturbed Area of the Site | 4,125 | sq. ft. |

(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.)

IMPERVIOUS SURFACE AREA

| | | |
|--------------------------------|---|---------|
| Proposed Total Paved Area | - | sq. ft. |
| Existing Total Impervious Area | - | sq. ft. |
| Proposed Total Impervious Area | - | sq. ft. |
| Proposed Impervious Net Change | - | sq. ft. |

BUILDING AREA

| | | |
|---|-----|-------------|
| Existing Building Footprint | 0 | sq. ft. |
| Proposed Building Footprint | 50 | sq. ft. |
| Proposed Building Footprint Net change | 50 | sq. ft. |
| Existing Total Building Floor Area | 0 | sq. ft. |
| Proposed Total Building Floor Area | 50 | sq. ft. |
| Proposed Building Floor Area Net Change | 50 | sq. ft. |
| New Building | yes | (yes or no) |

ZONING

| | |
|-------------------------|--|
| Existing | |
| Proposed, if applicable | |

LAND USE

| | |
|----------|--|
| Existing | |
| Proposed | |

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 | |

PARKING SPACES

| | |
|--------------------------------------|--|
| Existing Number of Parking Spaces | |
| Proposed Number of Parking Spaces | |
| Number of Handicapped Parking Spaces | |
| Proposed Total Parking Spaces | |

BICYCLE PARKING SPACES

| | |
|---|--|
| Existing Number of Bicycle Parking Spaces | |
| Proposed Number of Bicycle Parking Spaces | |
| Total Bicycle Parking Spaces | |

ESTIMATED COST OF PROJECT

Please check all reviews that apply to the proposed development

| | | | |
|--------------------------------|-------|--------------------------------|-------|
| Design Review | _____ | Stormwater Quality | _____ |
| Flood Plain Review | _____ | Traffic Movement | _____ |
| Historic Preservation | _____ | Zoning Variance | _____ |
| Housing Replacement | _____ | Historic District/Landmark | _____ |
| 14-403 Street Review | _____ | Off Site Parking | _____ |
| Shoreland | _____ | Multi-Family Dwelling | _____ |
| Site Location Act Local Review | _____ | B-3 Pedestrian Activity Review | _____ |
| Single Family Dwelling | _____ | Change of Use | _____ |
| 2 Family Dwelling | _____ | | |

Site Plan Checklist

Portland, Maine

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

PEAKS ISLAND COMMUNITY GARDEN

Project Name, Address of Project

Application Number

(The form is to be completed by the Applicant or Designated Representative)

Check Submitted

Required Information

Section 14-525 (b,c)

Applicant

Staff

| | | | |
|---|--|--|----|
| | | Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including: | 1 |
| X | | Name and address of applicant and name of proposed development | a |
| X | | * Scale and north points | b |
| X | | * Boundaries of the site | c |
| X | | * Total land area of site | d |
| | | * Topography - existing and proposed (2 feet intervals or less) | e |
| | | Plans based on the boundary survey including: | 2 |
| | | * Existing soil conditions | a |
| | | * Location of water courses, wetlands, marshes, rock outcroppings and wooded areas | b |
| | | * Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used | c |
| | | * Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (<u>example page 11 of packet</u>) | d |
| | | * Location of on-site waste receptacles | e |
| | | * Public utilities | e |
| | | * Water and sewer mains | e |
| | | * Culverts, drains, existing and proposed, showing size and directions of flows | e |
| | | * Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed | f |
| | | * Location and dimensions of on-site pedestrian and vehicular access ways | g |
| | | * Parking areas | g |
| | | * Loading facilities | g |
| | | * Design of ingress and egress of vehicles to and from the site onto public streets | g |
| | | * Curb and sidewalks | g |
| | | Landscape plan showing: | h |
| | | * Location of existing vegetation and proposed vegetation | h |
| | | * Type of vegetation | h |
| | | * Quantity of plantings | h |
| | | * Size of proposed landscaping | h |
| | | * Existing areas to be preserved | h |
| | | * Preservation measures to be employed | h |
| | | * Details of planting and preservation specifications | h |
| | | * Location and dimensions of all fencing and screening | i |
| | | Location and intensity of outdoor lighting system | j |
| | | Location of fire hydrants, existing and proposed (<u>refer to Fire Department checklist - page 11</u>) | k |
| | | Written statements to include: | c |
| X | | * Description of proposed uses to be located on site | cl |
| X | | * Quantity and type of residential, if any | cl |
| X | | * Total land area of the site | c2 |
| | | * Total floor area, total disturbed area and ground coverage of each proposed Building and structure | c2 |
| | | * General summary of existing and proposed easements or other burdens | c3 |
| | | * Type, quantity and method of handling solid waste disposal | c4 |
| | | * Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (<u>refer to the wastewater capacity application - page 12</u>) | c5 |
| X | | * Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff. | c6 |

The Peaks Island Community Garden

The proposed community garden dimensions are a rectangle 75 feet by 55 feet, with a total area of 4,125 feet. The site of the garden is located in the southwestern portion of Trott-Littlejohn Park, as bounded by the former construction road that ringed the area prior to its conversion from a gravel pit to park in 2006.

The garden will consist of fifteen plots, each of them raised beds roughly a foot high. Each plot will be roughly 9 feet by 15 feet, with about 3 feet in between plots for walkways. There will be an 8-foot-wide path bisecting the site for winter traffic, including cross-country skiing trails. (A proposed fence will be gated at either end.)

Island residents using the garden must adhere to the guidelines stipulated as part of the lease agreement with the City. Those guidelines prohibit any structure or contrivance that would cause, among other nuisances, drainage problems.

The garden site is undeveloped and is currently undisturbed grassy land. The proposed timeline for developing the garden is:

October/November 2009 – Build and amend soil via large-scale composting

Winter 2009 – No activity

April/May 2009 – Fencing, water-tank, toolshed and other infrastructure

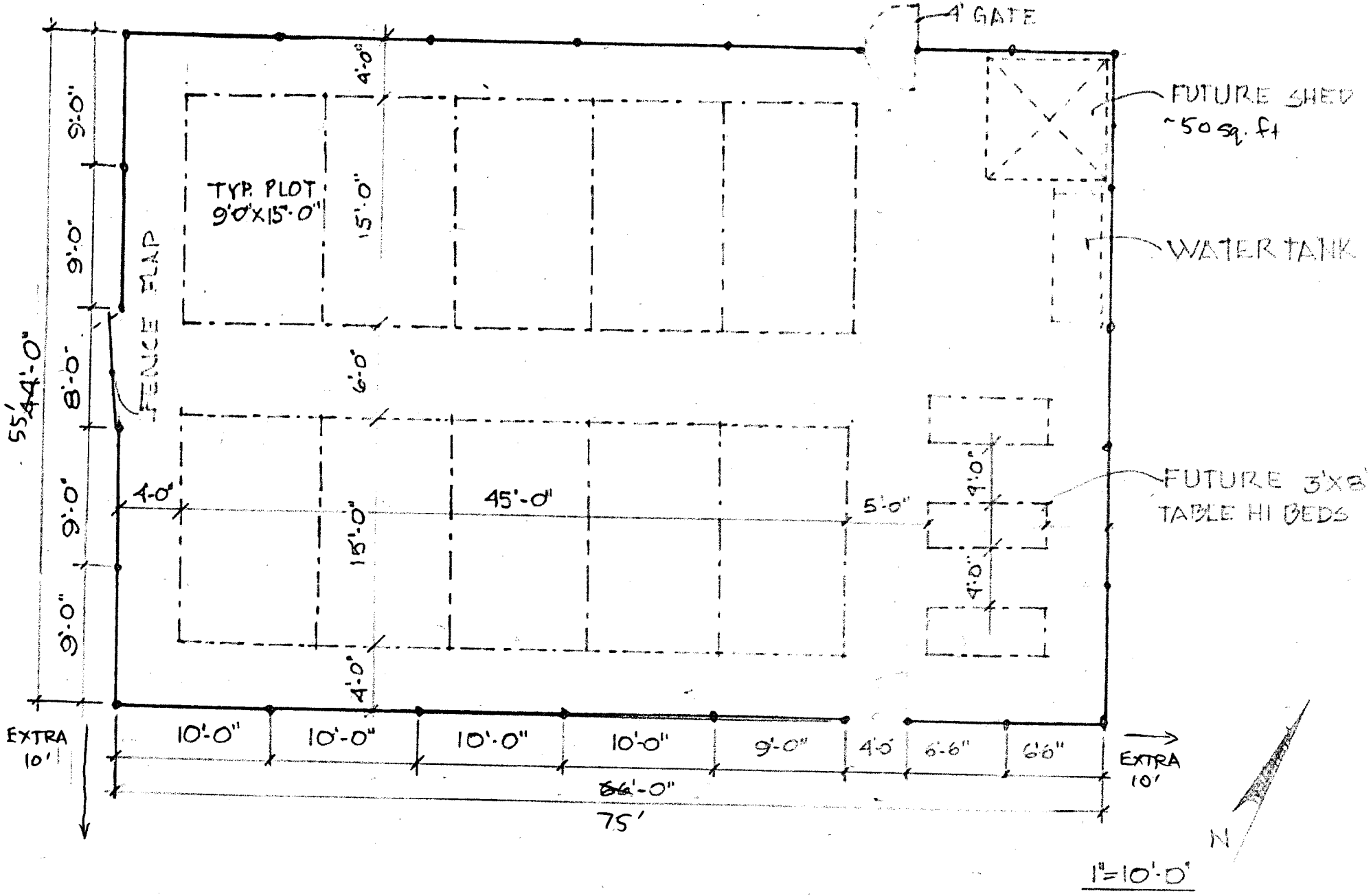
May 15 – Open for planting (optimistic date after last frost)

Surface drainage

The site of the garden is undeveloped and there are no waterways or other water sources near it. Drainage on the site is more or less rainwater percolating through the grassy topsoil, with a roughly 6 to 7 degree slope facing east. The soil is presently undisturbed.

The proposed garden site would slightly change the drainage pattern. The site is centered on top of a light rise, perhaps one or two feet high, with the north end higher than the south. The planned structural changes include a small, 50 sq ft. toolshed, a 500-gallon steel water tank for irrigation, and the raised garden beds themselves, bordered with wood planks about 9 to 12 inches high. The walkways and footpaths between beds would be covered with wood chips. Water use would consist of drawing water from the tank via a hose and directing it onto the desired garden bed. Any runoff would generally trend toward the east-facing slope.

The garden site would likely use a sediment barrier composed of erosion-control mix, and possibly a filter sock to keep it in place. The barrier would be placed primarily on the eastern slope, and be about three feet wide and a foot high.



TROT LITTLE JOHN GARDENS

Peaks Island DPW Gravel Pit Closure November 2004

Grading Plan Notes

The Site was plotted at 1" = 50' utilizing aerial mapping as a basemap. Contours may vary with existing conditions.

Areas to be graded were identified on a site walk with Bob Cook and Bill Clark on October 22, 2004. Digital photos of existing conditions of the site were taken and combined into wide format prints.

Area 1

Existing Roadway to remain. Gate to be installed at entrance.
Grade and add gravel as needed.

Area 2

Existing wooded knoll to remain.
No grading required.

Area 3

Steep cut bank to receive material from high portions of Area 4.
Loam and seed.

Area 4

Cut grade to fill steep cut bank in area 3.
Grade towards Areas 3 and 6.
Clay may be needed to form berm around skating Area 13.
Grading to maintain location of existing path.
Loam and seed.

Area 5

Existing wooded areas and clearing to remain.
No grading required.

Area 6

Remove rubble and piles and grade to Area 7.
Some finer material from Area 4 may be needed.
Grading to maintain location of existing path.
Loam and seed.

Area 7

Grade to even slope removing roadway cut.
Grading to maintain location of existing path.
Loam and seed.

Area 8

Grade to allow for existing path to enter woods at a less steep grade while allowing surface water from Area 7 to disperse into woods.
Loam and seed.

Area 9

This area has buried remains of seals and recently a small whale.
Minimal grading.
Loam and seed.

Area 10

Existing road to remain.
Grade and add gravel as needed to maintain access to Area 9.

Area 11

Existing stock pile area to be graded with material from Areas 13 and 14.
Grading towards Area 14.
Loam and seed.

Area 12

Relocate existing road to allow access to Area 9, and to area 13.
Optional: Add culvert near northerly corner of Area 13.
Gravel as needed.

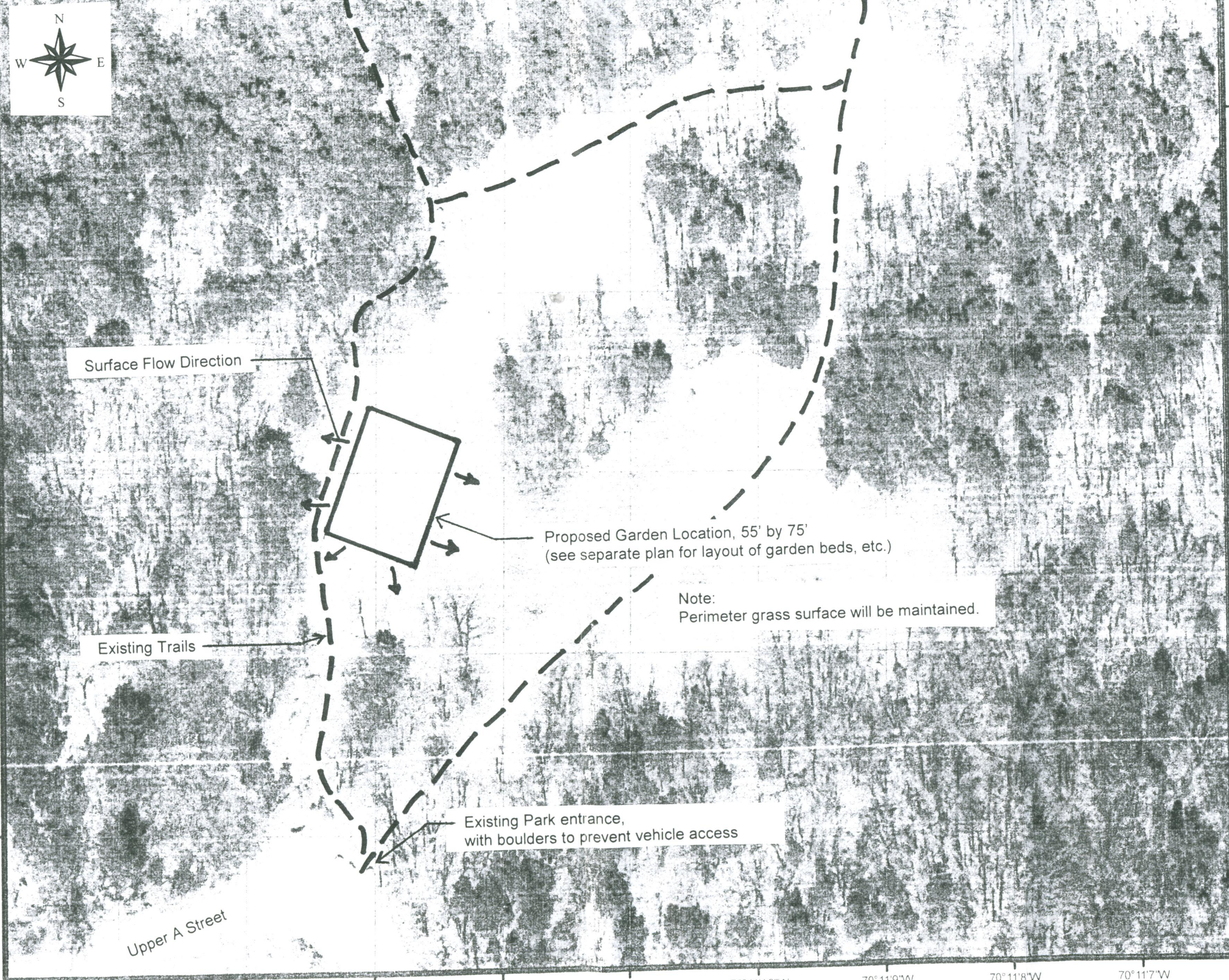
Area 13

Level area of 60' x 120' for skating pond/rink. Grade material, possibly clay from Area 4 to form a 12" berm around the perimeter.
Optional: Addition of wooden sluice to allow draining of pond in summer.
Loam and seed.

Area 14

Grade to remove steep slopes and to supply fill for Area 11.
Allow for drainage along northeasterly border of Area 13.
Loam and seed.

Install Silt Fence around perimeter as per established DPW Engineering Standards.



43°39'47.1"
43°39'36"
43°39'35"
43°39'34"
43°39'33"

Surface Flow Direction

Proposed Garden Location, 55' by 75'
(see separate plan for layout of garden beds, etc.)

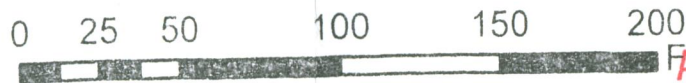
Note:
Perimeter grass surface will be maintained.

Existing Trails

Existing Park entrance,
with boulders to prevent vehicle access

Upper A Street

70°11'15"W 70°11'14"W 70°11'13"W 70°11'12"W 70°11'11"W 70°11'10"W 70°11'9"W 70°11'8"W 70°11'7"W



Scale: 1" = 60'

Site Plan
Peaks Island Community Garden
Trott-Littlejohn Park

CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: _____
APPROVED 05/21/2009