Roger J Gendron
118 Bancroft Street
Portland, ME 04102-2029

April 20, 1997

Joseph E. Gray, Jr.
Director of Planning and Urban
Development
City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

Dear Mr. Gray:

It has come to my attention that the Portland Planning Board has been considering a plan by Cottage Park, Inc. to construct a 7-lot Planned Residential Unit Development under the name Redlon Park. I am writing this letter because I am both a homeowner on land abutting the proposed development and a concerned taxpayer when I hear of proposals that appear to be of a questionable nature. I have resided at 118 Bancroft Street for 20 years and I am currently employed as the Business Manager at the Portsmouth Naval Shipyard. During my years as a business professional for the Federal Government I have reviewed several proposals outlining projects worthy of an expenditure of capital. In each case, completed staff work and re-evaluation points are necessary to ensure acceptable financial risk is behind the final decision to proceed. I would expect your evaluation of this project is equally well staffed and will proceed with due consideration to potential risk.

I have examined some documentation regarding the proposal as it stands at this point and spoken to other homeowners whose property abut the proposed site. I have both general and specific concerns. Of a general nature:

a. It is not clear who is liable for adverse impact on abutters either due to construction or as a consequence of the final construction? Is it the City, the developer, or the Homeowners Association that would be formed as the properties are sold?

b. Has the City reviewed the developer's history in similar projects? Does he have a proven record in favorably resolving problems with land development? Has the City and the financial institution funding the project made such an investigation?

c. When will the final decision be made on proceeding with this project? Are there go/no-go check points based on more information? Financial viability appears to hinge on successful development in the face of a site that poses ranging environmental extremes ("substantial ledge outcroppings and an intermittent stream and associated wetlands running through the center of the site") and to quote Sarah Hopkins, a Senior

City Planner, "development will be a challenge but will provide an opportunity for creative design and engineering". On the surface it sounds like a project worth continued reassessment before being given the green light. While creative design and engineering should be encouraged, it normally carries a commensurate amount of risk.

d. Drainage, both surface and subsurface water, has been a problem for houses abutting on Bancroft street since they were built. I continue to have subsurface water problems and would not want the situation exacerbated. Has a study been performed on subsurface water in addition to surface water associated with the wetlands and the unnamed stream? Do we know how the steam and wetland areas will change as a result of this development? If adverse consequences result to abutters, how will it be dealt with? Who will be liable?

Of a more specific nature:

a. In the construction schedule, there is no mention of ledge removal. Also, it stated the largest section (of water) will drain to the west towards Bancroft Street which already has a water drainage problem.

b. In the "Declaration of Covenants and Restrictions" there are other areas of concern or need for clarification:

1. There is mention of a Design Review Board which is not an independent group but the Grantor (developer) and then handed off the Redlon Park Homeowners Association.

2. It appears that at some point in time the Homeowners Association assumes liability for common areas and facilities to include surface water systems. Abutters seeking recourse for adverse consequences of this land development will likely have difficulty dealing with someone not responsible for the situation.

3. Further subdivision appears to be at the developers discretion. "The lots as shown on the plan may not be subdivided except with the consent of the Grantor (developer) and with the approval of the City of Portland if required." Under what conditions would subdivision not require the City of Portland's approval?

c. In the "Rock Removal Guidelines":

1. It mentions a test blast but it is not clear what impact if any the results of this test will have on the project. What impact will the test blast have on further development? Will the project be re-evaluated based on the results?

2. There is mention of pre-blast surveys being put up for notice 48 hours in advance. However, there is no mention of estimated duration of blasting, hours of blasting, liability associated with damage caused by blasting (cracked foundations/diverted surface/subsurface water/ etc.).

I trust you will consider these and other issues associated with this proposal before making your final decision to proceed. While it will require leaving my work early, I will

make every attempt to attend your meeting on Tuesday 22 April 1997. In the future, you might want to seriously consider at least one evening session to hear personally from city residents on such issues.

Sincerely,

ROGER J GENDRON

Cc:

Tom Kane

71 Rosemont Ave

Portland, ME 04103

Bob Campitelli

7 Redlon Rd

Portland, ME 04102

Cynthia C Stewart

Vice President

People Heritage Bank

One Portland Square

PO Box 9540

Portland, ME 04112-9540

Joseph E. Gray, Jr.
Director of Planning and Urban Development
389 Congress Street
Portland, ME.
04101

April 21, 1997

Dear Sir,

I am writing in regards to the plans to build seven houses at the end of Redlon Road. I would like to bring up several concerns.

Naturally, I am disappointed to lose the woods in my back yard. It made my home in the city much more appealing. I have met with the developer who has told me that he does not plan to clear the outermost 25 feet of any of the property. However, I don't suppose that is a guarantee. I imagine it would be within his or the new home owners rights to change their mind. The city needs trees to help purify the air and I can attest to the fact that traffic has increased dramatically in that area in the seventeen years I have been there.

There is quite a population of a variety of animals that live in that woods. I am concerned for their welfare and loss of habitat, but I am also concerned due to the increase in cases of rabies. I am afraid the displaced animals will end up under my porch.

The area is very wet and I do not want to have my back yard end up with any more water draining into it. Another neighbor has told me that the blasting that will have to be done to get rid of the ledge will cause more water problems for the area.

Thank you in advance for considering these factors in you planning approval process.

Sincerely,

Sheila A. Leadbetter
83 Capisic Street
Portland, Maine 04102

55 Kenilworth Street
Portland, Maine 04102
774-2848

April 25, 1997

Mr. Joseph Gray
City of Portland
Portland City Hall
389 Congress Street
Portland, Maine 04101

Dear Mr. Gray:

We would like to bring to your attention our concern about a prospective construction project under consideration in our neighborhood. A planned project that would be bordered by Motley, Caroline, Bancroft, Redlon and June Streets would cause considerable damage to our home's value and livability. This area of Portland is built up on ledge. This construction project would require extensive blasting and it has been publically noted that water flowage would be diverted towards our home. A significant amount of water currently flows from the area under consideration to Capisic Pond and on to Stroudwater. Currently the water flow is so severe that city crews are deployed to Bancroft Street during the winter months to scrape the ice off the roadway. Adding to the current water problem will certainly create a liability for the city.

We have lived in our home for over 50 years and have seen the changes in the water that flows from the wooded area under consideration. While the flow has always been significant, the situation became critical after condominiums were constructed adjacent to Roosevelt School and the Stevens Avenue Fire House. The water diverted by the blasting and changes in the water table have affected our home. We now get water in our basement when we previously did not. The paint on our home now peels off in copious amounts. We have had paint manufacturers and consultants look at our home, take moisture readings and tell us that our concrete foundation is acting like a wick bringing moisture to the outside walls. One side of our lot receives so much moisture now that the grass grows at three times the rate of the other side. Any additional water diverted to our property either above ground or through changes to the aquifer can not occur.

We welcome a visit by the city to our home and neighborhood to discuss our concerns. We plan to attend any and all city meetings that are relevant to this project. Please make sure that our name is on all correspondence from your office. Thank you for your consideration in this matter. We look forward to meeting with you to discuss this issue personally.

Sincerely, Joseph Kumiszcza
Evelyn Kumiszcza

Joseph & Evelyn Kumiszcza

Nancy & William Warnock
36 June Street
Portland, Maine 04102

April 28, 1997

Mr. Joseph E. Gray, Jr.
Director of Planning and Urban Developement
City Hall, 4th Floor
389 Congress Street
Portland, Maine 04101

RE: Redlon Road PRUD Proposal

Dear Mr. Gray,

We write to you to express our serious concerns about the above proposal. We are strongly against said proposal!!

The designated area presently supports a natural habitat for wildlife, wetlands and drainage, coniferous and deciduous woodlands, and a natural flora including the rare "lady slipper." A number of people have described the area as a "miniature fell" as found in England or Scotland.

Our property , and the properties of our neighbors on June Street, Redlon Road, Capisic, and Bancroft Streets are topographically part of a larger scene and will be negatively affected by this proposal. We all have served, and continue to do so, as stewards to protect this unique piece of land within the City of Portland!!

To our knowledge, not one of the respective properties has ever been posted. Hence, present pathways exist, due to the largess of the property owners. Families from all the surrounding areas enjoy the walk through the woods.

Rabbits and pheasants once inhabited these woods and open spaces. The spring "peepers" once lived here and contributed their beautiful early evening song. They are all gone since the building of The Ledges condominium complex on Stevens Avenue (the opposite side of June Street from the Prud proposal).

Mr. Gray, you and your colleagues are cordially invited to take a walk through these woods to see why we urgently request that you DO NOT recommend this proposal.

Very truly yours,

Nancy M. Warnock

Nancy M. Warnock

William A. Warnock

William A. Warnock

cc: Chairman Hagge, Portland Planning Board

Linda Campitelli
7 Redlon Rd.
Portland, Me. 04102
April 17,1997

Mr. Joseph Gray
Mr. A. Jaegerman
Planning Board Officers
Planning Board-4th floor
Portland, Maine 04101

Dear Mr. Gray and Mr. Jaegerman,

Enclosed is an article from the April 13, 1997 issue of the Portland Press Herald . I made an immediate association to the Wetlands at the end of Redlon Road, both from the description of the land and of the wildlife it contains.

It reemphasizes my opinion that a wetland study should include a delineation, wildlife habitat study and a vegetation analysis. It is my understanding that this study should be conducted during the growing season, preferably in the spring and summer. Mr. Weinschenk's hired engineer informed me that he conducted his delineation in February. As you are well aware, February is in the middle of winter when the ground is frozen, animals are in winter hideaways, and vegetation is dormant . In my opinion, which I'm certain is shared, this delineation was untimely and, therefore, the results should be considered inconclusive and unreliable.

Living close to this sight, I have many opportunities to spend time familiarizing myself with it. Both in my yard and in the woods, I have seen many living creatures including skunks, woodchucks , pheasants, snakes, frogs, insects, rabbits and a wide variety of birds. My neighbors have recently told me of the ducks who visit their backyard every spring and fall. Could these be migratory birds?

Somehow, this small environmentally rich piece of land must be integrated into the eco-system that includes Capisic Pond , Stroudwater, and the ocean. When you stroll in and around this place, a little humility is experienced upon realizing our place in this system. This land may be small, but vulnerable to destructive development.

The truth needs no explanation, just reflection. Please, lets make a study of this land and preserve it. Where are the green spaces in Portland? We need to see clarity in this situation in order to notice the opportunity for growth in the right direction. Ric Weinschenk has taken more than his share of Portland, so just say, "no" to Redlon Park Development. In so doing, you'll be deciding the future of invaluable species, including our own.

Sincerely,
Linda Campitelli

WELLSPRINGS OF LIFE

The hidden world of the vernal pool

Vernal pools are small, temporary wetlands created each year by warm rains and melting snow. They support a highly diverse and abundant amount of wildlife. Amphibians and insects like breeding in vernal pools because there are no fish there to gobble up their eggs, tadpoles and larvae.

Who lives in a vernal pool?

Fairy shrimp

Fairy shrimp hatch in the early spring in southern Maine, becoming adults by mid-April. They breed, deposit their eggs and die by mid-May. The eggs then overwinter in the pool after it dries up, but they aren't damaged. They need to dry and freeze before hatching the next year.

Blue-spotted salamander

The secretive blue-spotted salamander comes to vernal pools in early April to breed. Males deposit packets of sperm known as spermatophores on the bottom of the pool. The female then picks up the packets and stores them in her cloaca. After her eggs are fertilized internally, they fall to the bottom of the pool or cling to vegetation.

The average size of a vernal pool in southern Maine is about 4,000 square feet. Sunlight, water temperature and hydroperiod – the length of time a pool stays filled with water – all influence how well young amphibians and other creatures survive in the pools during the spring and summer.

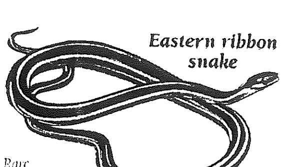
Spotted turtle

Spotted turtles, a threatened species in Maine, do almost all of their feeding at vernal pools in southern Maine. They visit four or five pools in the course of a year, feasting on the tadpoles and salamander larvae that live there. Studies of radiotagged spotted turtles have shown that once one pool dries up, the turtles will travel up to a half-mile overland to the next one, never getting lost.

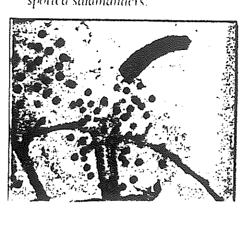
Spotted salamander

Spotted salamanders return to their natal vernal pools in such great numbers that many are killed by cars while crossing roads, or by nocturnal predators. Once they reach the pool they engage in a nuptial dance, nudging each other first with their nose, then with their bodies. Their eggs are fertilized in the same manner as the eggs of the blue-spotted salamanders.

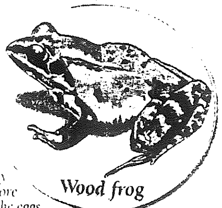
Eastern ribbon snake



Rare ribbon snakes, along with water snakes, like to lurk around vernal pools, especially when tadpoles are metamorphosing into young frogs. The ribbon snake's favorite meal is young amphibian.



Caddisfly eggs hatch as soon as the vernal pool fills with water in the spring. The larvae build elaborate cases that look something like sticks and then live in them for several weeks or months. Here, caddisfly larvae are eating spotted salamander egg masses.



Wood frog

Wood frogs are the first amphibians to herald spring, using their quack-like call to attract a mate during the short breeding season. As the female expels her eggs, the male releases sperm into the water and strokes the egg mass with his hind feet. This action may help distribute the sperm more evenly and aid in attaching the eggs to an underwater stem. After breeding, the male swims away while the female appears "comatose," sinks to the bottom and stays there for a while.

Research around state may lead to protection for vernal pools

By MEREDITH GOAD
Staff Writer

April is the month the Big Night comes.

A warm spring rain patters on the forest floor. The humid air feels like hot breath. Underneath the leaf litter and the soggy, rotting logs, slick-skinned woodland creatures rouse themselves from their winter hideaways.

So begins the annual mass migration of amphibians through the damp woodlands of New England to their traditional breeding grounds. Guided by instinct and some unknown internal compass, they make a beeline back to the vernal pools from which they hatched. There, under the misty moonglow, salamanders perform nuptial dances, accompanied by a croaky chorus of froggy mating calls.

The Big Night is a little late in southern Maine this year because of the lingering cool temperatures. But Maine biologists are patiently waiting, poised to embark on several new research projects once the annual migration begins.

The focus of their research is vernal pools, those little spots on the land that are temporarily filled each year by warm April rains and melting snows – and that amphibians flock to by the hundreds. As concern over the global decline of amphibian populations has grown, so, too, has scientists' interest in these small wetlands, which can range in size from a backyard puddle to a one- or two-acre pond.

Throughout the spring and summer, these islands of water in the forest become hotbeds of activity for frogs, toads, salamanders, insects, small mammals and other wildlife looking for the fundamentals of survival: food and sex.

"They're just extremely productive areas in the landscape, and we're just starting to learn how important they are and what contribution they make to our biodiversity," says Mark McCollough, a biologist at the Maine Department of Inland Fisheries and Wildlife.

Because of their size, vernal pools can sometimes fall through the regulatory cracks. As a result,

of species," says Betsy Colburn, a wetlands ecologist with the Massachusetts Audubon Society who is an expert on vernal pools.

In Maine, there are four species that rely almost exclusively on vernal pools for breeding. Wood frogs, spotted salamanders, blue-spotted salamanders and fairy shrimp all prefer these small wetlands.

Fairy shrimp are tiny invertebrates that have a life cycle of just one month. They sport 11 pairs of appendages and swim upside down.

"They're very slow, and apparently very tasty to fish, which is why they only survive in vernal pools," says Anne Perillo, a biologist who studied 45 vernal pools in York County last year.

Other common invertebrates in the pools include predaceous diving beetles, dragonfly and mayfly larvae, and fingernail clams, which survive dry periods by simply clamming up and waiting it out in the leaf litter until the pools fill up again.

Caddis fly larvae wander around the pools in little cases that look like sticks, and eat amphibian eggs.

Some species of amphibians, like gray tree frogs, move from pool to pool during the breeding season. Others – often those with shorter breeding seasons – head back to the same pool, year after year.

No one knows exactly how they find their way back, though there have been many theories. Most scientists now believe they are guided by some kind of magnetic sense, much like migrating songbirds, combined with a chemosensory ability that allows them to "smell" the trail of soils and vegetation that leads back to their birthplace.

Both amphibians and reptiles sometimes travel great distances – for a frog or turtle, anyway – to reach their preferred vernal pools. Spotted salamanders and blue-spotted salamanders have been known to trek as far as half a mile, McCollough said, and wood frogs will travel as much as a mile away to breed in a single vernal pool.

McCollough's studies of rare Blanding's turtles and spotted turtles in southern Maine have shown that they eat at vernal pools almost exclusively, feeding heavily on the tadpoles and salamander larvae that live there. They visit four or five pools in the course of a year.

Plants getting attention

Plants that grow in vernal pools are also starting to pique the interest of scientists. There's one species of algae, for example, that only grows on the surface of spotted salamander egg masses.

And during the previous surveys of rare turtles in southern Maine, biologists rediscovered a plant called feather foil growing in vernal pools at four different sites. One of the rarest

pg
2

POOLS

Continued from Page 1B

ment and other human activity. Many biologists wonder whether they should receive special protection.

In Maine, protection of vernal pools is strictly voluntary, and it is likely to stay that way for the next few years. But the information slowly being gathered in research projects around the state could change that, as scientists learn more about the pools and the kinds of animals that use them.

"In some cases there may be hundreds of spotted salamanders and wood frogs coming to these pools to breed, so some of them are extremely important," McCollough said. "If they're lost to development or fill or whatever, then those animals will probably perish."

Before biologists can determine whether some of Maine's vernal pools need special protection, they need to define what features make a pool important to wildlife. They also need to find ways to identify significant pools in the landscape.

So this spring and summer, biologists will be surveying hundreds of vernal pools around Mount Agamenticus in York County and in Edinburg, north of Old Town. The project is being funded by a $75,000 grant from the Outdoor Heritage Fund.

Through these surveys, scientists hope to find out how effective aerial photography is in identifying important pools. They'll also be counting egg masses and trapping larvae to see how many amphibians use the pools for breeding. And they'll gather information on water chemistry, temperature and hydroperiod, the amount of time water stays in the pools.

'A complex of species'

What makes a good vernal pool? The definition is a tricky one because they are all different. Some may contain water for only short periods and might just support wood frogs and spring peepers. Others may only dry up every four to five years and be visited by green frogs, salamanders, bullfrogs and a host of other creatures. The character of a pool can change even from one year to the next, because who dies and who survives depends upon the predators that come calling.

pg #3

CONTINUED

plants in Maine, feather foil hadn't been seen since 1900 and was thought to be extinct.

Since the discovery of the feather foil, McCollough says, scientists have been wondering if other rare botanical treasures might be found in vernal pools. So naturalists at the Maine Natural Areas Program will soon begin conducting a companion survey of plants in vernal pools, he said.

Another companion project starting this spring isn't directly related to vernal pools, but researchers are hoping it will give them more information on the creatures that use them.

This year, Maine will have its first statewide frog and toad calling survey, modeled after the popular Breeding Bird Survey that birdwatchers do every spring. The survey will begin with 20 randomly located routes around Maine and, if all goes well, expand to 45 routes next year.

Volunteers from Maine Audubon are learning the croaks, snores and grunts of frogs and toads from a tape that has been specially developed by a researcher at Cornell University. Then, three times during the amphibian breeding season, they'll drive their assigned routes at night, stopping every half mile or so

FROM PAGE 1B

pg 4

to listen and write down the calls they hear.

Voluntary protection

With all of this new information coming in, McCollough says the state should have enough data within two to five years to decide whether certain vernal pools should be formally protected.

"We may just (protect) very specific areas where there's a lot of development pressure, or areas where endangered species are involved," he said.

It may not be enough to protect just the vernal pools. Saving at least some of the nearby upland habitat can be just as important to wildlife survival, Colburn says. In Massachusetts, where there is reasonably good protection for key vernal pools, that lesson has been learned the hard way.

"In one case, there's a cinema in a huge parking lot sitting on top of this one vernal pool that wood frogs used to breed in," she said. "The pool has been protected, and it's a nice little pool – completely surrounded by asphalt, and it doesn't have any amphibians anymore."

For now, Maine's vernal pools will continue to be protected voluntarily, through an educational approach. This spring and summer, the state is holding a series of workshops to increase awareness of the pools and their place in the natural world.

State biologists are developing, with the help of the Maine and Massachusetts Audubon societies, a set of guidelines for foresters and developers who are operating in areas where there are vernal pools.

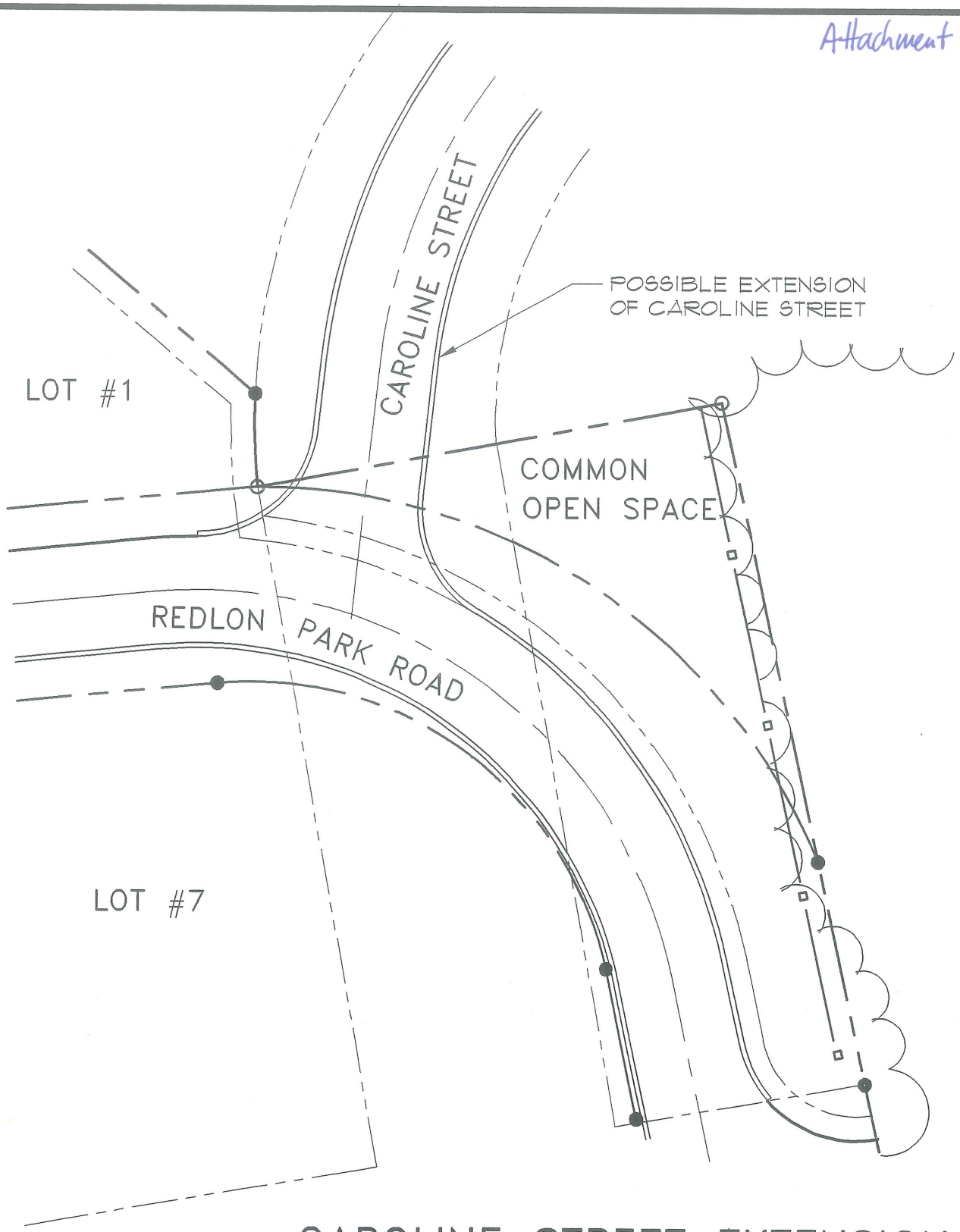
"We're a long way from being where you walk outside in New England and you don't hear spring peepers in the springtime," Colburn said. "But theoretically, down the road, that could happen if we lose all our habitats for them."

In the city of Portland who doesn't have many trees.

We live on Kenilworth street where you might cut the small forest that is near our house. The forest is important to us and has been our play area for as long as we can remember. Many animals live in there and if you cut down their homes they will probaly die.

The forest again I will say is very important

Attachment 14a



CAROLINE STREET EXTENSION

PINKHAM & GREER
CONSULTING ENGINEERS, INC.
FALMOUTH, MAINE

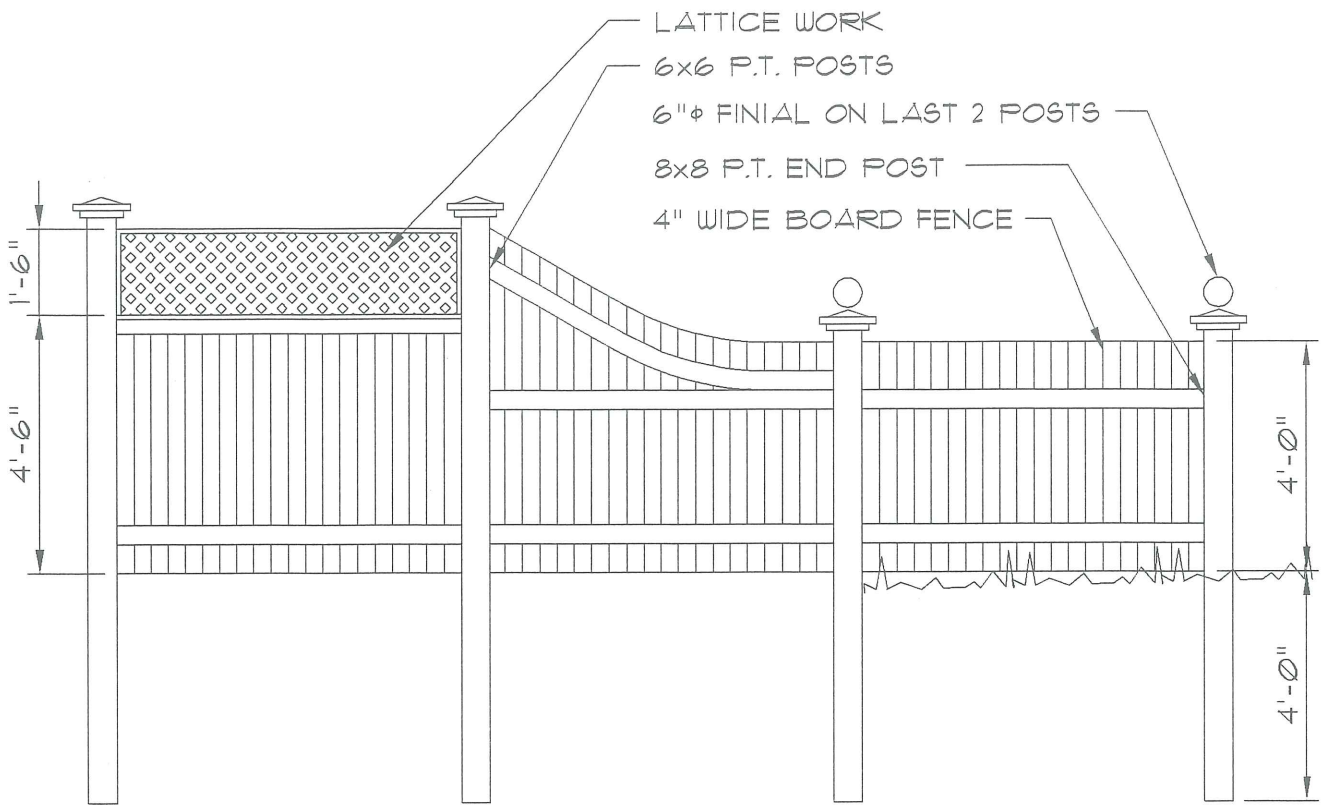
REDLON PARK
REDLON ROAD

SCALE: 1"=30'
DATE: 5/7/97
DESG BY: TSG
PROJECT: 97115

CSK-1

CAD FILE: 97115SK1 FILE SCALE: 1=30

14b



FINISH W/ 2-COATS OF SEMI-TRANSPARENT WHITE STAIN.

FENCE DETAIL

NOT TO SCALE

FENCE DETAIL

PINKHAM & GREER
CONSULTING ENGINEERS, INC.
FALMOUTH, MAINE

REDLON PARK
REDLON ROAD

SCALE: AS SHOWN
DATE: 5/7/97
DESG BY: TSG
PROJECT: 97115

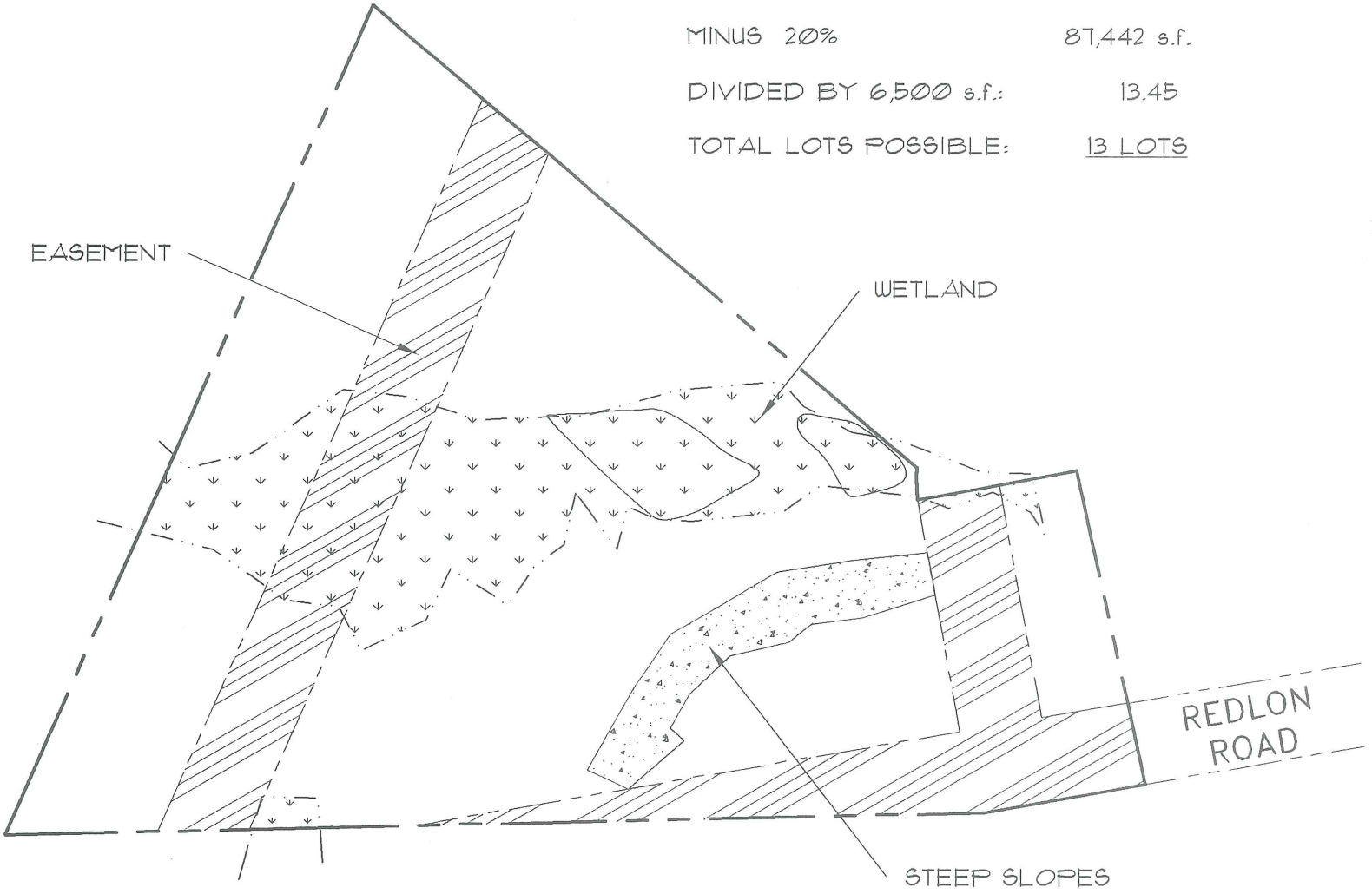
CSK-2

CAD FILE: 97115SK1 FILE SCALE: 1=30

CAD FILE: 97115 FILE SCALE: 1=100

NET RESIDENTIAL DENSITY REQUIREMENTS

TOTAL PARCEL:	192,578 s.f.
WETLANDS, EASEMENTS AND STEEP SLOPES:	83,275 s.f.
TOTAL	109,303 s.f.
MINUS 20%	87,442 s.f.
DIVIDED BY 6,500 s.f.:	13.45
TOTAL LOTS POSSIBLE:	13 LOTS



RESIDENTIAL DENSITY

PINKHAM & GREER
CONSULTING ENGINEERS, INC.
FALMOUTH, MAINE

REDLON PARK
REDLON ROAD

SCALE: 1"=100'
DATE: 5/7/97
DESG BY: TSG
PROJECT: 97115

CSK-3

14c

Attachment 7

TO: Sarah Hopkins, Senior Planner

FROM: Steve Bushey, Development Review Coordinator

DATE: April 4, 1997

RE: Redlon Park Subdivision

I have reviewed the March 26, 1997 submission by Pinkham & Greer for the Redlon Park Subdivision and provide the following comments:

Wetlands Report

1. A copy of the MeDEP NRPA application should be filed with the City for review and for the record.

2. It is recognized that the MeDEP will have jurisdiction over the wetland impacts for the project. However, a clarification may be necessary as to the jurisdictional status and requirements for the on-site wetlands and streams. The report discusses "nationwide" permit for the ACOE, however this program I believe has been superseded by the Programmatic General Permit (PGP) between the ACOE and State of Maine. In addition the NRPA classification may not apply but the wetland impacts may be permitable under the Tier 1 or Tier 2 criteria.

Sheet C1

1. The tax map excerpt presented on sheet C1 suggest that a paper street goes through the property. Is this an issue or has the sheet been previously vacated?

Sheet C2

1. The 12" culvert under the lot #4 driveway has an inlet invert higher than proposed ground. This should be corrected.

2. There appear to be short retaining walls on either side of the lot 4 driveway. Details and data should be provided for these walls.

3. Additional data should be provided for each proposed foundation drain including inverts at the outlets. Lot 2 for example appears to have a FD discharge below the 25 year storm elevation.

4. The 15" culverts under the lots 1, 2, & 3 driveway appear to have limited cover especially the lot #1 culvert. The engineer should review and may need to provide measures for frost heaving.

5. Much of lot #1 and #2 will be flooded during the 25 year storm. It may be necessary that this condition be disclosed to prospective purchasers since it is likely to be a city issue when the future lot 1 owner sees much of his lot under water.

6. The invert out of the 15" culvert under the lots 2 & 3 driveways is 65.3. This is lower than any shown contour elevation. Does the engineer have spot elevations which would show positive drainage below that outlet?

7. The type of fence to be installed along the property boundary (station 10+00 to 11+00) should be identified and discussed with the adjacent property owner since their existing fence will be removed.

8. The applicant should provide specific data on the proposed force main and individual house lot pump stations to be used. Will the pumps be located inside or outside? The Association should have a spare pump available.

9. The plan should include silt fence on the north side of lots 2 and 3.

10. The applicant's engineer should provide a statement/discussion regarding the ponding limits upstream of the lot #1 culvert crossing. The 25 yr. stage is very close to the property line. If the culvert ponds water beyond the property line this could be a significant concern in light of other recent abuttor drainage issues the City has had to deal with.

11. Construction data including riprap size, depth and width should be provided for each riprap ditch and pad.

12. Tony Lombardo should review the proposed force main connection for compliance to city standards.

13. Has the applicant received and submitted letters to the city from the Portland Water District and Public Works Dept. regarding available water capacity and sewer capacity?

14. Overall, it is still recommended that the site be walked by Jeff Tarling and as many trees as possible be saved for the development.

Technical and Design Standards (Subdivision)

The proposed street layout shall be coordinated with the street system of the surrounding areas. All streets must provide for the continuation or appropriate projection of streets in surrounding areas and provide means of ingress and egress for surrounding acreage tracts.

The applicant has requested a recommendation by the Planning Board to the City Council on the vacation of these streets. This process can run concurrently with the Planning Board's review of the PRUD proposal.

The applicant has also submitted revised PRUD plans and additional information for the project in response to comments made by the Planning Board and City Staff at the last workshop. The information provided includes a letter from the Inland Fisheries and Wildlife stating that there are no significant wildlife habitats on the site but that development will limit the amount of habitat available to those species currently using the site. Also included is a letter from Mark Stimson regarding property values in the neighborhood, as well as a DEP Tier 1 Application for wetland disturbance. These plans have been forwarded to Steve Bushey, the City's consulting engineer, for his review.

Attachments:

1. Response to Staff/Planning Board Comments on PRUD Review
    a. Inland Fisheries & Wildlife
    b. Mark Stimson Realtors
    c. DEP Tier I Application for Wetlands
2. Letters from Neighbors
3. Paper Street Layout
4. Revised Plans
    a. Subdivision Plan
    b. Site Plan
    c. Clearing Limits
    d. Profiles/Details
    e. Drainage Analysis

Attachment 1

Cottage Park, Inc.

91 Summer Place
Portland, Maine 04103
Phone (207) 828-3900 fax (207)775-7703

February 24,1997

Sarah Hopkins
Senior Planner
City of Portland
Portland, Maine 04101

RE: PRUD/Subdivision - Redlon Road

Dear Sarah;

Enclosed are plans and other related materials for a proposed PRUD/Subdivision to be constructed on property located at the end of Redlon Road in Portland. The name of the project is **Redlon Park**.
The proposal includes seven lots from approximately 4.4 acres of a ledge and tree covered site. This site very much resembles Cottage Park in the North Deering area. Our overall plan is to create a quiet little neighborhood of homes of the same cottage/ shingle style, but slightly larger in scale, than Cottage Park. Like Cottage Park, we would be preserving as much of the natural amenities as practical and blending the architecture into that setting. Like our other recent projects the actual designs would be tailored to the specific owner needs, yet somewhat predetermined by design restrictions in terms of size, exterior fabrics and other important details. A small green space with loggia and patio is planned to use for picnics etc. and to satisfy the passive - active recreational requirements. The road is planned to be private with asphalt paving. I trust all applicable requirements of the subdivision and PRUD standards are addressed and satisfied.
After your initial review, I would be pleased to meet with you to discuss any questions or comments you might have. Would you please place this application on the next Planning Board meeting and/or workshop. Thanks for your help, I look forward, as usual to working with you.

Very truly yours,

Ric Weinschenk

ROCK REMOVAL GUIDELINES FOR REDLON PARK PRUD

MARCH 26, 1997

These guidelines apply to rock removal associated with the construction of the road, utilities and homes of Redlon Park PRUD.

NOTIFICATIONS:

1. The Contractor shall provide written notice to the abutting properties a minimum of 48 hours in advance of pre-blast surveys. A written schedule of the likely blasting will be filed with the Planning Department prior to construction and will be updated monthly until the work is complete.

BLASTING PROCEDURES:

1. All blasting will be performed in accordance with all pertinent provisions of the "Manual of Accident Prevention in Construction" issued by the Associated General Contractors of America, Inc., and Maine Department of Transportation "Safety Specifications" Section 107.12, Use of Explosives. Blasting through the overburden will be allowed under the following conditions:

   All blasts must be covered with appropriate mats and/or earth.

2. Rock excavation is the removal and disposal of materials that cannot be excavated without modern, track-mounted, heavy-duty excavating equipment, without drilling, blasting, or ripping.

   Typical materials classified as rock are solid rock, rock in ledges, and rockhard cementitious aggregate deposits one cubic yard or more in volume.

PRE-BLAST SURVEY:

1. The Contractor will conduct a Pre-Blast Survey of all structures within the Blasting Area and provide the City with a written report of the Pre-Blast Survey. At a minimum the survey will cover the exterior of each building, including exposed foundations. Interior surveys are at the discretion of the individual property owners. Video tape with voice must be employed and clear identification of each structure and part of that structure is required.

TEST BLASTS:

1. The blasting contractor will develop a test shot under the observation of the City's designated inspector. The test shot must be instrumented with at least two (2) recording seismographs oriented at right angles to each other and spaced equidistant from the shot. The shot and seismographs should be oriented to provide data parallel and perpendicular to the general bedrock trend at the site.

   The Contractor will provide the City with a Blasting Log for the work. The blasting log must contain the following information:

   a. Location.

   b. Time and date.

   c. Number of holes.

   d. Amount and type of explosives, and delay sequence per hole.

   e. The names of persons, companies, corporations, or public utilities contacted, owning, leasing, or occupying property or structures in proximity to the site of the work of the Contractor's intention to use explosives.

2. Drilling equipment will be equipped with suitable dust control apparatus which must be kept in repair and used during all drilling operations.

3. Blasting will not produce peak velocities in excess of 1 inch per second (IPS) at the closest structure or potable well. Overpressure must not exceed 0.015 psi above ambient atmospheric pressure at the closest structure.

4. To the extent possible, blasting will be accomplished toward an open face for relief purposes.

Attachment 4

STORMWATER MANAGEMENT AND EROSION CONTROL PLAN

REDLON PARK PRUD
A
COTTAGE PARK, INC.
PROJECT

February 27, 1997

PREPARED BY:

PINKHAM & GREER CONSULTING ENGINEERS, INC.
170 U.S. ROUTE ONE
FALMOUTH, ME 04105

PINKHAM & GREER
CONSULTING ENGINEERS, INC.

PROJECT DESCRIPTION

The project is the development of 4.3 acres into 7 residential housing units, under the City's PRUD ordinance. The site, located off Redlon Road, is shown on the attached location plan.

Redlon Road is to be extended 450 feet to a hammer head turn-around. The road is to be 22' wide with curb and a sidewalk on one side.

The site plan grading considers the bedrock at the top of the knoll and the wetlands in the center section of the site. Public utilities are to be extended from Redlon Road to this PRUD.

LAND USE

The site is currently forested and vacant of any structures. The surrounding properties have residential structures.

The site is shallow bedrock and covered with a mixture of hardwoods and soft woods. Wetlands bisect the property east to west. See the wetland report by Alan Burnell for a complete description.

SOILS

The County Soils Mapping show Hollis and Walpole soils in the area. Based on wetlands delineation, the center section of the site was assumed to be Hydrogeologic Group D and the remaining site with shallow to bedrock Group C/D, resulting in curve numbers of 79 and 75 respectively.

The ground is considered in fair condition. Little vegetative ground cover is present due to the old canopy.

EROSION POTENTIAL

The Hollis series of soils is shallow to bedrock. These soils will have a medium erodibility potential when the bare soil is exposed to weather. Protection from erosion is considered necessary due to the lack of vegetative ground cover.

Construction sequences and methods are required to minimize the erosion during construction. These measures will include riprap of pipe inlets and outlets, silt fences, and timely mulching of exposed soils.

SURFACE WATER MANAGEMENT

The existing topography creates four areas where stormwater will leave the site. Two small sections on the south side will drain towards Stevens Avenue, the center and largest section will drain east to west towards Bancroft Street. This has some area above the site that will drain through the site. The final area is on the very north end of the site where a small section drains. See the existing drainage plan for areas.

Through the center of the site is a ditch that drains the wetlands. This was channeled to a straight line ditch in the distant past. This channels water to the neighborhood on the west. There is an existing pond and evidence of ponding in the westerly neighborhood currently.

METHODOLOGY

The property was modeled using HydroCAD, distributed by Applied Microcomputer Systems of Chocura, New Hampshire. The program uses SCS Technical Release 20 (TR-20) for its basis which is generally accepted practice for drainage analyses of this size. Computer models of the site in its existing and developed conditions were created using this methodology. Using these models, runoff from the 2 year (3.0"), 10 year (4.7"), 25 year (5.5") and 100 year (6.7") frequency storms (24 hour duration), based on rainfall data for Portland, Maine was determined.

Copies of the HydroCAD reports for the existing and developed condition drainage analyses, source of runoff curve numbers, roughness coefficients, precipitation values, section of the USGS Portland West, Maine quadrangle showing the site location, and a copy of the Cumberland County Soil Survey with the site sketched on it are included in the Appendix. Summary sheets for the existing condition HydroCAD report and the developed condition HydroCAD report show the breakdown of the drainage subcatchments, reaches and ponds used in the models, as well as the results of the analyses for the 25-year storm. The remaining pages of the HydroCAD reports show the results of the analyses for 100, 25, 10 and 2 year storm in tabular form.

A copy of the existing condition drainage plan and the proposed condition drainage plan (D1) is included in the pocket in the Appendix as well. These drawings show subcatchment and wetland boundaries, road locations, contours, T_c paths and drainage structures.

CONSTRUCTION SCHEDULE

The construction sequence has a direct impact on the risk of erosion. The Contractor can and will minimize erosion by completing tasks in general conformance with the sequence listed below.

1. Install all silt fence and haybale protection around the site and adjacent to the wetland area.

2. Install stabilized construction entrance.

3. Clear and grub work areas. Temporarily seed areas not to be worked on within 14 days.

4. Strip and stockpile on-site topsoil. Seed stockpiles with temporary seed mix.

5. Submit samples of topsoil/loam for lab work. Adjust lime and fertilizer accordingly.

6. Begin earthwork for roads and building foundations.

7. Install and protect initial storm drainage systems.

8. Begin building construction.

9. Rough grade roads and roadway side slopes.

10. Fine grade all parking and driveway side slopes and rough grade remainder of site.

11. Re-seed or temporarily seed any area which will be left undisturbed for more than 14 days.

12. Complete fine grading and paving of roads, walks and driveway areas.

13. Fine grade, loam seed and fertilize remainder of site.

14. Remove temporary soil erosion measures as the homes are completed and grass growth is obtained.

INSPECTION AND MAINTENANCE OF EROSION AND SEDIMENTATION CONTROL MEASURES

The erosion and sedimentation control measures which include silt fence, stone check dams, riprap, erosion control mesh and temporary and permanent seeding will be inspected within three days of installation and within 48 hours after any significant rainfall event by the Contractor. Erosion and sedimentation control measures will be maintained by the Contractor throughout construction.

STORMWATER ANALYSIS

The site was divided into four areas to analyze for peak flows. The first area is the southeast area of the site that drains south, labeled POA A. The second area of the site drains to the southwest, (POA B), the third section drains westerly through the center of the site (POA C), and the forth drains north (POA D). See D-1 for location of analysis points.

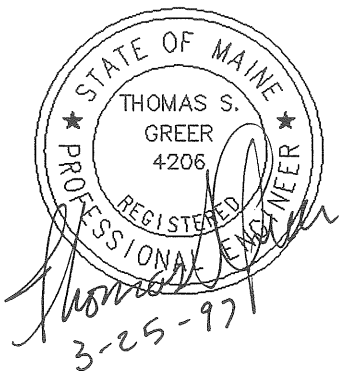
STORMWATER FLOWS REDLON PARK CUBIC FEET PER SECOND				
POINT OF ANALYSIS (POA)	2 YEAR	10 YEAR	25 YEAR	100 YEAR
POA A				
Existing Condition	0.35	0.85	1.11	1.51
Developed Condition	0.24	0.58	0.76	1.03
POA B				
Existing Condition	0.30	0.72	0.93	1.27
Developed Condition	0.28	0.67	0.87	1.19
POA C				
Existing Condition	3.17	7.43	9.61	12.98
Developed Condition	2.94	5.92	6.79	8.08
POA D				
Existing Condition	0.29	0.69	0.90	1.23
Developed Condition	0.24	0.58	0.76	1.03

CONCLUSION

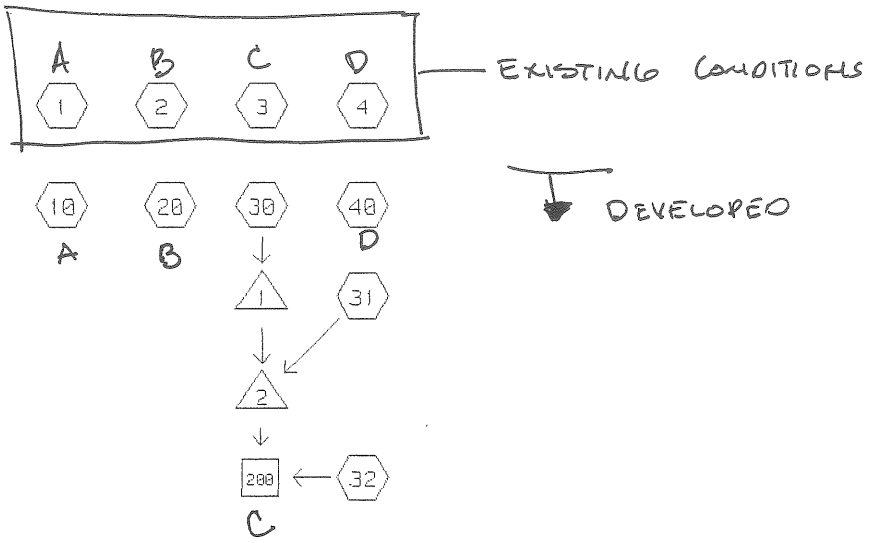
This site will have minimal impact on the surrounding properties. The peak flows leaving the site will be minimally reduced.

To ensure minimal impact from erosion, the site will be protected using silt fence and mulching as well as other control measures.

Utility extensions from Redlon Road will provide adequate service to the seven lots.



WATERSHED ROUTING



SUBCATCHMENT REACH POND LINK

SUBCATCHMENT 1	= SOUTH EAST AREA	->	
SUBCATCHMENT 2	= SOUTH WEST AREA	->	
SUBCATCHMENT 3	= CENTER OF SITE	->	
SUBCATCHMENT 4	= NORTH AREA	->	
SUBCATCHMENT 10	= PROPOSED SOUTH EAST AREA	->	
SUBCATCHMENT 20	= PROPOSED SOUTH WEST AREA	->	
SUBCATCHMENT 30	= PROPOSED CENTER EAST AREA	->	POND 1
SUBCATCHMENT 31	= PROPOSED CENTER MIDDLE AREA	->	POND 2
SUBCATCHMENT 32	= PROPOSED CENTER WEST AREA	->	REACH 200
SUBCATCHMENT 40	= PROPOSED NORTH AREA	->	
REACH 200	= EXISTING DITCH TO PROPERTY LINE	->	

POND 1	= LOT 1 DRIVE CULVERT	->	POND 2
POND 2	= LOT 2 & 3 DRIVE CULVERT	->	REACH 200

RUNOFF BY SCS TR-20 METHOD: TYPE III 24-HOUR RAINFALL= 3.0 IN, SCS U.H.

RUNOFF SPAN = 10-20 HRS, dt= .10 HRS, 101 POINTS

SUBCAT NUMBER	AREA (ACRE)	Tc (MIN)	--GROUND COVERS (%CN)--				WGT'D CN	C	PEAK (CFS)	Tpeak (HRS)	VOL (AF)
1	.41	11.7	100%75	-	-	-	75	-	.35	12.13	.03
2	.34	11.2	100%75	-	-	-	75	-	.30	12.13	.02
3	3.80	14.5	74%75	26%79	-	-	76	-	3.17	12.18	.29
4	.44	24.5	100%75	-	-	-	75	-	.29	12.33	.03
10	.28	11.7	36%74	64%75	-	-	75	-	.24	12.13	.02
20	.34	14.1	6%98	29%74	65%75	-	76	-	.28	12.18	.03
30	1.81	11.7	4%98	88%75	8%79	-	76	-	1.65	12.13	.14
31	1.11	6.2	17%79	27%75	27%74	29%98	82	-	1.56	12.05	.12
32	1.10	17.1	14%98	27%74	46%75	13%75	78	-	1.00	12.21	.09
40	.37	24.5	46%74	54%75	-	-	75	-	.24	12.33	.03

REACH ROUTING BY STOR-IND+TRANS METHOD

REACH NO.	DIAM (IN)	BOTTOM WIDTH (FT)	DEPTH (FT)	SIDE SLOPES (FT/FT)		n	LENGTH (FT)	SLOPE (FT/FT)	PEAK VEL. (FPS)	TRAVEL TIME (MIN)	PEAK Qout (CFS)
200	-	2.0	2.0	.25	.25	.040	180	.0050	1.3	2.3	2.94

POND ROUTING BY STOR-IND METHOD

POND NO.	START ELEV. (FT)	FLOOD ELEV. (FT)	PEAK ELEV. (FT)	PEAK STORAGE (AF)	PEAK FLOW Qin (CFS)	PEAK FLOW Qout (CFS)	PEAK FLOW Qpri (CFS)	PEAK FLOW Qsec (CFS)	Qout ATTEN. (%)	Qout LAG (MIN)
1	69.0	74.0	69.8	.01	1.65	1.52			8	4.8
2	66.0	72.0	67.1	.05	2.67	2.07			22	10.8

SUBCATCHMENT 1 SOUTH EAST AREA

PEAK= .35 CFS @ 12.13 HRS, VOLUME= .03 AF

ACRES	CN	
.41	75	WOODS FAIR C/D SOILS

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	11.7
Woods: Light underbrush n=.4 L=100' P2=3 in s=.1 '/'		

SUBCATCHMENT 2 SOUTH WEST AREA

PEAK= .30 CFS @ 12.13 HRS, VOLUME= .02 AF

ACRES	CN	
.34	75	WOODS FAIR C/D SOILS

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	11.2
Woods: Light underbrush n=.4 L=60' P2=3 in s=.04 '/'		

SUBCATCHMENT 3 CENTER OF SITE

PEAK= 3.17 CFS @ 12.18 HRS, VOLUME= .29 AF

ACRES	CN	
2.80	75	WOODS FAIR C/D SOILS
1.00	79	WOODS FAIR D SOILS
3.80	76	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	9.7
Woods: Light underbrush n=.4 L=80' P2=3 in s=.1 '/'		
SHALLOW CONCENTRATED/UPLAND FLOW	SHALLOW CONC	1.3
Woodland Kv=5 L=100' s=.07 '/' V=1.32 fps		
CHANNEL FLOW	EXISTING DITCH	3.5
a=5 sq-ft Pw=12' r=.417'		
s=.011 '/' n=.04 V=2.17 fps L=460' Capacity=10.9 cfs		
	Total Length= 640 ft Total Tc=	14.5

SUBCATCHMENT 4 NORTH AREA

PEAK= .29 CFS @ 12.33 HRS, VOLUME= .03 AF

ACRES	CN	
.44	75	WOODS FAIR SOILS C

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	24.5

Woods: Light underbrush n=.4 L=160' P2=3 in s=.04 '/'

SUBCATCHMENT 10 PROPOSED SOUTH EAST AREA

PEAK= .24 CFS @ 12.13 HRS, VOLUME= .02 AF

ACRES	CN	
.10	74	LAWN GOOD C SOILS
.18	75	WOODS FAIR C SOILS
.28	75	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	11.7

Woods: Light underbrush n=.4 L=100' P2=3 in s=.1 '/'

SUBCATCHMENT 20 PROPOSED SOUTH WEST AREA

PEAK= .28 CFS @ 12.18 HRS, VOLUME= .03 AF

ACRES	CN	
.02	98	BUILDING
.10	74	LAWN GOOD C SOILS
.22	75	WOODS FAIR C SOILS
.34	76	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	14.1

Woods: Light underbrush n=.4 L=80' P2=3 in s=.04 '/'

SUBCATCHMENT 30 PROPOSED CENTER EAST AREA

PEAK= 1.65 CFS @ 12.13 HRS, VOLUME= .14 AF

ACRES	CN	
.07	98	ROAD & PARK
1.59	75	WOODS FAIR C/D SOILS
.15	79	WOODS FAIR D SOILS
1.81	76	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	9.7
Woods: Light underbrush n=.4 L=80' P2=3 in s=.1 '/'		
SHALLOW CONCENTRATED/UPLAND FLOW	SHALLOW CONC	2.0
Woodland Kv=5 L=160' s=.07 '/' V=1.32 fps		
	Total Length= 240 ft Total Tc=	11.7

SUBCATCHMENT 31 PROPOSED CENTER MIDDLE AREA

PEAK= 1.56 CFS @ 12.05 HRS, VOLUME= .12 AF

ACRES	CN	
.19	79	WOODS FAIR D SOILS
.30	75	WOODS FAIR C/D SOILS
.30	74	LAWNS GOOD C SOILS
.32	98	ROAD & HOMES
1.11	82	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	4.4
Grass: Short n=.15 L=80' P2=3 in s=.1 '/'		
SHALLOW CONCENTRATED/UPLAND FLOW	CURB ROAD	1.8
Paved Kv=20.3282 L=280' s=.0157 '/' V=2.55 fps		
	Total Length= 360 ft Total Tc=	6.2

SUBCATCHMENT 32 PROPOSED CENTER WEST AREA

PEAK= 1.00 CFS @ 12.21 HRS, VOLUME= .09 AF

ACRES	CN	
.15	98	ROAD & HOMES
.30	74	LAWNS GOOD C SOILS
.51	75	WOODS FAIR D SOILS
.14	75	WOODS FAIR C/D SOILS
1.10	78	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	8.6
Grass: Short n=.15 L=100' P2=3 in s=.03 '/'		
SHALLOW CONCENTRATED/UPLAND FLOW	SHALLOW CONC	8.5
Woodland Kv=5 L=180' s=.005 '/' V=.35 fps		
	Total Length= 280 ft Total Tc=	17.1

SUBCATCHMENT 40 PROPOSED NORTH AREA

PEAK= .24 CFS @ 12.33 HRS, VOLUME= .03 AF

ACRES	CN	
.17	74	WOODS FAIR C SOILS
.20	75	LAWN GOOD C SOILS
.37	75	

SCS TR-20 METHOD
TYPE III 24-HOUR
RAINFALL= 3.0 IN
SPAN= 10-20 HRS, dt=.1 HRS

Method	Comment	Tc (min)
TR-55 SHEET FLOW	SHEET	24.5
Woods: Light underbrush n=.4 L=160' P2=3 in s=.04 '/'		

REACH 200 EXISTING DITCH TO PROPERTY LINE

Qin = 2.98 CFS @ 12.26 HRS, VOLUME= .34 AF
Qout= 2.94 CFS @ 12.34 HRS, VOLUME= .34 AF, ATTEN= 1%, LAG= 4.7 MIN

DEPTH (FT)	END AREA (SQ-FT)	DISCH (CFS)
0.0	0.0	0.00
.2	.6	.42
.4	1.4	1.59
.6	2.6	3.64
.9	4.7	7.89
1.2	8.2	16.67
1.6	13.4	32.53
2.0	20.0	55.36

2' x 2' CHANNEL
SIDE SLOPE= .25 '/'
n= .04
LENGTH= 180 FT
SLOPE= .005 FT/FT

STOR-IND+TRANS METHOD
PEAK DEPTH= .54 FT
PEAK VELOCITY= 1.3 FPS
TRAVEL TIME = 2.3 MIN
SPAN= 10-20 HRS, dt=.1 HRS

POND 1 LOT 1 DRIVE CULVERT

Qin = 1.65 CFS @ 12.13 HRS, VOLUME= .14 AF
Qout= 1.52 CFS @ 12.21 HRS, VOLUME= .14 AF, ATTEN= 8%, LAG= 4.8 MIN

ELEVATION (FT)	AREA (SF)	INC.STOR (CF)	CUM.STOR (CF)
69.0	100	0	0
70.0	1200	650	650
72.0	4900	6100	6750
74.0	7500	12400	19150

STOR-IND METHOD
PEAK STORAGE = 538 CF
PEAK ELEVATION= 69.8 FT
FLOOD ELEVATION= 74.0 FT
START ELEVATION= 69.0 FT
SPAN= 10-20 HRS, dt=.1 HRS
Tdet= 13.9 MIN (.14 AF)

#	ROUTE	INVERT	OUTLET DEVICES
1	P	69.0'	15" CULVERT

n=.025 L=25' S=.0058'/' Ke=.5 Cc=.9 Cd=.6

POND 2 LOT 2 & 3 DRIVE CULVERT

Qin = 2.67 CFS @ 12.13 HRS, VOLUME= .26 AF
Qout= 2.07 CFS @ 12.31 HRS, VOLUME= .25 AF, ATTEN= 22%, LAG= 10.8 MIN

ELEVATION (FT)	AREA (SF)	INC.STOR (CF)	CUM.STOR (CF)
66.0	100	0	0
68.0	3600	3700	3700
72.0	10000	27200	30900

STOR-IND METHOD
PEAK STORAGE = 1977 CF
PEAK ELEVATION= 67.1 FT
FLOOD ELEVATION= 72.0 FT
START ELEVATION= 66.0 FT
SPAN= 10-20 HRS, dt=.1 HRS
Tdet= 31.8 MIN (.25 AF)

#	ROUTE	INVERT	OUTLET DEVICES
1	P	66.0'	15" CULVERT

n=.025 L=65' S=.005'/' Ke=.5 Cc=.9 Cd=.6

RUNOFF BY SCS TR-20 METHOD: TYPE III 24-HOUR RAINFALL= 4.7 IN, SCS U.H.

RUNOFF SPAN = 10-20 HRS, dt= .10 HRS, 101 POINTS

SUBCAT NUMBER	AREA (ACRE)	Tc (MIN)	--GROUND COVERS (%CN)--				WGT'D CN	C	PEAK (CFS)	Tpeak (HRS)	VOL (AF)
1	.41	11.7	100%75	-	-	-	75	-	.85	12.12	.07
2	.34	11.2	100%75	-	-	-	75	-	.72	12.12	.06
3	3.80	14.5	74%75	26%79	-	-	76	-	7.43	12.17	.67
4	.44	24.5	100%75	-	-	-	75	-	.69	12.31	.07
10	.28	11.7	36%74	64%75	-	-	75	-	.58	12.12	.05
20	.34	14.1	6%98	29%74	65%75	-	76	-	.67	12.16	.06
30	1.81	11.7	4%98	88%75	8%79	-	76	-	3.90	12.12	.32
31	1.11	6.2	17%79	27%75	27%74	29%98	82	-	3.21	12.04	.24
32	1.10	17.1	14%98	27%74	46%75	13%75	78	-	2.24	12.20	.21
40	.37	24.5	46%74	54%75	-	-	75	-	.58	12.31	.06

REACH ROUTING BY STOR-IND+TRANS METHOD

REACH NO.	DIAM (IN)	BOTTOM WIDTH (FT)	DEPTH (FT)	SIDE SLOPES (FT/FT)		n	LENGTH (FT)	SLOPE (FT/FT)	PEAK VEL. (FPS)	TRAVEL TIME (MIN)	PEAK Qout (CFS)
200	-	2.0	2.0	.25	.25	.040	180	.0050	1.6	1.9	5.92

POND ROUTING BY STOR-IND METHOD

POND NO.	START ELEV. (FT)	FLOOD ELEV. (FT)	PEAK ELEV. (FT)	PEAK STORAGE (AF)	PEAK FLOW Qin (CFS)	PEAK FLOW Qout (CFS)	PEAK FLOW Qpri (CFS)	PEAK FLOW Qsec (CFS)	Qout ATTEN. (%)	Qout LAG (MIN)
1	69.0	74.0	70.2	.03	3.90	2.91			25	8.0
2	66.0	72.0	68.0	.09	5.41	3.90			28	16.6

RUNOFF BY SCS TR-20 METHOD: TYPE III 24-HOUR RAINFALL= 5.5 IN, SCS U.H.

RUNOFF SPAN = 10-20 HRS, dt= .10 HRS, 101 POINTS

SUBCAT NUMBER	AREA (ACRE)	Tc (MIN)	--GROUND COVERS (%CN)--				WGT'D CN	C	PEAK (CFS)	Tpeak (HRS)	VOL (AF)
1	.41	11.7	100%75	-	-	-	75	-	1.11	12.12	.09
2	.34	11.2	100%75	-	-	-	75	-	.93	12.12	.07
3	3.80	14.5	74%75	26%79	-	-	76	-	9.61	12.16	.86
4	.44	24.5	100%75	-	-	-	75	-	.90	12.30	.10
10	.28	11.7	36%74	64%75	-	-	75	-	.76	12.12	.06
20	.34	14.1	6%98	29%74	65%75	-	76	-	.87	12.15	.08
30	1.81	11.7	4%98	88%75	8%79	-	76	-	5.05	12.12	.41
31	1.11	6.2	17%79	27%75	27%74	29%98	82	-	4.02	12.04	.30
32	1.10	17.1	14%98	27%74	46%75	13%75	78	-	2.86	12.20	.26
40	.37	24.5	46%74	54%75	-	-	75	-	.76	12.30	.08

REACH ROUTING BY STOR-IND+TRANS METHOD

REACH NO.	DIAM (IN)	BOTTOM WIDTH (FT)	DEPTH (FT)	SIDE SLOPES (FT/FT)		n	LENGTH (FT)	SLOPE (FT/FT)	PEAK VEL. (FPS)	TRAVEL TIME (MIN)	PEAK Qout (CFS)
200	-	2.0	2.0	.25	.25	.040	180	.0050	1.6	1.8	6.79

POND ROUTING BY STOR-IND METHOD

POND NO.	START ELEV. (FT)	FLOOD ELEV. (FT)	PEAK ELEV. (FT)	PEAK STORAGE (AF)	PEAK FLOW Qin (CFS)	PEAK FLOW Qout (CFS)	PEAK FLOW Qpri (CFS)	PEAK FLOW Qsec (CFS)	Qout ATTEN. (%)	Qout LAG (MIN)
1	69.0	74.0	70.4	.04	5.05	3.56			29	9.2
2	66.0	72.0	68.2	.12	6.57	4.26			35	21.4

RUNOFF BY SCS TR-20 METHOD: TYPE III 24-HOUR RAINFALL= 6.7 IN, SCS U.H.

RUNOFF SPAN = 10-20 HRS, dt= .10 HRS, 101 POINTS

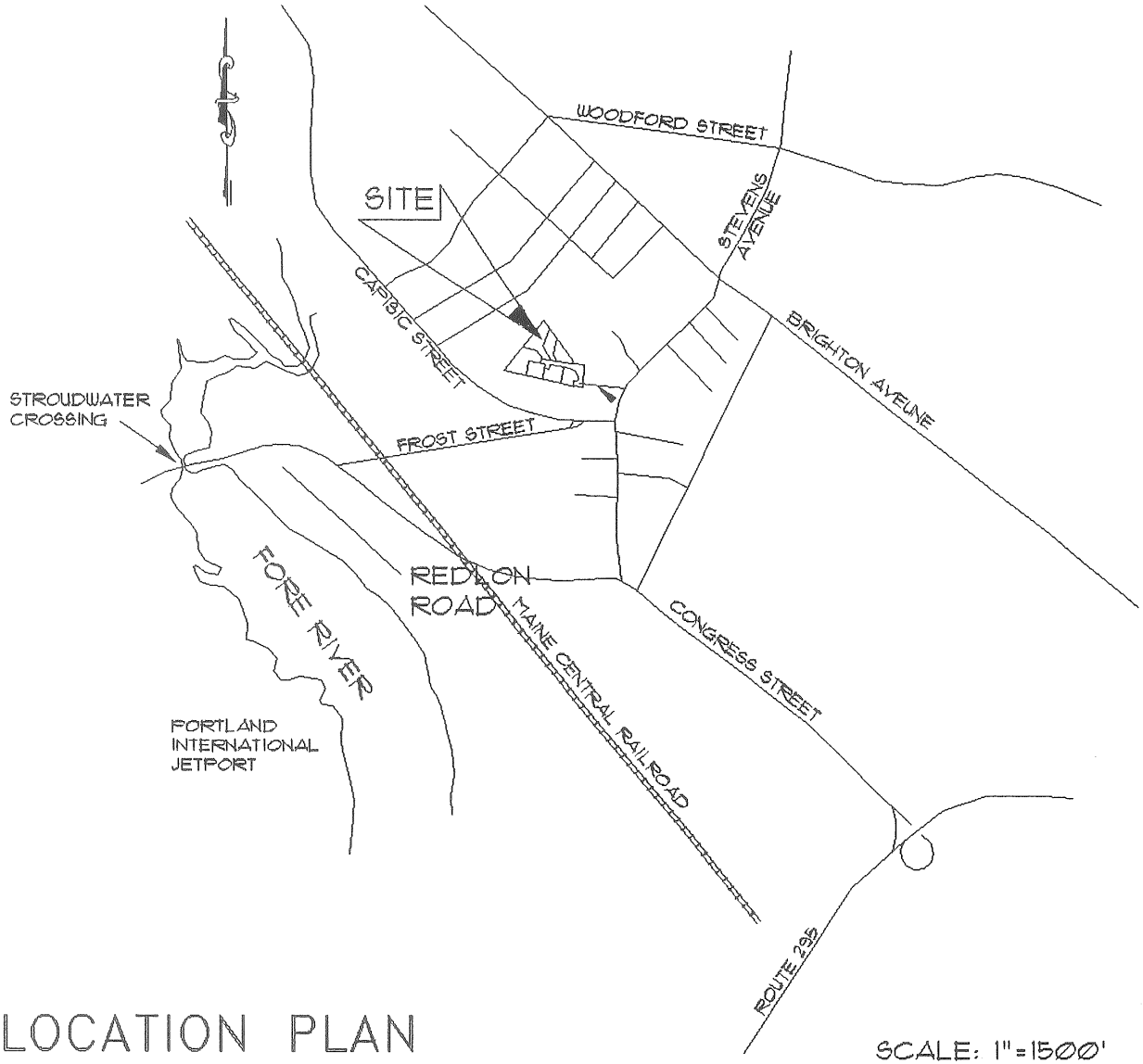
SUBCAT NUMBER	AREA (ACRE)	Tc (MIN)	--GROUND COVERS (%CN)--				WGT'D CN	C	PEAK (CFS)	Tpeak (HRS)	VOL (AF)
1	.41	11.7	100%75	-	-	-	75	-	1.51	12.12	.12
2	.34	11.2	100%75	-	-	-	75	-	1.27	12.11	.10
3	3.80	14.5	74%75	26%79	-	-	76	-	12.98	12.16	1.15
4	.44	24.5	100%75	-	-	-	75	-	1.23	12.30	.13
10	.28	11.7	36%74	64%75	-	-	75	-	1.03	12.12	.08
20	.34	14.1	6%98	29%74	65%75	-	76	-	1.19	12.15	.10
30	1.81	11.7	4%98	88%75	8%79	-	76	-	6.83	12.12	.55
31	1.11	6.2	17%79	27%75	27%74	29%98	82	-	5.25	12.04	.38
32	1.10	17.1	14%98	27%74	46%75	13%75	78	-	3.81	12.20	.35
40	.37	24.5	46%74	54%75	-	-	75	-	1.03	12.30	.11

REACH ROUTING BY STOR-IND+TRANS METHOD

REACH NO.	DIAM (IN)	BOTTOM WIDTH (FT)	DEPTH (FT)	SIDE SLOPES (FT/FT)		n	LENGTH (FT)	SLOPE (FT/FT)	PEAK VEL. (FPS)	TRAVEL TIME (MIN)	PEAK Qout (CFS)
200	-	2.0	2.0	.25	.25	.040	180	.0050	1.7	1.8	8.08

POND ROUTING BY STOR-IND METHOD

POND NO.	START ELEV. (FT)	FLOOD ELEV. (FT)	PEAK ELEV. (FT)	PEAK STORAGE (AF)	PEAK FLOW Qin (CFS)	PEAK FLOW Qout (CFS)	PEAK FLOW Qpri (CFS)	PEAK FLOW Qsec (CFS)	Qout ATTEN. (%)	Qout LAG (MIN)
1	69.0	74.0	70.8	.07	6.83	4.36			36	11.4
2	66.0	72.0	68.6	.18	8.36	4.80			42	26.9



LOCATION PLAN

SCALE: 1"=1500'


(Joins sheet 75)
(Joins sheet 76)
Sagamore Village
Nasons Corner
Deering
Rosemont
Deering Junction
Morrills Corner
Westbrook Jr College
Evergreen Cemetery
St Joseph Convent
Deering High School
Longfellow School
Rosemont Highlands
Brighton Corners
Bradley Corner
Libbytown
Woodfords Corner
Oakdale
Rocky Hill
Thompson Point
Shoudwater
Portland International Jetport
Fore River
Portland Terminal
Quarry
Turnpike
Maine
Radio Towers
Hospital
LOCATION
297 000 FEET
297 000 FEET
(Joins sheet 85)
(Joins sheet 86)

Appendix A: RUNOFF CURVE NUMBERS

Runoff curve numbers for urban areas[1]

Cover description		Curve numbers for hydrologic soil group—			
Cover type and hydrologic condition	Average percent impervious area[2]	A	B	C	D
Fully developed urban areas (vegetation established)					
Open space (lawns, parks, golf courses, cemeteries, etc.)[3]:					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only)[4]		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
Developing urban areas					
Newly graded areas (pervious areas only, no vegetation)[5]		77	86	91	94
Idle lands (CN's are determined using cover types similar to those in table 2-2c).					

[1]Average runoff condition, and $I_a = 0.2S$.
[2]The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.
[3]CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.
[4]Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.
[5]Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4, based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

This appendix reprinted from S.C.S. TR-55, revised 1986.

Runoff curve numbers for other agricultural lands[1]

Cover description		Curve numbers for hydrologic soil group—			
Cover type	Hydrologic condition	A	B	C	D
Pasture, grassland, or range—continuous forage for grazing.[2]	Poor	68	79	86	89
	Fair	49	69	79	84
	Good	39	61	74	80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	—	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element.[3]	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	[4]30	48	65	73
Woods—grass combination (orchard or tree farm).[5]	Poor	57	73	82	86
	Fair	43	65	76	82
	Good	32	58	72	79
Woods.[6]	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	[4]30	55	70	77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	—	59	74	82	86

[1]Average runoff condition, and $I_a = 0.2S$.

[2]*Poor:* <50% ground cover or heavily grazed with no mulch.
Fair: 50 to 75% ground cover and not heavily grazed.
Good: >75% ground cover and lightly or only occasionally grazed.

[3]*Poor:* <50% ground cover.
Fair: 50 to 75% ground cover.
Good: >75% ground cover.

[4]Actual curve number is less than 30; use CN = 30 for runoff computations.

[5]CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

[6]*Poor:* Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.
Fair: Woods are grazed but not burned, and some forest litter covers the soil.
Good: Woods are protected from grazing, and litter and brush adequately cover the soil.

From NWS TP-40

B. Stormwater calculation model.

1. One day precipitation values. Values to be used in preparation of the TR-20 or TR-55 study. (Revised April 16, 1992)

S&WCD Number, Field Office and S&WCD Location	Rainfall Frequency 24-hour Duration					
	2 yr	5 yr	10 yr	25 yr	50 yr	100 yr
1. Fort Kent - St. John Valley	2.0	3.0	3.5	4.0	4.4	4.8
2. Presque Isle - Central Aroostook	2.4	3.2	3.6	4.2	4.6	5.0
3. Houlton - Southern Aroostook	2.5	3.3	3.8	4.4	4.8	5.3
4. Sanford - York County	2.5	4.0	4.6	5.4	6.0	6.6
5. Dover-Foxcroft - Piscataquis County						
- North of CPR	2.5	3.3	3.8	4.4	4.8	5.3
- South of CPR	2.6	3.4	4.0	4.6	5.0	5.5
6. Belfast - Waldo County	2.5	3.7	4.3	4.9	5.5	6.0
7. Bangor - Penobscot County						
- North of CPR	2.5	3.3	3.8	4.4	4.9	5.4
- South of CPR	2.7	3.5	4.1	4.8	5.3	5.8
8. Skowhegan - Somerset County						
- North of CPR	2.5	3.3	3.8	4.4	4.8	5.3
- South of CPR	2.7	3.5	4.1	4.7	5.2	5.7
9. Portland - Cumberland County						
- Northwest of Route 11	3.3	4.3	5.0	5.8	6.4	7.9
- Southeast of Route 11	3.0	4.0	4.7	5.5	6.0	6.7
10. South Paris - Oxford County						
- West of Route 26	3.5	4.5	5.2	6.0	6.5	7.1
- East of Route 26	3.0	4.0	4.6	5.3	5.9	6.4
11. Augusta - Kennebec County	3.0	3.8	4.4	5.1	5.6	6.1
12. Rockland - Knox - Lincoln County	2.9	3.8	4.4	5.1	5.6	6.2
13. Auburn - Androscoggin Valley	3.0	3.9	4.6	5.4	5.9	6.5
14. Farmington - Franklin County	2.9	3.7	4.2	4.9	5.4	5.9
15. Machias - Washington County	2.5	3.4	4.0	4.8	5.3	5.9
16. Ellsworth - Hancock County	2.7	3.6	4.2	4.9	5.4	6.0

DELINEATION OF WETLANDS
FOR
RIC WEINSCHENK
LOCATED ON REDLON ROAD
PORTLAND, MAINE

BY

ALAN L. BURNELL

FEBRUARY 25, 1997

INTRODUCTION

This report is intended to describe the wetlands present on property owned by Ric Weinschenk and located in Portland, Me. on the northern side of Capisic Street, west of Stevens Avenue and at the end Redlon Road. Field observations were made on February 6 and 7, 1997. Wetlands were delineated utilizing the U.S. Army Corps of Engineers Wetlands Delineation Manual Tech. Report Y-87-1 (generally referred to as "The 1987 Manual").

PROJECT AREA DESCRIPTION

This parcel is located off the end of Redlon Street (Fig. 1). Elevations range between 40 and 100 feet above sea level. Soils consist of deep, compact glacial tills and fine grained, compact marine sediment that vary from poorly to moderately well drained. Bedrock is at or near the surface in many areas. Some of the area has been disturbed many years before with the construction of a drainage ditch that generally runs east to west through the property.

The site is dominated by a mixed hardwood forest. White pine (Pinus strobus), pitch pine (Pinus rigida), red oak (Quercus rubra), Aspen (Populus spp) and red maple (Acer rubrum) were abundant on both the moderately-well and poorly drained areas. Specked alder (Alnus rugosa) and red maple dominated the understory of the wetter sites and balsam fir and red maple were the predominant understory vegetation on the dryer sites with Carex spp. and Cinnamon fern (Osmunda cinnamomea) in the herb layer of the wetter sites with white pine and red maple on the dryer sites.

METHODS

Wetland delineation was based on the criteria as outlined in "The 1987 Manual". This manual contains the current accepted methodology utilized by the State of Maine D.E.P. and the U.S. Army Corps of Engineers for delineating wetland boundaries. The manual defines wetlands employing the three parameter approach. Wetlands must possess three essential characteristics which are 1) hydric soils, 2) hydrophytic vegetation, and 3)

wetland hydrology. It is necessary that all three of these criteria be present for an area to be classified as a wetland.

Generally, wetlands must be saturated with water (either inundated or saturated to within 7-18" of the surface depending on soil texture) for at least 7 days during the growing season in order to promote a predominance of hydrophytic vegetation. When these conditions are present, hydric soils develop, wetland hydrology is present and a predominance of hydrophytic vegetation is in evidence.

Paired plots were established on each side of the suspected wetland boundary where soil conditions, vegetation and hydrology were recorded. Soils profiles were examined at each of the plots to determine the presence or absence of hydric soil indicators and the results recorded. Vegetation status at each plot for trees, saplings, shrub and herb layer was classified utilizing the "National List of Plant Species that Occur in Wetlands: 1988". Wetland hydrology, the driving force behind wetlands, was noted along with soil sampling and vegetation analysis. Using these criteria and sampling methods, the wetland/upland boundary was flagged with surveyors tape and located approximately as shown on the enclosed sketch plan. A more precise location will need to be accomplished by a licensed land surveyor.

RESULTS AND CONCLUSIONS

Wetland investigations indicated that an area of palustrine emergent, floodplain wetlands associated with an un-named stream were present on the site. Water movement within the wetlands appeared to be generally slow to intermittent. Soils were poorly to very poorly drained and seasonally saturated to at or near the surface. Dominant overstory vegetation consisted of red maple, brown ash, black cherry and white pine. Understory and ground vegetation consists mainly of red maple, white pine, carex spp. and cinnamon fern.

FIGURE 1. LOCATION OF REDLON ROAD PROJECT

REGULATORY JURISDICTION

FEDERAL JURISDICTION

Wetlands are under the jurisdiction of the U. S. Army Corps of Engineers (ACOE). A permit is required from ACOE prior to filling any portion of a wetland area. The two most common types of ACOE permits are "Nationwide" and "Individual". The Nationwide Permit Program allows the limited filling of certain wetland areas without the need to file a formal permit application. However, there are very specific conditions that must be followed prior to be granted such a permit. In general, activities that do no qualify for Nationwide Permits will require the more comprehensive Individual Permit. It appears that some of the wetlands in question may be subject to an Individual Permit due to its proximity to the un-named water course. A determination from ACOE is suggested.

STATE JURISDICTION

Maine D.E.P. regulates wetlands under the Natural Resources Protection Act (NRPA). Any portion of the wetland that falls at or below the normal high water mark of a great pond is considered contiguous to the lake and regulated as a Class I wetland. That portion located within 250 feet of the normal high water line will be considered a Class II wetland and those beyond will be a Class III wetland.

Biography of Alan Burnell

Mr. Burnell has a M.S. degree in Forest Management from the University of Maine. He is a licensed Professional Forester and State of Maine licensed site evaluator and has been accepted to sit for the exam to become a Certified Soil Scientist this spring. He has attended numerous courses sponsored by the Army Corp. of Engineers regarding wetland delineation and interpretation. He has been an environmental consultant dealing with land development for the last 12 years. He has participated in numerous wetland delineation projects and construction projects. He has been a member of the Maine Association of Wetland Scientists from its inception and served on the board of directors for 3 years.

ALAN L. BURNELL
RR1 BOX 1070
HARRISON, ME. 04040
207/583-2134

Feb. 25, 1997

Ric Weinshenk
Portland, Maine

Re: Billing for wetland delineation
Redlon Road
Portland, Maine

Field Work	6 hrs. @ $45	$270.00
Office	3 hrs. @ $45	135.00
Mileage	130 @ 0.25	32.50
	Total	$437.50

Thank You

LICENSED PROFESSIONAL FORESTER #873 **LICENSED SITE EVALUATOR #267**

Redlon Park

Exhibit B

DESIGN REVIEW

I. STATEMENT OF INTENT

The design review approval process for Redlon Park is intended to among other things:

A. Preserve the beauty, integrity and value of the Redlon Park home site including improvements thereon and the Redlon Park neighborhood;

B. Assure the City of Portland, and members of the Redlon Park Association that each home and accessory structure shall be constructed according to the guidelines, standards and intention of Redlon Park as set forth herein ;

C. Require any dwelling or accessory, erected, placed, improved, or altered on any lot to obtain the prior written approval of the Redlon Park Design Review Board before any construction is commenced. The Board shall consider such factors as the location of a structure, the style of architecture, the type of materials, and the quality of materials to effectuate the intent of the Design Review Process .

II. PROCESS FOR REVIEW

A Submission Requirements

1. A written statement attached to a copy of this document signed by the designer of the project for which approval is requested stating; said designer has read, understood and is in compliance with the standards set forth herein and that said designer has visited and is familiar with the site in at least the winter and one other season of the year;

2. Plans shall be prepared by an individual having previous experience in the preparation of plans for the construction of single family residences including specifically in the Shingle, Cottage, or Bungalow styles.

3. Site plan or plans :scale = 1"=10', 20', 30' or 40' with the following at minimum :

a. Locations and/or footprints of all buildings, driveways, walks, utilities, fencing, walls for retaining soil any other "hardscaping" or site amenities ;

b. Limits of clearing, thinning and areas to be disturbed from their existing condition.

c. Landscape plan with description or legend of materials including sizes.

d. Exterior lighting plan showing the direction and range of lighting.

4. Floor plans : scale 1/8" or 1/4" = 1'-0'

5. Elevations: Scale 1/8" or 1/4" = 1'-0" including a minimum of all materials and three dimensional effects not apparent.

6. Submit color samples for all materials except clear glass and wood materials left natural or treated with a clear finish.

7. Complete specifications listing all materials, products, performance standards, and process, including time tables for the start to completion of the proposed project.

B. The decision by the Design Review Board shall be made within 14 days of receipt of a complete application.

C. Waiver Process:
If for reason of hardships as defined by the Zoning Ordinance of the City of Portland, as amended, the applicant is unable to comply with one or more of the submission standards; the applicant may request a waiver of the specific submission standard(s). The Design Review Board will consider the request and determine in its sole discretion if the waiver will be granted.

III. SITE STANDARDS

A. The street orientation within Redlon Park should not be the predominate issue when siting the main structure. The designer must demonstrate the siting rational by at least one of the following criteria:

1. Solar gain

2. View of:
a. Open space between other homes on or off site; or

b. On site features such as trees or water; or

c. On site planned features such as garden areas.

3. Avoidance of:

a. Other homes; or

b. Off site features developed or undeveloped that may require screening now or later if developed.

B. Clearing- Clearing of trees greater than 5" in diameter (measured 5" above grade) is prohibited except for;

1.Construction of the home and approved structures.

2.Removal of dead, diseased, or damaged trees

3.Lawns, gardens, solar gain limited to the following schedule;

Distance from foundation	Max. diam. permitted to be cleared
0' to 12'	all trees
12' to 15'	10"
15' to 20'	8"
20' to 30'	6'

4. There shall be no disturbance of natural growth except for access and/or good forestry management and then only by hand held tools within 5' of side or rear property lines and 15' from any off site property line after initial construction the dwelling.

5. Any trees removed for any reason two years or later from the issuance of a building permit shall be reforested by planting and if needed replanting a tree of the same species in the same spot. Exceptions may be granted for good cause by the Design Review Board.

6. Outbuilding and other structures placed on the site by any means after the initial design review approval shall not disturb trees greater than 10" in diameter.

C. Fencing - Other than the fencing provided by the Grantor, the following shall be strictly followed;

1. No fencing shall be taller than six feet.

2. No fencing taller than four feet shall be permitted in continuous or joined sections longer than fifty feet unless on Redlon Park boundaries.

3. All fencing must be wood or wooden in appearance. Chainlink, woven or wire fences shall not be permitted .

4. Fencing of any type shall not delineate property bounds but, rather, should be designed to provide privacy and/or interest to the land or home.

5. All fencing must be installed "good-side out" when within ten feet of any property line.

D. Landscaping and Exterior Lighting

1. All areas disturbed by construction shall be either replanted to their natural state or landscaped.

2. Planting for screening is preferred to fencing.

3. Exterior lighting shall be designed to be primarily contained within the site, directed up or down in a vertical or near vertical direction. No fixture shall be located more than 5' above grade unless attached to the structure it is intended to light.

4. Christmas or other seasonal lights shall be unrestricted provided they are not in place longer than 90 consecutive days.

IV. ARCHITECTURAL STANDARDS

A. Size: The dwelling unit shall be at least 1400 ft2 of enclosed heated living space exclusive of garages, porches and rooms without windows 36" tall or doors.

B. Height: In general the height limitation shall conform to the standards established by the City of Portland as amended and no single wall of any structure shall be taller than 25' except if the wall is broken by a design detail or element including but not limited to bays, bows, balconies, bumps, bands, recesses, roofs, overhangs whether angular, arched or curved.

C. Setbacks: The setback standards for all structures except landscaping shall be not less than the following;

External(to Redlon Park boundary).....25'
Internal(between dwellings)..... 16'

D. Paving and Driveways: The street entrance to garage(s) shall be oriented in such a way that hard surfaces are minimized. Driveways shall be paved. The use of stone dust, loose stones (1-1/2" max) and/or chipseal are encouraged, but not required. Black top areas shall not extend from the garage door to the street uninterrupted. Black top walks are prohibited except as a base for brick or some other cover surface.

E. Recreational Items: Recreational items including without limitation, boats, pools, outside games, swing sets, permitted trailers, etc., shall not be visually prominent from the road or from the interior of adjacent homes. Mature plant screening may be required to minimize visual impact.

F. Foundation Walls: Foundation walls should be covered if more than 18" above finish grade.

G. Siding: Exterior siding shall be wood, brick or stone or a combination thereof. Painting and staining of siding shall be limited to white, light shades of off white, gray, gray-blue, or gray-green or as may be approved by the Design Review Board. Exterior doors, windows, and trim shall be solid colors only, in harmony with the siding and only as may be approved by the Design Review Board.

H. Roofs: Roofs shall be predominantly sloped. Main roofs shall be at least 8:12 pitch, minor roofs and porches shall be at least 4:12 or flat pitch. Roofing materials shall be darker in color than the siding unless natural slate, cedar or copper is used.

I. Fenestration Ratio: Building openings shall be in scale with the wall in which such opening is located or slightly larger than scale and well proportioned with the building. The dwelling unit, including all attached unheated areas shall have an average fenestration (all openings) to vertical wall ratio of at least 12% and not more that 25%.

J. Chimneys: Each building shall have at least one chimney or chimney like structure above the roof. Said structure need not be masonry.

K. Porches and Verandas: Each building except garages must have at least one covered porch or veranda providing shelter to a door. The porch and cover must be at least 2-1/2 times the width of the door and not less than 6' wide and 4' deep. Covers and porches are encouraged at most doors. Garage doors need not be covered.

L. Overview: These guidelines, standards and restrictions are intended to assure unity of form, and quality of design and construction for cottage, bungalow or shingle style buildings. Although these standards may be employed in other building types, (such as Garrison, Colonial, or Cape) only cottage, bungalow, or shingle type will be permitted in their classic, neoclassic, and in very innovative examples, post modern forms.

M. Building Permits. Applications presented to the City for building permits must include:

1. This exhibit;
2. The site plan; with
3. Approval and signatures by the Design Review Board of the Redlon Park Association and Ric Weinschenk (or their assignee as approved by the Redlon Park Association board of directors and the planning board of the City of Portland.)

Seen, understood and agreed,

_____ _____

Lot owner date

_____ _____

Designer date

redpkrev.sam

PINKHAM & GREER
CONSULTING ENGINEERS, INC.

170 U.S. Route One
Falmouth, Maine 04105
Tel: 207.781.5242
Fax: 207.781.4245

May 7, 1997
File: 97115

Mr. David Coffin
PORTLAND WATER DISTRICT
225 Douglass Street
Portland, ME 04102

RE: REDLON PARK SUBDIVISION AND PRUD, PORTLAND, MAINE

Dear Dave:

Enclosed is a set of drawings for Redlon Park, a Ric Weinschenk project. The City Planning Department has requested a letter from the District stating it has the capability to service the project and specifically address what neighbors might expect in the way of changes to water pressure and service.

Please send your letter to:

Ms. Sarah Hopkins
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

with a copy to me.

Thank you very much for your prompt consideration.

Sincerely,

PINKHAM AND GREER

Thomas S. Greer, P.E.

TSG/dp

Enclosure

Copy: Ric Weinschenk, Ric Weinschenk Builders

PINKHAM & GREER
CONSULTING ENGINEERS, INC.

170 U.S. Route One
Falmouth, Maine 04105
Tel: 207.781.5242
Fax: 207.781.4245

May 7, 1997
File: 97115

Mr. Tom Burns
CENTRAL MAINE POWER COMPANY
162 Canco Road
Portland, ME 04104

RE: REDLON PARK SUBDIVISION AND PRUD, PORTLAND, MAINE

Dear Tom:

Enclosed are plans for a seven lot residential subdivision on Redlon Road in Portland, for your review. The City Planning Department has asked that we obtain a letter stating that each utility has the capacity to service this project.

If you could provide a letter, it would be appreciated.

Thank you for your prompt consideration.

Sincerely,

PINKHAM AND GREER

Tom Greer

Thomas S. Greer, P.E.

TSG/dp

Enclosure

Copy: Ric Weinschenk, Ric Weinschenk Builders

PINKHAM & GREER
CONSULTING ENGINEERS, INC.

170 U.S. Route One
Falmouth, Maine 04105
Tel: 207.781.5242
Fax: 207.781.4245

May 7, 1997
File: 97115

Mr. Bill Goodwin
Engineering
CITY OF PORTLAND
City Hall
Portland, Maine

RE: REDLON PARK SUBDIVISION AND PRUD

Dear Bill:

Enclosed is a set of plans for Redlon Park. The Planning Department has requested we coordinate the sewer extension and the impact of seven additional homes on the system with you. The following questions were asked:

1. Is there adequate capacity in the City sewer to accept the sanitary flows from this development?

2. Do the pumps create a greater risk for failure of the sewer line in Redlon Road?

We have been working with Tony Lombardo to plan the project to date. He may be of some assistance to you. Please send copies of your letter to me and to Sarah Hopkins.

Thank you very much for your prompt attention to this request.

Sincerely,

PINKHAM AND GREER

Tom Greer

Thomas S. Greer, P.E.

TSG/dp

Copy: Ric Weinschenk, Ric Weinschenk Builders

PINKHAM & GREER
CONSULTING ENGINEERS, INC.

170 U.S. Route One
Falmouth, Maine 04105
Tel: 207.781.5242
Fax: 207.781.4245

May 7, 1997
File: 97115

Mr. Earle G. Shettleworth, Jr.
State Historic Preservation Officer
MAINE HISTORIC PRESERVATION COMMISSION
55 Capitol Street
65 State House Station
Augusta, ME 04333

RE: HISTORIC OR ARCHEOLOGICAL SITE
REDLON PARK SUBDIVISION, PORTLAND, MAINE

Dear Mr. Shettleworth

Enclosed is Sheet C-1 of Redlon Park Subdivision and PRUD. The City's Planning staff has requested information concerning any archeological reserves that may be on site. Please review the project and let us know if there are any historic or archaeologically significant sites on the piece of property.

Thank you very much for your prompt consideration of this project.

Sincerely,

PINKHAM AND GREER

Thomas S. Greer, P.E.

TSG/dp

Enclosure

Copy: Ric Weinschenk, Ric Weinschenk Builders

Attachment 1

Cottage Park, Inc.

91 Summer Place
Portland, Maine 04103
Phone (207) 828-3900 fax (207)775-7703

February 24,1997

Sarah Hopkins
Senior Planner
City of Portland
Portland, Maine 04101

RE: PRUD/Subdivision - Redlon Road

Dear Sarah;

Enclosed are plans and other related materials for a proposed PRUD/Subdivision to be constructed on property located at the end of Redlon Road in Portland. The name of the project is **Redlon Park**.
The proposal includes seven lots from approximately 4.4 acres of a ledge and tree covered site. This site very much resembles Cottage Park in the North Deering area. Our overall plan is to create a quiet little neighborhood of homes of the same cottage/ shingle style, but slightly larger in scale, than Cottage Park. Like Cottage Park, we would be preserving as much of the natural amenities as practical and blending the architecture into that setting. Like our other recent projects the actual designs would be tailored to the specific owner needs, yet somewhat predetermined by design restrictions in terms of size, exterior fabrics and other important details. A small green space with loggia and patio is planned to use for picnics etc. and to satisfy the passive - active recreational requirements. The road is planned to be private with asphalt paving. I trust all applicable requirements of the subdivision and PRUD standards are addressed and satisfied.
After your initial review, I would be pleased to meet with you to discuss any questions or comments you might have. Would you please place this application on the next Planning Board meeting and/or workshop. Thanks for your help, I look forward, as usual to working with you.

Very truly yours,

Ric Weinschenk

Attachment 2

Peoples Heritage Bank
ONE PORTLAND SQUARE
P.O. BOX 9540
PORTLAND, ME 04112-9540
207-761-8500

February 28, 1997

Sara Hopkins
City of Portland
389 Congress St.
Portland, Me. 04101

Re: Cottage Park, Inc.

Dear Ms. Hopkins;

At the request of Ric Weinschenk I am writing to inform you that Peoples Heritage Bank would be willing to financially support Cottage Park, Inc. in the event the following criteria are met:

* The project is financially feasible
* Any loan and/or Letter of Credit is adequately secured
* Underwriting and credit requirements are met
* There is sufficient equity into the project

As of this date no application nor discussions regarding credit have been made.

Feel free to contact me if you need additional information or have any questions.

Sincerely;

Cynthia C. Stewart
Vice President

STATEMENT OF TECHNICAL, FINANCIAL AND OTHER CAPABILITY

Based upon prior development experience and technical support of the consultants listed below Applicant has the technical and financial ability to develop the Redlon Park P.R.U.D. proposed.

Technical:

Daniel J. Dalfonso, Land Surveyor

Pinkham & Greer, Consulting Engineers Inc., Civil and Structural Engineering

Alan L.Burnell, Site Evaluator

David Hirshon Esq., Legal

Ric Weinschenk, Architectural Design

Ric Weinschenk, Builders Inc., Licensed earthwork contractor

Financial:

The Applicant has the financial capability to construct the infrastructure and in all other regards develop this project as planned. The letter following from **Peoples Heritage Bank** indicates their willingness to support should we desire.

Right Title and Interest:

The Applicant has the rights to the property by way of a "Contract for Sale of Real Estate" attached hereto, dated November 15,1996.

Utilities:

Based on recent discussions with the Portland Water District, Central Maine Power, and The City of Portland (sewer) there is adequate facility to supply this projecty with the necessary utilities.

Attachment 3

DECLARATION OF COVENANTS AND RESTRICTIONS

Redlon Park

PORTLAND , MAINE

KNOW ALL MEN BY THESE PRESENTS, that It, Cottage Park, Inc., , a Maine corporation with a place of business in Portland , Maine (hereinafter called "Grantor"), is the owner of certain real estate located in Portland, Maine and known as "Redlon Park" as shown on a Plan dated _____by Pinkham and Greer, Consulting Engineers Inc. recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page ___(the "Property");

WHEREAS, the Grantor desires to create and maintain a residential area consisting of house lots and detached residential dwellings preserving the natural and residential features of the Property which are of unusual value;

WHEREAS, Grantor proposes to establish Redlon Park Homeowners Association, a Maine nonstock corporation (the "Association") the members of which will consist of the owners of lots in Redlon Park;

WHEREAS, Grantor desires to ensure the use and enjoyment of the Property as a residential community;

WHEREAS, Grantor desires to bind the purchasers of Lots and their successors and assigns to properly maintain and operate the common amenities consisting of private roadways, sidewalks, and other facilities useful or essential to the residential use and enjoyment of the Property; and

WHEREAS, the Grantor desires to assist its Grantees in providing the necessary means to enable them and their Grantees to accomplish these purposes;

NOW THEREFORE, in consideration of the premises, the Grantor for itself and its successors and assigns, hereby subject the Property including all the Lots on said Plan numbered 1 through 7 inclusive, (collectively the "Property) to the following restrictions, covenants, agreements and liens as covenants running with the land which shall be binding upon and enforceable by the Grantor, its successors and assigns, the association, its successors and assigns, or by the then owner of any parcel or lot subject to this Declaration to wit:

1. Residence.

The Property shall be used for single family residences only.

A. Lots.

The Lots shall be occupied by not more than one single family residential unit per lot, a residential unit shall include no buildings or structures of any nature other than the following, viz:

i. one detached dwelling house designed as a residence for one family;

ii. one garage for private use constructed either as an integral part of the dwelling or as a detached building and adapted for storage of not more than three automobiles; and,

iii. suitable garden structures ordinarily appurtenant to single-family dwelling houses.

B. All structures shall be subject to Design Review pursuant to the provisions of Exhibit B attached hereto.

1B. Design Review Board

The Design Review Board shall consist of solely the Grantor until the transfer of the responsibility of Design Review is made to the Association by the Grantor or pursuant to article 10 of this declaration.

2. Business and Trade.

No business or trade of any kind shall be operated on the property, provided, nonetheless, that:

(i) a residence may be used for personal or professional work by a resident but may be used neither for meeting clients or patients nor held out as an office to such persons or the public; and,

(ii) a lot or unit may be used for the construction of the residential structures permitted thereunder. Grantor may maintain sales, leasing and management office (s), may use unsold lots and the improvements thereon for display and marketing purposes, and a Lot Owner may use the Property for the construction of buildings and improvements as provided in this Declaration. The Grantor and the Association may upon request and upon the payment of a reasonable fee issue a certificate indicating whether any apparent violation(s) of this Section or known violation(s) of this Declaration exist, which shall be conclusive and binding with respect to the matters stated therein. Neither the Grantor, the Association nor any officer, director, employee or agent of the foregoing shall be liable to any person for any action in connection with the administration, enforcement or nonenforcement of this Section, including without limitation, mistakes in judgment, negligence or misfeasance.

3. Pets and Animals.

Nothing shall be done which may be or become an annoyance or nuisance; the keeping of poultry, swine, or livestock other than personal household pets housed in a residence shall not be permitted. No boarding or breeding kennels shall be kept or maintained on the property. The Association shall have the power to regulate the keeping of pets under the bylaws or rules and regulations of the Association as promulgated or amended from time to time. In any event, all animals shall be restrained so as not to become noisome or offensive to the occupants of any units; pets shall not be permitted off the owner's Lot except on a leash attended by a responsible person.

4. Motor Vehicles.

Outside parking areas, roads and driveways may be used for the parking of private passenger motor vehicles only. The Lots shall not be used for outside parking of camping trailers, recreational vehicles, motor homes, trucks rated for a gross vehicle weight of over 10,000 pounds or unlicensed or inoperable vehicles except with the prior written approval of the Association's Board of Directors or within a fully enclosed garage. No person shall park or leave any motor vehicle or other personal property overnight on any of the private roads; breach of this restriction shall subject the vehicle or property to removal at the risk and expense of the owner thereof. The Board of Directors of the Association shall have the power to adopt such reasonable rules and regulations as it deems appropriate regulating the use of motor vehicles on the Property. Snowmobiles, all-terrain vehicles, trail bikes and any similar vehicles shall not be operated on the Property.

5. Signs.

Lot owners shall have the right to install a sign of not more than two (2) square feet showing the name of the owner or occupant and the name(s) or number of the premises. All signs shall be compatible with the environment, approved by the Design Review Board and under no circumstances shall projecting signs, be brightly lighted or internally lighted signs be permitted on any parcel.

6. Completion of Construction.

Within twelve (12) months from the start of any construction (or upon the partial or complete destruction of any residence), a Lot owner shall erect ,build and have the exterior of the building completely finished in a manner consistent with the conditions set forth herein including the revegetation of all disturbed areas and approved driveway surfacing.

7A. Association maintenance of Common Areas and Facilities.

The Association and its Board of Directors and their designees shall also have and are hereby granted the right and obligation to maintain, repair, replace, add to and alter the common roads, utility and service lines, drainage system, recreational facilities and other common facilities, and make excavations for said purposes. No owner shall do any of the foregoing without the prior permission of said Board of Directors in each instance. The Association shall inspect and maintain the surface water systems on the Property at least annually or more frequently if required as follows:

A. Inspection of all/any septic tanks,chambers, and pumps.

B. Inspection of all sanitary manholes and clean as necessary or more frequently if required.

C. Removal of any accumulated silt or debris from culverts and ponds;

D. Inspection of the rip-rap at the outlet end of the culverts and reset any dislocated stones, to be performed by Lot owners as part of their land maintenance;

E. Other maintenance as it becomes necessary to enable storm drain systems and any/ all other systems installed to function as designed. The expense thereof, except as otherwise indicated herein, shall be charged as a common expense, provided however that the Association may charge the responsible owners for the replacement and repair of damage due to the negligence or misuse of such facilities. The Association shall also establish a reserve account for the replacement and repair of the common roads and other facilities based on regular assessments determined by calculating the estimated life expectancy of each such amenity. The reserve account need not be established for a facility until one year after the facility is actually constructed. The charge shall be based on the replacement cost divided by three-quarters of the life expectancy as determined by the design engineer, which assessment reserves shall be charged until 125% of the then replacement cost of the facilities is accumulated and maintained. Such reserves shall be deposited in a separate escrow account in the name of the Association in a bank or other financial institution insured by the United States of America, and shall only be used for the purposes specified in this Section unless specifically otherwise approved by 80% of all members of the Association.

7B.Lot Owners Maintenance Responsibilities.

A Periodic mowing of grass on the road right of ways to be performed by Lot owners in conjunction with lawn work on their own grass areas.

B. Removal of debris that may collect in the grass swales, culverts and dam(s), to be performed by Lot owners as part of their land maintenance.

. C.Each Lot owner shall avoid interfering with the natural course of surface water across a neighbor's parcel or any land abutting the Property or altering its intended flow to the storm drainage, streams and ponds.

8. Membership.

For the purpose of maintaining roads, utility and other easements, traffic control, maintaining the common storm water drainage system, general planting and landscaping, and all common services of every kind and nature required or desired within or adjoining the Property, for the general use and benefit of all owners, each and every owner, in accepting a deed or contract for any Lot of the Property, agrees to and shall automatically become a member of and be subject to and comply with this Declaration, the Bylaws and rules of the Association, as amended from time to time. The members shall consist of all the owners of Lots of the Property. The membership of each such lot owner shall terminate upon the sale, transfer or other disposition of their ownership interest in the lot, whereupon membership shall automatically transfer to and be vested in the successor in ownership. The mortgage of a lot shall not operate to transfer membership until foreclosure of the mortgage. Each Lot shall have one vote in the Association. Until 5 of the 7 Lots have been sold, there shall be three (3) directors of the Association and only the Grantor, as the initial member shall be entitled to vote for the election of directors; provided however, that Grantor may assign such rights to any successive developer of the lots, may waive such rights in whole or in part or may exercise its rights under the articles of incorporation or bylaws of the Association.

9. Assessments.

Commencing with the sale of a lot to a purchaser (other than a successor Grantor), each owner shall pay the Association or its authorized representative, monthly or as otherwise required by the Association, their (its) share of the expenses of and reserves of the Association in carrying out its function, all as determined by the Association's Board of Directors, allocated equally among all such Lots and such Units. Such obligation (including such interest as may be established by the Association and costs of collection and reasonable attorney's fees) shall be the personal responsibility of the owner of each Lot and shall constitute a lien on a Lot , SUBJECT HOWEVER, to any mortgage held by an institutional lender, to which mortgage the lien shall be subordinate. The recording of this Declaration constitutes record notice of the lien, which may be foreclosed in the same manner as a mortgage on real estate or by any other method now or hereafter permitted by law. Until the later of one (1) year from the sale of the first Lot or until the owners of Lots, subject to this Declaration have assumed self-government of the Association, the Grantor may charge owners for their proportionate share of the assessments and may pay the expenses of the Association directly.

A. The Association shall notify the owners at the addresses maintained by the Association within thirty (30) days after said assessment has been fixed

and levied, notifying such owners of the amount of the charge or assessment for such year, when the same shall be due and payable, and the amount due on each lot, owned by each such owner, and the interest rate on past due assessments provided that failure to send such notice shall not relieve the Owner of their obligation hereunder. Unless otherwise provided by the directors of the Association, the interest rate on all past due assessments shall be Eighteen percent (18%) per annum. It shall be the duty of each owner to list their address with the Association, failing which the Association may send such notices to such address as reasonably appears to be a permanent address of such owner. Failure of the Association to levy the assessment or charge for any one year or send such notice or to charge interest shall not affect the right of said Association to do so for any subsequent year or for such prior year(s) in arrears. A written or printed notice thereof deposited in the United State mails, with postage prepaid, and addressed to the respective owners as aforesaid shall be deemed to be sufficient and proper notice for this purpose or for any other purpose of this Declaration, wherever notice may be required.

B. The Association shall have all legally permissible powers of collection of assessments made on said real estate including, without limitation, those powers set forth in Maine Revised Statutes Annotated, Title 13, Chapter 91 and shall generally have all powers established under Title 13-B M.R.S.A.

C. Such charges of assessments shall be applied by said Association in its discretion toward payment of the following costs:

(1) To enforce, either in its own name or in the name of the owners of the property above described any or all covenants which may have been heretofore, or may hereinafter be, imposed upon any of the Property, either in the form as originally placed thereon or as subsequently modified; provided, however, that this right of enforcement shall not serve to prevent the right of any owner or owners of any Lot, to enforce said restrictive covenants in the event they or any one of them elects to do so. The expenses and costs of any such proceedings instituted by the Association shall be paid out of the general fund of the Association.

(2) To preserve the natural beauty of the Property and pick up and remove there from trash and rubbish of all kinds; and to do any and all other things necessary and desirable in the judgment of the Board of Directors of said Association to keep the Property clean and in good order.

(3) To provide for the maintenance, snowplowing, sanding, repair and replacement of all common area roads and ways within or adjoining the Property, including the roads leading through the Property, and for the creation of reserves for the foregoing purposes.

(4) To provide for the maintenance, repair, and replacement of the recreational and all other facilities and for the creation of reserves for the foregoing purposes.

(5) To provide for the removal of solid waste from each lot and all/ any accumulated solid waste from other Association property for the creation of reserves for the foregoing purposes.

6) To pay real estate and other taxes, to establish reserves, to administer the Association and enforce this Declaration.

(7) To administer, observe and perform the Bylaws and exercise the powers of the Association thereunder.

(8) Such other items as the Board of Directors of the Association may determine in their discretion.

D. To provide any other neighborhood services not provided by local governmental authorities.

E. To carry hazard, and general liability insurance coverage on any premises owned, maintained or repaired by the Association to provide directors and officers insurance and to indemnify the Association's officers and directors.

10. Association Administration.

The Grantor shall control and manage the Association until transfer of this responsibility to the Association membership by the Grantor or pursuant to provisions below and consistent with the Bylaws attached hereto.

A. The initial Bylaws of the Association are attached hereto as Exhibit A.

B. The Association shall notify by mail all owners at the address listed with the Association, of the time and place of regular or special meetings of the Association. Such notices shall be mailed at least ten (10) days to advance of such meetings.

C. By written consent of four fifths (4/5) of all members, the Association may be given additional powers and this Declaration may otherwise be amended or modified, provided however that any amendments affecting the maintenance and repair of the common shall, at all times, observe all the laws of the State of Maine and the United States of America, and if at any time any of the provisions of this Declaration shall be in conflict therewith, then such parts of this Declaration as are in conflict with such laws shall become null and void, but no other part of this Declaration shall be affected thereby. So long as Grantor owns any portion of the Property, any amendment or modification of this Declaration shall require the written approval of Grantor duly recorded.

D. The Association shall, at all times, observe all the laws of the State of Maine and the United States of America, and if at any time any of the provisions of this Declaration shall be in conflict therewith, then such parts of this Declaration as are in conflict with such laws shall become null and void, but no other part of this Declaration shall be affected thereby.

E. The Association shall have the right to make such reasonable rules and regulations and provide such means and employ such agents as will enable it adequately and properly to carry out the purposes and provisions of this

Declaration, subject to the limitations hereinabove and hereinabove set forth; provided that so long as Grantor owns any portion of the Property, the adoption of such rules and regulations or any amendments thereof shall require the written approval of the Grantor duly recorded.

F. This Declaration may be terminated and all the land now or hereafter affected may be released from all of the terms and provisions thereof by the owners of four-fifths 4/5) of the members subject thereto at the time it is proposed to terminate this said Declaration.

11. Compliance with Laws.

All siting, construction, excavation, water supply, and storm water drainage, shall be in accordance with all applicable local and state laws, codes, ordinances and regulations.

12. Nuisance.

Noxious, dangerous, offensive or unduly noisy activities of any nature shall not be carried on upon any Lot.

13. Refuse Disposal.

Trash, garbage and other waste shall be kept in sanitary containers within the residential structures where they are not visible from any road or from any other Lot. The Association or its authorized Designates shall be responsible for the removal and disposal of same.

14. Subdivision.

The lots as shown on the plan may not be subdivided, except with the consent of the Grantor and with the approval of the City of Portland if required.

15. Access To Amenities.

The Association or its authorized Designates shall have the irrevocable right, to have access to each parcel from time to time during reasonable hours, as may be necessary for the maintenance, repair or replacement of any of the common areas and facilities therein or accessible therefrom, including pedestrian, utility and drainage easements, to prevent damage to the common areas and facilities, or to any other parcel(s).

16. Enforcement.

The provisions of the Declaration have been adopted for the benefit of the owners of the Property and shall run with the Land. Therefore, the violation or attempted violations of any covenant or restriction in this Declaration is hereby declared a nuisance which may be remedied by any appropriate legal proceeding. If any owner shall attempt, violate or permit any violation of any of the covenants, restrictions or reservations described in this Declaration or in the Bylaws and the rules and regulations of the Association, the Grantor, the Association or any Lot owner may commence proceedings at law or in equity to recover damages or other awards for such attempts, violations or permitting of the same, or to enjoin the furtherance or continuation of such attempts or violations, or both.
The violator shall pay all reasonable costs, including attorney's fees, incurred in the enforcement of this Declaration the Bylaws and the rules and regulations of the. Association which shall constitute a lien on the Lot or Unit in the same manner as Association assessments. Proceedings may be maintained irrespective of the waiver of any prior violation or attempt by the same or other owners, and the failure to enforce any one (1) occasion shall in no event be deemed to be a waiver of the right to do so thereafter as to the original breach or a breach subsequent thereto.

17. Termination of Restrictions.

At a meeting duly held not earlier than January 1, 2018, the then current Members of the Association may terminate the provisions set forth in this Declaration by a 80% vote, which amendment or termination shall become effective upon the recording therefore. If no such amendment or termination is recorded by February 1, 2018, this Declaration shall automatically renew for another 25-year period, and in like manner for each 25-year period thereafter.

18. Grantors Right to Assign.

All references in the Declaration to the Grantor shall mean and include the Grantor's successors and assigns. The Grantor shall have the power to assign its rights under this Declaration to any successor Grantor by instrument duly recorded which has been executed by Grantor and Grantor's successor.

19. Severability.

If any provisions of this Declaration, or its application to any persons or circumstances, is invalid or unenforceable, then the remainder of this Declaration, or the application of such provisions to other persons or circumstances, shall not be affected thereby.

IN WITNESS WHEREOF, Cottage Park, Inc. has caused the corporate seal to be affixed hereto and these presents to be signed, acknowledged and delivered as of , 1997.

Cottage Park, Inc. (a corporation)

_____ _____

Witness By: its President

STATE OF MAINE
CUMBERLAND, SS.

Personally appeared _____ in his said capacity and acknowledged the foregoing instrument as his free act and deed and the free act and deed of said corporation,

Notary public/Attorney at Law

name: _____

redpkdec..sam
2/25/97

DIMILLO ANTONIO JR
& KATHLEEN D
164 BANCROFT ST
193-E-28

JOHNSON WILLIAM E &
WILLIAM R JOHNSON
19 CAPISIC ST
193-E-29

KING JAMES E &
HELEN J
3 CAPISIC ST
193-E-30

DEVLIN VINCENT
19 CAPISIC ST
193-E-6

14 CAMPITELLI ROBERT J
& LINDA
7 REDLON RD
78-C-15-16

5 PIRONE ELLEN V
136 STEVENS AVE
78-C-18

6 WYNNE GERALDENE B
& RAYMOND J
29 GROVESIDE RD
78-C-17

Hill Cottage Park
copy + file
2005 easement

Note to File:

This easement deed was found in a file in Planning in January 2005. It appears never to have been recorded. We are recording it at this time but realize that the same may be ineffective to any/ all persons without notice.

EASEMENT DEED

Know All By These Presents, that it Cottage Park, Inc., a Maine corporation with a principal place of business at Portland, Maine, for consideration paid, GRANTS TO the **City of Portland**, a body politic and corporate, whose mailing address is Portland City Hall, 389 Congress Street, Portland, Maine, 04101, with WARRANTY COVENANTS a pedestrian easement located in the following described property situated at Redlon Park in the City of Portland, County of Cumberland and State of Maine, described as follows:

A perpetual easement for public pedestrian access, in common with the Grantor, its successor or assigns, for ingress or egress on foot over certain premises described as follows:

A certain strip of land that begins at the terminus of Redlon Road in said Portland and continues and corresponds to the Redlon Park Road right of way, all as shown on a plan entitled "Redlon Park, Redlon Road, Portland, Maine Planned Residential Unit Developement Plan and Subdivision Plan" prepared by Pinkham & Greer Consulting Engineers, Inc.dated February 28, 1997and revised through July 1997 recorded in the Cumberland County Registry of Deeds in Plan Book , Page .

The Grantor, its successor and assigns, reserves (i) the right to exclude from the foregoing premises any persons possessing or under the influence of drugs, narcotics and alcohol, (ii) the right to limit such pedestrian access to the daylight hours and further reserves (iii) all other rights with respect to the foregoing premises, including the right to pass by foot and motor vehicle, to install pavement, utility lines, wires, pipes, conduits and mains, together with the right to alter, excavate and pave the surface of the earth for the installation, maintenance, repair and replacement of roads, sidewalks, utilities, and other common improvements for all other purposes over, under and across the foregoing premises.

Being a portion of the premises described in a deed from to the Grantor dated , 1997 and recorded in the Cumberland County Registry of Deeds in Book_____, Page_____.

WITNESS its hand seal on Oct. 28, 1997.

Signed, Sealed and Delivered
in the Presence of

COTTAGE PARK, INC.

R.C. WEINSCHENK
ITS: PRESIDENT

STATE OF MAINE
CUMBERLAND, SS.

October 28, 1997

Personally appeared the above named Ric Weinschenk, President of Cottage Park, Inc., and acknowledged the foregoing Easement Deed to be his free act and deed of said corporation.

Before me,

Denise R Estes

~~Attorney at Law~~/ Notary Public

DENISE A. ESTES
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES JANUARY 9, 2018

Printed Name

July 24, 1997

Mr. Ric Weinschenk
Cottage Park Inc.
91 Summer Place
Portland ME 04101

RE: Redlon Park Subdivision; Redlon Road

Dear Mr. Weinschenk:

On July 22, 1997 the Portland Planning Board voted 4-2 (Caron and Rodriguez opposed; Carroll absent) on the following motions regarding the 7 lot Redlon Park planned residential unit development:

1. That the plan was in conformance with the Subdivision Review Ordinance of the City Land Use Code with the following conditions:

    i. That executed copies of submitted easements, drainage maintenance agreement and landscape maintenance agreement be submitted for staff review and approval.

    ii. That whatever rights the applicant may have at the end of Redlon Road shall be dedicated to the City as a continuation of the Redlon Road right-of-way, at least to the end of the Thompson property.

    iii. The Homeowners Association shall acquire and maintain a spare pump for the sanitary waste system.

    iv. There shall be a five year extended stormwater management performance guarantee in an amount equal to the dollar cost estimate of the drainage related improvements included in the regular performance guarantee. During the five year period commencing with the release of the regular performance guarantee for site improvements, a drainage monitoring program will be undertaken by the City to evaluate post construction drainage and stormwater conditions for a variety of storm events as they occur. The extended stormwater management performance guarantee resources may be used by the City to mitigate any unforeseen problems, deficiencies, or defects of the stormwater management program and
    infrastructure on the site, as may be determined to be necessary by the Planning and Public Works authorities and access to the site for these purposes shall be provided by the applicant or the Homeowner's Association to the City or its agents for the purposes so specified.

v. That the site plan shall be revised to reflect the comments of Tony Lombardo, memo dated 7-19-97.

2. That the plan is in conformance with the Site Plan Review Ordinance of the Land Use Code.

The approval is based on the submitted plan and the findings related to site plan review standards as contained in Planning Board #27-97, which is attached.

Please note the following provisions and requirements for all subdivision and site plan approvals:

1. Mylar copies of the construction drawing for the subdivision must be submitted to the Public Works Department prior to the release of the plat.

2. A performance guarantee covering the site improvements as well as an inspection fee payment of 1.7% of the guarantee amount must be submitted to and approved by the Planning Division and Public works prior to the recording of the subdivision plat. The subdivision approval is valid for three (3) years.

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

4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

5. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work'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 preconstruction meeting.

6. If work will occurr 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. The Development Review Coordinator (874-8300 ext. 8722) must be notified five (5) working days prior to date required for final site inspection. 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 there are any questions regarding the Board's actions, please contact the planning staff.

Sincerely,

Cyrus Y. Hagge, Chair
Portland Planning Board

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
Kathi Staples PE, City Engineer
Acting Development Review Coordinator
William Bray, Deputy Director of Public Works
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File
Tom Greer, Pinkham and Greer, 170 US Route One, Falmouth ME 04105

CITY OF PORTLAND, MAINE

PLANNING BOARD

July 24, 1997

Mr. Ric Weinschenk
Cottage Park Inc.
91 Summer Place
Portland ME 04101

RE: Redlon Park Subdivision; Redlon Road

Dear Mr. Weinschenk:

On July 22, 1997 the Portland Planning Board voted 4-2 (Caron and Rodriguez opposed; Carroll absent) on the following motions regarding the 7 lot Redlon Park planned residential unit development:

1. That the plan was in conformance with the Subdivision Review Ordinance of the City Land Use Code with the following conditions:

   i. That executed copies of submitted easements, drainage maintenance agreement and landscape maintenance agreement be submitted for staff review and approval.

   ii. That whatever rights the applicant may have at the end of Redlon Road shall be dedicated to the City as a continuation of the Redlon Road right-of-way, at least to the end of the Thompson property.

   iii. The Homeowners Association shall acquire and maintain a spare pump for the sanitary waste system.

   iv. There shall be a five year extended stormwater management performance guarantee in an amount equal to the dollar cost estimate of the drainage related improvements included in the regular performance guarantee. During the five year period commencing with the release of the regular performance guarantee for site improvements, a drainage monitoring program will be undertaken by the City to evaluate post construction drainage and stormwater conditions for a variety of storm events as they occur. The extended stormwater management performance guarantee resources may be used by the City to mitigate any unforeseen problems, deficiencies, or defects of the stormwater management program and infrastructure on the site, as may be determined to be necessary by the Planning and Public Works authorities and access to the site for these purposes shall be provided by the applicant or the Homeowner's Association to the City or its agents for the purposes so specified.

A. letter from ~~Tom Gorrell~~ or surveyor stating that location shown on plan of paper streets is correct.

B. Label R.O.W at Eunice Frye home.

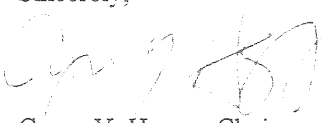
C. Need Tony to look at plan. locate ROWs - survey date for streets.

D. Natalie will check into dedication / NLB has comments

E. This dev. subject to Landscape drainage maint agreement.

If there are any questions regarding the Board's actions, please contact the planning staff.

Sincerely,



Cyrus Y. Hagge, Chair
Portland Planning Board

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
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Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File
Tom Greer, Pinkham and Greer, 170 US Route One, Falmouth ME 04105

INTEROFFICE MEMORANDUM

To: Tom Kane, City Councilor
From: Bruce Bell, Operations Manager
Subject: Drainage Problems on Bancroft Street
Date: June 19, 1997

On June 9, 1997, I received the following e-mail from Bill Bray.

> Bruce, in the vicinity of 118 Bancroft Street there is an annual icing problem during the winter months. Tom Kane was in on Friday and asked if someone would visit the homeowner at 118 Bancroft Street {Mr. Gendron} and discuss the issue with him. Allegedly we have an easement question between his property for drainage. I do know we cut ice there last winter on two occasions. At least lets check it out and then plan a course of action. Please advise me and Tom on the results.
>
> Thanks, Bill

On June 10, 1997, I met with a Mr. Gendron who is living at 118 Bancroft Street, concerning drainage problems on Bancroft Street. In the course of the field inspection, I observed the following:

Water draining onto the street in the winter creating icing conditions from Rockland Avenue on the east side to the first catch basin southbound on Bancroft Street. The land slopes uphill from the street pavement back behind the houses to where there are large outcrops of ledge. During the winter months, the surface water will move from the ledge area under the snow, out onto the street, which then will freeze and cause an ice condition which could result in safety concerning to the traveling public.

Backyard drainage problems from 100 Bancroft Street to Capisic Street on the east side. Backyard conditions indicate poor draining soils which show evidence of where water has been standing and at the time of the inspection was too wet in places to walk on. Mr. Gendron stated that the land located behind the properties which face Bancroft Street is owned by one individual which is now open area, was once wooded and that the present owner of the property had almost all the trees removed which has caused the surface waterflows to increase. He also stated that many of the basements in this location have water problems per the property owner

The ability of a field inlet, located on the east side of Bancroft Street at Capisic Street, to handle the amount of water trying to enter it is a problem. I was shown the field inlet in question by Mr. Gendron and two other residents who stated that on many occasions this inlet would not accept the total flow of water draining from the back yard areas explained above. During the October storm, water flooded the back-yards to an evelation (approx 6') equal to curb elevation at this same intersection. This field inlet enters a catch basin on the corner of Bancroft Street and Capisic Street which is part of the new storm water system which was installed by MDOT at the time of the reconstruction of Capisic Street. MDOT design of this drainage system is of the pass through type. Our ongoing concern with this type of system is if a catch basin anyplace downstream from the field inlet becomes partly blocked to totally blocked, it will affect the total upstream system's ability to accept water.

Street water draining into the first two driveways on the east side of Bancroft Street off Capisic Street due to the grade of the driveways as it relates to the street elevation. The grade of the lawns and driveways are graded downhill from the street pavement edge causing the street water to drain down the driveways and in the case of the second driveway in winter condition, into a garage entrance under the house (The owner was also present).

Next, Mr. Gendron explained that the residents had a major concern with a proposed development which was before the Planning Board which would develop the land behind the houses on the east side of Bancroft Street. I was asked if I felt the drainage from this development would impact the present drainage concerns I had been shown and I stated I felt it would in ways which would be hard to prove. First, surface drainage can be controlled but under conditions like last October would be impossible to design for. Second, is the situation of ledge showing in the area which may be developed. If this ledge has to be blown out for utilities, it could open up drainage which could further impact present drainage problems.

Tom, in closing as I stated to you over the telephone, this could be as big a drainage problem to solve as Bradley Street is. To solve the inlet problem, the present drainage system on Capisic Street will need to be redesigned and rebuilt or bypassed. Bancroft Street will need total reconstruction including granite curb and an underdrain system with it to present storm water system pipe into Capisic Street system. The back-yard drainage problem needs an Engineering study to determine the best solution. Lastly, all of this needs to be budgeted.

If you have any questions, please contact me at 874-8818.

BAB

pc: William J. Bray - Acting Director Public Works
Joseph Gray - Planning
Kathi Staples - City Engineer
Tony Lombardo - Project Engineer

Department of Planning and Urban Development
City of Portland, Maine

MEMORANDUM

To: Mayor Tom Kane

From: Joseph E. Gray, Jr., Director of Planning and Urban Development

Date: July 14, 1998

Subject: Pinning of Redlon Road Development

Last week, you requested that the Planning Office clarify the pinning and survey issues associated with the Redlon Park subdivision. I have asked Sarah Hopkins to research the City's authority and relevant requirements regarding the pinning of lots in subdivisions, and to determine how these requirements apply to Redlon Park. Please see the attached memo.

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Department of Planning and Urban Development
City of Portland, Maine

MEMORANDUM

To: Joseph E. Gray, Jr., Director of Planning and Urban Development

From: Sarah Hopkins, Senior Planner

Date: July 13, 1998

Subject: Redlon Park Pins

According to the subdivision plat, each lot within Redlon Park will have pins set at its corners. This is a requirement of all lots within new subdivisions in the City. These pins allow building inspectors to confirm that buildings are constructed within their lots and meet setback requirements.

Due to the number of private easements crossing the parcel, and the number of concerned neighbors who may have rights within those easements, a note was placed on the subdivision plat prohibiting the construction of any buildings or structures within any easements or private rights-of-way. Furthermore, Sam Hoffses requires that when building permit applications come in, they must include certification from a licensed land surveyor stating that the proposed building is not located within any easements or rights-of-way.

The attached subdivision plat indicates where pins will be set. These pins will allow homeowners to know the extent of their property while also providing benchmarks to measure easements from.

The neighbors have expressed interest in having the private easements/r.o.w.s pinned as well. Rods are not shown for these locations on the subdivision plat. If the easements were public, such as with streets, the City would have the authority to mark such rights-of-way. However, since the easements are private, this becomes a private issue among private property owners and the City has no authority, nor right, to set pins on private property.

cc.: Mayor Tom Kane
Mark Adelson, Director of Housing and Neighborhood Services
Alexander Jaegerman, Chief Planner
Sam Hoffses, City Building Inspector
Penny Littell, Associate Corporation Counsel

O:\PLAN\DEVREVW\REDLONRD\MEMOS\PINS.SH

778 Main Street
Suite 8
So. Portland, Maine 04106
Phone: (207) 775-1121
Fax: (207) 879-0896

DeLuca-Hoffman Associates

Fax

To: MARGE S. From: Jim W

SARAH H.

Fax: 756-8258, 874-3716 Date: 7/15/98

Phone: Pages: 2

Re: Redlon Park.

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Comments:

DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207 775 1121
FAX 207 879 0896

- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- TRAFFIC STUDIES AND MANAGEMENT
- PERMITTING
- AIRPORT ENGINEERING
- SITE PLANNING
- CONSTRUCTION ADMINISTRATION

MEMORANDUM

TO: Marge Schmukel, Code Enforcement
Sarah Hopkins, Senior Planner

FROM: Jim Wendel,P.E., Development Review Coordinator

DATE: July 14, 1998

RE: Minor House Site Plan Review
Lot 7 Redlon Park

Rick Wortley, representing the homeowner, indicated that an amendment to the minimum foundation elevation is requested. The original PRUD approval required an elevation of 83.0. He indicated that they wish to lower the elevation to 81.0.

Based on the relationship of the lot to the overall PRUD parcel and to the road, I believe the request to lower the elevation to 81.0 does not create any drainage or access problems. The house will still be significantly above the road elevation of 79.0 at the drive curb cut. Lowering the house will reduce the visual impact of the house within the subdivision. Consequently, I feel the change is acceptable.

JN1350.10/disk5/redlot7

Alex:
FYI
Penny

Tompkins, Clough, Hirshon & Langer, P.A.
COUNSELORS AT LAW
Three Canal Plaza
Post Office Box 15060
Portland, Maine 04112-5060

BRUCE M. TOMPKINS
LAWRENCE R. CLOUGH
DAVID M. HIRSHON
LEONARD W. LANGER
MARSHALL J. TINKLE

TELEPHONE: 207-874-6700
FAX: 207-874-6705

July 10, 1998

Via Facsimile 874-8497
Charles A. Lane Esq.
Associate Corporation Counsel
City of Portland
389 Congress Street
Portland, ME 04101-3529

Re: Summer Place/Defect Bond

Dear Charlie:

Thank you for your correspondence of July 8, 1998. I disagree with your interpretation of Paragraph 3 of the "Escrow Agreement," dated November 13, 1996. Additionally, the defect guarantee only relates to public improvements which may become defective within one year. Even assuming, arguendo, the pavement is "wearing thin in a couple of spots," there is absolutely no evidence this occurred within one year. The street lighting is not defective. Rather, at the request of the Association, changes in the light fixtures were effectuated and my client was instructed not to complete limited aspects of the lighting. In any event, the lights are owned by the individual homeowners and therefore are not a public improvement. Finally, with respect to the flooding in the northern cul-du-sac, there is no evidence of a defect within one year and any changes relating thereto were undertaken at the request of the City.

Will you please provide me with a copy of the engineer's report. I suggest we then meet to discuss all of the pending issues. I look forward to hearing from you.

Sincerely,

David M. Hirshon

DMH/rcr

Ric Weinschenk/ Builders, Inc.
91 Summer Place, Portland, Maine 04103
207 828 3900 fax 207 775 7703

TO: Sarah H.

FROM: Rick Wortley

DATE: 7/14/98

PAGE 1 of 1

RE: Slab Elevation Lot 7 Redlon (Clegg)

FAX

MESSAGE:

Cottage Park Inc.
91 Summer Place, Portland, Maine 04103
207 828 3900 fax 207 775 7703

TO:Planning and Urban Development/ Att: Sarah Hopkins
FROM:Ric Weinschenk
DATE:7/14/98

Dear Sarah,

This is a request to allow a change in the minimum slab elevation and concrete wall elevation at Lot 7 Redlon Park (Clegg residence) as outlined on the subdision plan sheets C1 & C2. We are proposing a new basement floor elevation of 81. This still easily allows for a gravity foundation drain from 80.3 feet to 76 feet to its daylight elevation.The side of road elevation in this area is 74 feet. As discussed with Jim Wendell this modification will also improve the driveway grade and the direction of any discharge. The new concrete sill elevation that would result shall be 88.5 (as opposed to 90.5) with the main floor at 89.5.

Sincerely,

Ric Weinschenk
President, Cottage Park Inc.

cc: Kenneth and Mimi Clegg