

**CITY OF PORTLAND, MAINE  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS/ENGINEERING - INSPECTIONS**

**TO:** Bill Bray, P.E., Director of Public Works  
**FROM:** Nancy L. Knauber, Associate Engineer  
**DATE:** July 13, 1998  
**SUBJECT:** Redlon Park, Weekly Report - Inspected July 13, 1998  
Ric Weinschenk - 828 - 3900

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**Resident Concerns/ Involved:** I've had no communications with any residents last week., nor was there any activities going on that they had expressed concern about.

C.M.P. was in today to take out their permit to set new poles (they no longer blast).

**Public Works/Inspector's Concerns:**

None at this time. Redlon Rd. was swept last week as per my request.

**Erosion Control:** A few small sections of silt fence are down at this time.

**Work Completed This Week:**

Lot # 7 has been grubbed out  
Lots # 5 & 6 have had some trees taken down,  
Gravel laid for driveway for lot # 5  
Much of the Common Open Space has been cleared  
It looks like part of the Private Right of Way in lot # 4 has been cleared  
Much of stone wall is now up  
Stone has been set at the rear of the house on lot # 6

**Excavation Equipment on Site:**

Back Hoe on tracks  
Small dozer  
Small bucket loader

**Projected Schedule**

They are waiting for their building permit for Lot # 7, so they blast for that lot and the street.

, 1995

RE:

Dear

This letter is to confirm the revision to the approved plan  
of the project located at  
. The approved revision includes  
. The revised plan has been reviewed and  
approved by the project review staff including representatives of the  
Planning, Public Works, Building Inspections, Fire and Parks Departments.

If you have any questions regarding the revision please contact the planning  
staff at 874-8300, extension .

Sincerely,

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

cc: Alexander Jaegerman, Chief Planner  
, Senior Planner  
P. Samuel Hoffses, Chief of Building Inspections  
Jeff Tarling, City Arborist  
Paul Niehoff, Materials Engineer  
William Bray, Deputy Director/City Traffic Engineer  
Kathi Staples PE, City Engineer  
Lt. Gaylen McDougall, Fire Prevention  
Natalie Burns, Associate Corporation Counsel  
Mary Gresik, Building Permit Secretary  
Michael O'Sullivan, Development Review Coordinator  
Kathleen Brown, Assistant Director of Economic Development  
Approval Letter File

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

Department of Planning and Urban Development  
City of Portland, Maine

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City of Portland, Maine

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Alexander Jaegerman, Chief Planner  
Sam Hoffses, City Building Inspector  
Penny Littell, Associate Corporation Counsel

*Sarah  
see me on this  
Jan*

Department of Planning and Urban Development  
City of Portland, Maine

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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

CITY OF PORTLAND

March 18, 1997

Ric Weinschenk  
Cottage Park Inc.  
91 Summer Place  
Portland, ME 04103

Dear Ric:

Enclosed for your review are comments from Steve Bushey and Tony Lombardo, in addition to an engineering assessment for Redlon Park.

We discussed some of these items during our site walk, ie. the sewer service, NRPA permitting, and DEP jurisdictional opinion regarding the stream. There are some more technical questions as well, which Tom Greer should work to answer.

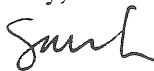
Steve Bushey mentions in his memo, and I strongly agree, that Jeff Tarling will need to walk the site and that the trees to be preserved should be flagged. Specific preservation notes should also be added to the plan.

I have not yet received comments from the Fire Department.

Redlon Park is tentatively scheduled for workshop with the Planning Board on April 8, 1997.

Please call if you have any questions.

Sincerely,



Sarah Hopkins  
Senior Planner

Attachments:

1. Steve Bushey's Memo
2. Tony Lombardo's Memo
3. Engineering Assessment Fee

cc: Alexander Jaegerman, Chief Planner  
Steve Bushey, Development Review Coordinator  
Tony Lombardo, Project Engineer  
Lt. Gaylen MacDougall, Fire Department  
Jeff Tarling, City Arborist



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Sarah Hopkins, Senior Planner *SB (SO)*  
FROM: Steve Bushey, Development Review Coordinator  
DATE: March 14, 1997  
RE: Redlon Park

I have reviewed the following submission materials for the proposed Redlon Park PRUD.

- Redlon Park PRUD Subdivision application dated February 27, 1997.
- Stormwater Management and Erosion Control Plan by Pinkham & Greer dated February 27, 1997.
- Development Plans as follows:

C1	-	PRUD Plan	2/28/97
C2	-	Site Plan	2/28/97
C3	-	Road Profile & Details	2/28/97
C4	-	Details	2/28/97
C5	-	Details	2/28/97
D1	-	Drainage Analysis	2/28/97
		Landscaping and Lighting Plan	

Based on my review the following comments are provided:

Sheet C1

1. Note 9 of the general notes states that the lots will be served by public water and sewer. This should be noted that the utilities within the PRUD are private but will be connected to the public systems in Redlon Road.
2. The applicant should identify the wetland impacts and type of NRPA permit which will be required. Receipt of an NRPA permit should be considered a condition of approval.
3. Note 18 states that ". . . maintenance of the stormwater structures outside of common areas shall be the responsibility of the individual lot owners." This is a concern since individual property owners



cannot be generally relied upon to provide such maintenance. Perhaps this should be the Association's responsibility.

4. The plan identifies a stream passing through the middle of the site. The applicant should provide a jurisdictional opinion on this stream from either the ME DEP or a wetland scientist.
5. The property line symbol is identified as an easement line in the legend.
6. The minimum building setback from external subdivision property lines is identified as 25' on Plan C1, but is identified as 20' on page 5 of Exhibit B - Design Review contained in the application package. This should be clarified.
7. The wetland limits in the vicinity of proposed lot #5 may be incorrectly plotted. The wetland scientist should confirm the accuracy of the wetland limit plotting.
8. A copy of the wetland report should be submitted to the City.

#### Sheet C2

1. A grading plan for the road and lots should be prepared and provided for review.
2. It appears, based on the road profile, that the proposed road grading will extend beyond the adjacent property line to the right of approximately station 12 + 00. This will require an easement or the construction of a retaining wall.
3. The limits of all ponding areas at each culvert should be identified as part of the stormwater management review.
4. Only one hydrant is identified at the end of Redlon Road. The Fire Department should review this and determine if a second hydrant is necessary.
5. The total length of Redlon Road and Redlon Park Road appears to be approximately 750 feet. Is this total dead end length acceptable to the City?
6. Note #2 on Sheet C2 states the flow directions are shown on the plan. None were shown.
7. It appears that at least 5 house lots will require an individual pump for their sanitary sewer. The applicant should provide data for these services including long term maintenance provisions and association responsibilities.

#### Sheet C3

1. It appears that significant blasting of rock will be required for his development. A preblast survey and blasting plan should be submitted by the applicant prior to any approvals or at least at a minimum, as a condition of approval.
2. A detail should be provided for the 2" blowoff on the proposed watermain.

3. The typical road section identifies sideslopes of 2:1. Slopes greater than 3:1 should be stabilized with rip rap or similar stabilization method.

#### Sheet C4

1. Details should be provided for the force main sanitary sewer connections.
2. The Fire Department and Public Works Department should review the fire hydrant detail for suitability to city standards.

#### Sheet C5

1. Two type "E" catchbasin details are shown on Sheet C5. The catch basin with the sump should be provided. It is noted that the granite inlet stone must also be provided.

#### Sheet D1/Stormwater Management Report

1. The total predevelopment and postdevelopment water shed sizes are not the same (4.99 acres vs. 4.8 acres). Is this accurate?
2. The predevelopment versus postdevelopment time of concentration for subcatchment 4 and 40 vary significantly (3.2 min vs. 24.5 min.). The applicant should check the data entry for the predevelopment subcatchment 4.
3. As stated earlier the applicant should provide the ponding limits for each culvert used in the computations. The applicant should also provide the anticipated finish floor elevations for each house lot.

#### Sheet - Landscaping & Lighting

1. It is recommended that the site be reviewed with the City Arborist and that trees which are to remain be flagged/identified.
2. The buffer along the north side of Redlon Road should include additional tree plantings since the existing trees are likely to be removed when the road is constructed.
3. Can the proposed hemlocks along the south side of the lot be increased in size; perhaps 8 - 10' tall trees?

cc: Tony Lombardo, Public Works

**CITY OF PORTLAND, MAINE  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS/ENGINEERING - INSPECTIONS  
M E M O R A N D U M**

**TO:** Sarah Hopkins, Senior Planner  
**FROM:** Tony Lombardo, Project Engineer *ALH*  
**DATE:** March 13, 1997  
**SUBJECT:** Redlon Park - P.R.U.D. Subdivision

The following comments were generated during Public Works/Engineering review of the plans and application received on March 3, 1997:

Sheet C-2 - "Site Plan"

- o ~~CB#1 should be revised to drain northerly towards Lot #3 and outletting where the proposed 15" diameter x 65 foot long culvert outlets. A drainage easement is required where the CB#1 outlet pipe crosses Lot #3.~~
- o How does the applicant propose to provide sewer service to Lots #1-7.
- o Applicant should specify invert elevations of proposed culverts. In addition, applicant should specify the elevation limits of the proposed ponding areas #1 and #2 as described in the stormwater narrative.
- o Applicant should show on site plan the limits of fill that will occur in order to construct Redlon Park Road. This is best accomplished by drawing proposed grade lines on the plan view of the road.

Sheet C-3 - "Road Profile & Details"

- o According to existing records here at Public Works, an additional 102 linear feet of 8" diameter vitrified clay sewer pipe extends westerly out of the last manhole on Redlon Road. The applicant specifies the invert into existing SMH on Redlon Road as 67.00 feet. Actually, the as-built invert elevation is equal to 64.61 feet. The 102 linear feet of sewer pipe slopes westerly at approximately 6% and the ending invert elevation is equal to 70.972 feet. As a result, a proposed gravity sewer draining at a minimum slope of 0.5 percent could only extend to approximately station 12+00. Therefore, the gravity sewer as proposed cannot function. This development will require pumps and a sanitary force main.

These comments are based on the preliminary design submitted. Some comments may duplicate those of Steve Bushey, DRC.

### Engineer Review and Site Inspection Fee Invoice Worksheet

Address: Dadlow RD.

#### Engineering Review

To be filled out by Development Review Coordinator and Public Works at time of application.

##### Planning

# of Hours Estimated: (Private Improvements)

Field Work 4

Memos/Corresp. 6

Review/Analysis 12

Meetings/phone calls 2

Total Hours 24 at 50 per hour

Review Fee (Private): \$ 1392

Stephane Busch  
Development Review Coordinator signature

##### Public Works

# of Hours Estimated: (Public Improvements)

Field Work 1.5

Memos/Corresp. 3

Review/Analysis 3

Meetings/phone calls 1

Total Hours 8.5 at 25.00 per hour

Review Fee (Public): \$ 212.50

Anthony W. Ambrosio  
Public Works Engineer signature

#### Site Inspection

To be filled out by DRC and Public Works at time of Performance Guarantee approval.

##### Planning

Accept 1.7% of Private Improvements P.G.  
\$ \_\_\_\_\_ (dollar amount)

# of Hours Estimated:

Field Work \_\_\_\_\_

Memos/Corresp. \_\_\_\_\_

Review/Analysis \_\_\_\_\_

Meetings/phone calls \_\_\_\_\_

Total Hours \_\_\_\_\_ at \_\_\_\_\_ per hour

Alternate Inspection Fee (Private): \$ \_\_\_\_\_

\_\_\_\_\_  
Development Review Coordinator signature

##### Public Works

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Meetings/phone calls \_\_\_\_\_

Total Hours \_\_\_\_\_ at \_\_\_\_\_ per hour

Alternate Inspection Fee (Public): \$ \_\_\_\_\_

\_\_\_\_\_  
Public Works Engineer signature

March 13, 1998

Sam Hoffses  
Inspector, City of Portland  
City Hall  
Congress Street  
Portland, Maine

RE: LOT#6 - REDLON PARK

Dear Mr. Hoffses,

As a result of field measurements made on March 13, 1998, the foundation for a house on Lot # 6 in Redlon Park Subdivision does not fall within the area of the existing private right of way.

It was also found to be clear of the area reserved for a 40-foot roadway, and located all on Lot # 6.

Respectfully,

*Daniel J. Dufonso #1172*  
Daniel J. Dufonso  
Land Surveyor  
119 Scamman Street  
South Portland, Maine 04106





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:** Sarah Hopkins, Senior Planner  
Steven Piela, Associate Engineer  
Tony Lombardo, P.E. Engineer  
Todd Merkle, Field Inspections Coordinator  
Nancy Knauber, Associate Engineer  
Ric Weinschenk/Builders Inc.  
Chief McDougal, Portland Fire Department

**FROM:** Jim Wendel, Development Review Coordinator

**DATE:** March 10, 1998

**RE:** Redlon Park  
Construction Blasting

---

On February 24, 1998 Steve Piela and myself met with Colonel Thompson, relative of an abutter to the project at 29 Redlon Road, to discuss his concerns with regard to past and future blasting for the project.

Colonel Thompson stated that some of the past blasting for the project shook the house sufficiently to allow a painting and large mirror on the wall to move out of a plumb condition, and to open a floor cabinet in the kitchen and allow a platter to roll out onto the floor. He is very concerned about this situation happening again and the potential for the groundwater pattern changing such that additional seepage will occur in his basement. He feels there is a greater risk of problems because the distance from the house to the blasting will only be 40' - 50' away when blasting occurs in Redlon Road verses a couple hundred feet or more in the previous blasting. Also, Mr Thompson showed me a location in his basement that he expects to see a siesmograph placed when the blasting in Redlon Road begins. Finally, he is very concerned about the effects of the blasting on his uncle; Mr Thompson had just brought home his uncle from a nursing home.

He asked me what was I going to do about his concerns. I indicated to him that I would recommend that the project owner present a revised blasting plan to the appropriate City staff noting the changes, if any, in the existing blasting program in response to a somewhat different set of blasting conditions; i.e. closer to the houses. I also recommend that the plan is clear as to how monitoring of the blasting will be performed.

Should you have any questions please call.

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

December 16, 1997

Ric Weinschenk Builders  
91 Summer Place  
Portland, Maine 04103

Dear Mr. Weinschenk,

After reviewing the approved Redlon Park PRUD, I am of the opinion that most, if not all, of the proposed housing lots will require a registered land survey to position the foundation on each particular lot.

This is to notify you that I am requiring that the surveyor insure that all set backs to right of ways, easements and lot lines are met.

Should you have any questions regarding this matter, please do not hesitate to contact me at 874-8704.

Sincerely,

P. Samuel Hoffses  
Chief Building Inspector  
City of Portland

cf: J. Gray, Dir, PUD  
M. Adelson, Dir, Hsg & Comm Svcs Div  
M. Nugent, Insp Svcs Mgr

**CITY OF PORTLAND, MAINE  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS/ENGINEERING - INSPECTIONS  
M E M O R A N D U M**

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These comments are based on the preliminary design submitted. Some comments may duplicate those of Steve Bushey, DRC.



COTTAGE PARK, INC.  
16 PARK CIR  
CAPE ELIZABETH, ME 04107

1477

52-7445/2112  
BRANCH 35

PAY  
TO THE  
ORDER OF

*City of Portland*

*14 NOV 1997*

\$ *1176.91*

*one thousand one hundred seventy six and 91/100 DOLLARS*



FOR

*inspection fees / return*

*[Signature]*

⑈001477⑈ ⑆2112744501⑆ 0290 84663⑈

⑈0000117691⑈

## COTTAGE PARK, INC.

91 Summer Place, Portland, Maine 04103  
207 828 3900 fax 207 775 7703

Sarah Hopkins  
Senior Planner  
City of Portland  
Portland, Me 04103

March 17, 1998

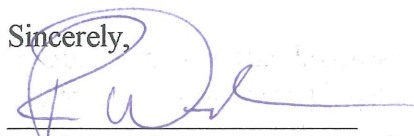
Dear Sarah,

We have received an undated but "updated" invoice along with Alexander Jaegerman's letter of March 9, 1998. The invoice as it now stands raises many questions that we need answers for.

- 1) This invoice is updated from what? We have not previously received an invoice.
- 2) Our records show we paid \$1176.91 (check photocopy enclosed) not the \$1102.00 indicated. Where does this amount come from?
- 3) \$1176.91 represents 1.7% of the Bond amount as required by the permit process. Why are there extra charges and if they are authorized when was this new process adopted?
- 4) We would request a breakdown of all past and future (estimated) charges. It is important that we know who did the inspections, when they inspected and at whose request the inspections were made.
- 5) What's a Gerber study? Is the study available for review?

It has come to our attention that all permits (not just Redlon permits as stated in Alex's letter) had been temporarily withheld until this "invoice" is paid. Given the already lengthy amount of time it takes to process a simple building permit and the fact that the building process is the life blood of this company it is imperative that this request receive immediate attention. These fees are being billed to Cottage Park, Inc., the developer. Why is my construction company and therefore our customers and your taxpayers being penalized? We do have permits in process. The "invoice" appears to contain errors and lacks specific information that might allow one to blindly pay such a large additional expense. I await your prompt response.

Sincerely,



President, Cottage Park, Inc. & Ric Weinschenk/Builders

COTTAGE PARK, INC.  
16 PARK CIR  
CAPE ELIZABETH, ME 04107

1477

52-7445/2112  
BRANCH 38

PAY  
TO THE  
ORDER OF

*City of Portland*

*14 NOV 1997*

\$ *1176.91*

*one thousand one hundred seventy six and 91/100 DOLLARS*



**Peoples Heritage Bank**  
MEMBER FDIC  
PORTLAND, MAINE 04101

FOR

*inspection fees/redken*

*[Signature]*

⑈001477⑈ ⑆211274450⑆ 0290 84663⑈

⑈0000117691⑈

**RIC WEINSCHENK/BUILDERS INC.**

91 Summer Place, Portland, ME  
207-828-3900 / fax 207-775-7703

**FAX**

To: Sarah Hopkins

From: R.W.

Re: \_\_\_\_\_

3-23

date: 3-18-98

pages: 3 2

Sent by mail  
319

3-23 resent letter to Sarah

President, Cottage Park, Inc. & Rio Weinschenk/Builders

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Dear Sarah,

Sarah Hopkins  
Senior Planner  
City of Portland  
Portland, Me 04103

March 17, 1998

**COTTAGE PARK, INC.**  
91 Summer Place, Portland, Maine 04103  
207 828 3900 fax 207 775 7703

Department of Public Works



Nadeen M. Daniels  
Assistant City Manager  
Director

**CITY OF PORTLAND**

William J. Bray  
Deputy Director

June 9, 1997

Thomas S. Greer, P.E.  
Pinkham and Greer  
Consulting Engineers, Inc.  
170 U.S. Route One  
Falmouth ME 04105

**RE: Sanitary Sewer Capacity to Handle Anticipated Wastewater Flows from the Proposed Planned Residential Unit Development (P.R.U.D.) to be called "Redlon Park", and to be located at the dead end of Redlon Road**

Dear Mr. Greer:

The existing eight inch diameter, vitrified clay, sanitary sewer pipe located in Redlon Road, and the sewage treatment facilities, in the City of Portland, have adequate capacity to transport and treat the anticipated wastewater flows of 1890 GPD, from your proposed P.R.U.D., to be located at 33 Redlon Road, City of Portland.

Proposed Wastewater Flows from the Proposed P.R.U.D.	
Proposed 7 three-bedroom residential units @ 270 GPD	= 1890 GPD
Total Proposed Wastewater Flows for this Project	= 1890 GPD

The City is requesting that you remove storm water at a five to one level of your anticipated increase in wastewater flow (i.e. 5 X 1890 GPD = 9450 GPD) or obtain removal credits from the City. Stormwater inflow should be calculated on the basis of a three month recurrence interval storm.

Regarding the question put to you, by the Department of Planning & Urban Development, I would say that pumps should pose no greater risk for sewer line failure, in Redlon Park.

If I can be of further assistance, please call me at 874-8832.

Sincerely,  
**CITY OF PORTLAND**  
*Frank Brancely*  
Frank J. Brancely, B.A., M.A.  
Senior Engineering Technician

FJB:jw

pc: Joseph E. Gray, Director, Department of Planning & Urban Development, City of Portland  
Katherine A. Staples, P.E., City Engineer  
William B. Goodwin, P.E., Environmental Projects Engineer, City of Portland  
Anthony Lombardo, Project Engineer, City of Portland  
desk file

*Sarah Hopkins*

greer.doc

CITY OF PORTLAND



DEPARTMENT OF PUBLIC WORKS  
OPERATIONS / ENGINEERING SECTION  
55 PORTLAND STREET  
PORTLAND, MAINE 04101  
(207) 874-8300 Telephone  
(207) 874-8852 FAX Line

FAX TRANSMITTAL COVER PAGE

DATE: 4/9/97

SEND TO Sarah Hopkins

COMPANY/ORGANIZATION: PLANNING

FAX NUMBER: 756-9258

FROM: Tony Lombardo

TELEPHONE/EXTENSION: (207) 874-8300 EXT. 8848

NUMBER OF PAGES INCLUDING COVER SHEET 3

OPTIONAL MESSAGE Piedmont Park - comments

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TO:** Sarah Hopkins, Senior Planner  
**FROM:** Tony Lombardo, Project Engineer  
**DATE:** 4/9/97  
**SUBJECT:** Redlon Park--off Redlon Road in Portland

*The following comments were generated during Public Works Engineering review of the plans and supporting documentation submitted on March 26, 1997:*

**Sheet C-2**

- *The applicant proposed to connect the sanitary force main directly into the proposed S.MH. at station 1+51.79. Since the City of Portland will service the gravity sewer between this proposed manhole and the existing manhole on Redlon Road, Public Works requires the following:*
  1. *The force main should connect into a cleanout*
  2. *A gravity sewer should then exit the cleanout with a minimum of 10 linear feet of pipe*
  3. *The short length of gravity sewer should then inlet into the proposed S.MH. at sta. 1+51.79.*
  
- *The proposed 12 inch dia. x 67 feet long aluminized type II culvert located at approximately sta. 13+80 does not appear to have adequate cover. Sheet C-3, Road Profile, verifies this, specifying only 12 to 15 inches of cover which is not adequate.*



### Engineer Review and Site Inspection Fee Invoice Worksheet

Address: REDLON PARK - off Redlon Rd.

#### Engineering Review

To be filled out by Development Review Coordinator and Public Works at time of application.

##### Planning

##### Public Works

# of Hours Estimated: (Private Improvements)

# of Hours Estimated: (Public Improvements)

Field Work \_\_\_\_\_

Field Work —

Memos/Corresp. \_\_\_\_\_

Memos/Corresp. 0.75

Review/Analysis \_\_\_\_\_

Review/Analysis 0.75

Meetings/phone calls \_\_\_\_\_

Meetings/phone calls —

Total Hours \_\_\_\_\_ at \_\_\_\_\_ per hour

Total Hours 1.5 at 25 per hour

Review Fee (Private): \$ \_\_\_\_\_

Review Fee (Public): \$ 37.<sup>50</sup>

\_\_\_\_\_  
Development Review Coordinator signature

Anthony W. Lubardo  
Public Works Engineer signature

#### Site Inspection

To be filled out by DRC and Public Works at time of Performance Guarantee approval.

##### Planning

##### Public Works

Accept 1.7% of Private Improvements P.G.  
\$ \_\_\_\_\_ (dollar amount)

Accept 1.7% of Public Improvements P.G.  
\$ \_\_\_\_\_ (dollar amount)

# of Hours Estimated:

# of Hours Estimated:

Field Work \_\_\_\_\_

Field Work \_\_\_\_\_

Memos/Corresp. \_\_\_\_\_

Memos/Corresp. \_\_\_\_\_

Review/Analysis \_\_\_\_\_

Review/Analysis \_\_\_\_\_

Meetings/phone calls \_\_\_\_\_

Meetings/phone calls \_\_\_\_\_

Total Hours \_\_\_\_\_ at \_\_\_\_\_ per hour

Total Hours \_\_\_\_\_ at \_\_\_\_\_ per hour

Alternate Inspection Fee (Private): \$ \_\_\_\_\_

Alternate Inspection Fee (Public): \$ \_\_\_\_\_

\_\_\_\_\_  
Development Review Coordinator signature

\_\_\_\_\_  
Public Works Engineer signature

**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.

**From:** Natalie Burns  
**To:** sh  
**Date:** 11/10/97 9:12am  
**Subject:** Redlon Park

I got a revised pedestrian easement from the attorney. It specifically includes bicycles and wheelchairs, including motorized wheelchairs. The easement is over Redlon Park Road, which is described as starting at the terminus of Redlon Road, the public street. Is this description correct? Was this the only area that was supposed to have public access? I can't remember the details of the access requirements.

He also sent the proposed street/public easement dedication deed, which looks ok except that he didn't send the property description. I have requested that and will get it to you so that you can have whoever reviews these now do so.

I will give you one guess as to the typo in the easment deed; hint: it occurs in the word public.

DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT

JOSEPH E. GRAY, JR.  
DIRECTOR

Redden Park:

- 1) Verify survey and location of proposed buildings and improvements in relation to platted streets...
- 2) Show the limit of accepted streets relative to the project.
- 3) Deed dedicating developer's interest in that portion of Redden Rd. beyond current accepted portion to the extent of end of the Thompson property.

Sarah -

We should touch  
base on this  
with Rick  
on Monday.

(Alan)

From: William Sudd  
To: W  
Date: 11/13/97 4:18pm  
Subject: Redlon work

Here are the results of our review of the Standard Boundary Survey for Rick Weinschenk and the Redlon Park Subdivision Plan:

1. The Easement and Lot 7 on the subdivision plan do not close mathematically (2 foot misclosure).
2. The location of the "private right-of-ways" on both plans is vague. The location is only shown graphically on the sub plan; some (but not all) bearings and distances are labelled on the subdivision plan. Also, no streets widths are labelled on either plan.

It would also be beneficial to have some kind of a statement from the surveyor on either plan describing more clearly the status of these "private right-of-ways" - maybe some kind of disclaimer regarding who may have rights to use these properties. Such a note would put future lot owners on notice that there may exist people who have rights to access portions of these lots.

3. There is a conflict between two distances as labelled on the subdivision plan, and how those distances scale. See the line labelled "N 84-58-57 W 21.74' and W0.06'".
4. Note 3 on the subdivision plan does not define the elevation datum (i.e. assumed elevations? City datum? Mean low-water? etc.)
5. Approximately 30 "proposed" iron pipes or rods are shown on the subdivision plan. We should make sure that these property markers actually do get set on the face of the earth before the project is completed.

If any of these findings are unclear as stated, please contact me for clarification. Thanks.

CC: KAS, WBC, AWT.

## PUBLIC WORKS ENGINEERING MEMORANDUM

To: Rick Knowland, Senior Planner  
From: Tony Lombardo, P. E., Project Engineer  
Date: 7/19/97  
Subject: Redlon Park

The following comments were generated during Public Works/Engineering review of the plans and supporting material dated July 15, 1997:

- On sheet C2, the paved surface of the proposed "snow plow turnaround", is only 17 feet wide. The City of Portland Technical and Design Standards requires a minimum of 20 feet of paved width. This surface should match the proposed street width of 22 feet for ease of construction and maintenance.
- Public Works is still requesting the applicant provide additional paved surface on the right side of Redlon Park Road to accommodate City of Portland snow plow operations. It is the policy of Public Works to request this of each new residential development. Snow plow operations may not seem important to the applicant, however since winter can last as long as 6 months, a snow embankment left by City plow crews will be a major inconvenience to the potential new home owners of Redlon Park. The City of Portland will have to respond to this situation and the applicant will no longer be involved. The City would prefer to avoid this problem altogether.
- The applicant proposes to drain runoff from Lot 7 southerly, towards the "snow plow turnaround". The City is requesting the applicant divert this runoff more northeasterly around the "snow plow easement". Runoff directed at the easement will result in ponding problems at the driveway entrance to Lot 7 and Redlon Park Road during freeze/thaw periods.
- Public Works is still requesting the applicant notify R.W. Gillespie of all blasting dates and have a representative on site during all blasting activities. A blasting report will be submitted to the City upon completion of all blasting.
- Pinkham & Greer letter dated July 15, 1997, states in item # 13 that "first floor elevations are well above the road. Basement elevations are at the overflow elevation or very near to it." I assume the overflow elevation to Bancroft St. is specific to the 25 year storm event, however, this should be clarified. The elevations provided do not completely validate the statement in item #13, since the applicant provides a basement slab elevation for 154 Bancroft Street and not any of the other homes. More information is needed.

cc: Tom Kane, Councilor  
William J. Bray, P.E., Acting Director of Public Works  
Bruce A. Bell, Operations Manager  
Katherine A. Staples, P.E., City Engineer

CITY OF PORTLAND, MAINE  
M E M O R A N D U M

TO: Chairman Hagge and Members of the Planning Board

FROM: Natalie L. Burns, Associate Corporation Counsel

DATE: June 13, 1997

RE: Redlon Park

At the Board's last meeting, several members of the Board raised concerns about different subdivision and site plan issues arising out of the application. It is my understanding that the applicant has submitted a revised plan that may address some or all of the concerns. In this memorandum, I will list the concerns raised by the Board, along with the sections of the ordinance to which the concerns relate, and discuss the procedure that may be followed at the meeting on June 24.

At the next meeting, the Board will hear again from the applicant. If there are substantial changes, you may wish to reopen public comment, limited to the changes. At the end of your deliberations, you may choose to make one of three motions: to table the application to another meeting, to approve the application under the site plan and subdivision ordinances (with or without conditions), or to deny the project. If you make either a motion to approve or a motion to deny, you must have four votes for a final action. If you do not have four votes for a motion to approve or a motion to deny, you should follow that vote with the opposite motion. If that also fails to receive four votes, the application will be tabled to your next meeting.

The following is a list of concerns expressed by one or more members of the Board, along with the applicable ordinance section:

1. The applicant has failed to make connections to surrounding streets. These connections are required by §14-498(b)(2), the subdivision technical standards. The proposed plan isolates this project from surrounding land with a proposal for dead end street that do not allow for current or future connections to existing streets in the area, rather than providing ingress and egress for surrounding acreage tracts, as required by the ordinance and the City's Technical and Design Standards and Guidelines.

2. The layout and design of the street system, with its lack of street connections also fails to meet the requirements of the City's Transportation Plan, which is an element of the City's Land Use Plan. As a result, the plan does not meet the subdivision review standard set forth in §14-497(10) of the Portland City Code.

3. The proposed plan does not provide for sidewalks on the



*Review  
For Redlon  
Park Project*

CITY OF PORTLAND, MAINE  
M E M O R A N D U M

**TO:** Chairman Hagge and Members of the Planning Board  
**FROM:** Natalie L. Burns, Associate Corporation Counsel  
**DATE:** May 28, 1997  
**RE:** Redlon Park

At the last workshop on this project, the Planning Board raised questions about two legal issues. The first of these was the sufficiency of the letter of financial capacity. The second was the appropriate means for protecting vegetation on the site.

Section 14-525(c)(10) of the Site Plan Ordinance requires:

Evidence of financial and technical capacity to undertake and complete the development including, but not limited to, a letter from a responsible institution stating that it has reviewed the planned development and would seriously consider financing it when approved, if requested to do so[.]

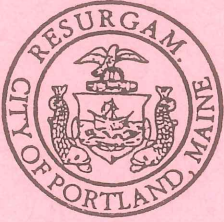
The applicant has provided a letter from Peoples Heritage Bank stating that it would be willing to finance the project, in addition to a list of the technical and support staff for the project. This is consistent with the requirements of the ordinance and with submissions from other developers.

Staff has provided the applicant with a proposed maintenance agreement for plantings on the site. The agreement is similar in terms to a drainage maintenance agreement and gives the City the right to perform certain work if the owners do not do so. The Board may also want to require additional language in the Association documents that prohibit changing buffering or conservation areas shown on the subdivision and site plans without the prior approval of the City (this would go in Sec. 7A of the By-Laws). The City cannot enforce the terms of the Association documents, but it would have enforcement authority under both the proposed maintenance agreements and the subdivision and site plans.

Natalie L. Burns  
Associate Corporation Counsel

NLB:lab

cc: Joseph E. Gray, Jr., Director, Planning & Urban Development



**CITY OF PORTLAND**  
**Planning and Urban Development Department**

**MEMORANDUM**

**TO:** Richard Knowland, Senior Planner

**FROM:** Steve Bushey, Development Review Coordinator *SB*  
*(SAP)*

**DATE:** July 11, 1997

**RE:** Redlon Road

As a follow up to my last review memorandum I would like to provide the following additional comment.

1. The applicant should investigate the potential to provide additional means of on-site stormwater management by possibly constructing a berm along the western property. As we discussed at the July 3rd staff meeting, additional storage of stormwater runoff might be achieved by placing a berm and an outlet device across the natural drainageway. This is only a suggestion and another means of achieving the goal of minimizing site discharge may be more suitable. I leave that determination to the applicant's engineer.



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Sarah Hopkins, Senior Planner *SHB (SO)*  
FROM: Steve Bushey, Development Review Coordinator  
DATE: March 14, 1997  
RE: Redlon Park

I have reviewed the following submission materials for the proposed Redlon Park PRUD.

- Redlon Park PRUD Subdivision application dated February 27, 1997.
- Stormwater Management and Erosion Control Plan by Pinkham & Greer dated February 27, 1997.
- Development Plans as follows:

C1	-	PRUD Plan	2/28/97
C2	-	Site Plan	2/28/97
C3	-	Road Profile & Details	2/28/97
C4	-	Details	2/28/97
C5	-	Details	2/28/97
D1	-	Drainage Analysis	2/28/97
		Landscaping and Lighting Plan	

Based on my review the following comments are provided:

Sheet C1

1. Note 9 of the general notes states that the lots will be served by public water and sewer. This should be noted that the utilities within the PRUD are private but will be connected to the public systems in Redlon Road.
2. The applicant should identify the wetland impacts and type of NRPA permit which will be required. Receipt of an NRPA permit should be considered a condition of approval.

Note 18 states that "... maintenance of the stormwater structures outside of common areas shall be the responsibility of the individual lot owners." This is a concern since individual property owners

cannot be generally relied upon to provide such maintenance. Perhaps this should be the Association's responsibility.

4. The plan identifies a stream passing through the middle of the site. The applicant should provide a jurisdictional opinion on this stream from either the ME DEP or a wetland scientist.
5. The property line symbol is identified as an easement line in the legend.
6. The minimum building setback from external subdivision property lines is identified as 25' on Plan C1, but is identified as 20' on page 5 of Exhibit B - Design Review contained in the application package. This should be clarified.
7. The wetland limits in the vicinity of proposed lot #5 may be incorrectly plotted. The wetland scientist should confirm the accuracy of the wetland limit plotting.
8. A copy of the wetland report should be submitted to the City.

#### Sheet C2

1. A grading plan for the road and lots should be prepared and provided for review.
2. It appears, based on the road profile, that the proposed road grading will extend beyond the adjacent property line to the right of approximately station 12 + 00. This will require an easement or the construction of a retaining wall.
3. The limits of all ponding areas at each culvert should be identified as part of the stormwater management review.
4. Only one hydrant is identified at the end of Redlon Road. The Fire Department should review this and determine if a second hydrant is necessary.
5. The total length of Redlon Road and Redlon Park Road appears to be approximately 750 feet. Is this total dead end length acceptable to the City?
6. Note #2 on Sheet C2 states the flow directions are shown on the plan. None were shown.
7. It appears that at least 5 house lots will require an individual pump for their sanitary sewer. The applicant should provide data for these services including long term maintenance provisions and association responsibilities.

#### Sheet C3

1. It appears that significant blasting of rock will be required for his development. A preblast survey and blasting plan should be submitted by the applicant prior to any approvals or at least at a minimum, as a condition of approval.
2. A detail should be provided for the 2" blowoff on the proposed watermain.

3. The typical road section identifies sideslopes of 2:1. Slopes greater than 3:1 should be stabilized with rip rap or similar stabilization method.

#### Sheet C4

1. Details should be provided for the force main sanitary sewer connections.
2. The Fire Department and Public Works Department should review the fire hydrant detail for suitability to city standards.

#### Sheet C5

1. Two type "E" catchbasin details are shown on Sheet C5. The catch basin with the sump should be provided. It is noted that the granite inlet stone must also be provided.

#### Sheet D1/Stormwater Management Report

1. The total predevelopment and postdevelopment water shed sizes are not the same (4.99 acres vs. 4.8 acres). Is this accurate?
2. The predevelopment versus postdevelopment time of concentration for subcatchment 4 and 40 vary significantly (3.2 min vs. 24.5 min.). The applicant should check the data entry for the predevelopment subcatchment 4.
3. As stated earlier the applicant should provide the ponding limits for each culvert used in the computations. The applicant should also provide the anticipated finish floor elevations for each house lot.

#### Sheet - Landscaping & Lighting

1. It is recommended that the site be reviewed with the City Arborist and that trees which are to remain be flagged/identified.
2. The buffer along the north side of Redlon Road should include additional tree plantings since the existing trees are likely to be removed when the road is constructed.
3. Can the proposed hemlocks along the south side of the lot be increased in size; perhaps 8 - 10' tall trees?

cc: Tony Lombardo, Public Works

# City of Portland Planning Department

City Hall  
389 Congress Street, 4th Floor  
Portland, Maine 04101  
FAX NUMBER: 756-8258

## FAX TRANSMISSION COVER SHEET

To: Richard Jones

From: Sarah Hopkins

Fax #: 874-8107

# of Pages: 1

Date: 5/8/97

RE: Redlon Rd. PRUD

- 7 lot residential subdivision/PRUD at the end of Redlon Rd, off Stevens Avenue
- Each of the 7 homes will have 3-4 bedrooms
- Range in price from \$150-\$200,000.

Does this give you enough information?

If you do not receive all of the pages, please call 874-8721.

Thanks for all your help.

Sarah  
X 8720

**From:** ALEX JAEGERMAN  
**To:** Steve  
**Date:** 2/24/98 9:01am  
**Subject:** Redlon- site problems -Reply

Steve - Thanks for the message. Please copy Sam Hoffses and Sarah Hopkins so they are aware of any site issues.

>>> Steven Piela 02/24/98 07:48am >>>

The silt fence on site has been completely destroyed by construction.

In my last memo the upper half of the site was still protected. This is not the case now. I call Rick Weinchenk and ask him to take a look at this. If you could forward relay this message to Jim Wendell for his next site visit he may be able to reinforce the issue if needed.

**CC:** SH, SPH

Sarah - This gentleman lives at 192 Stevens Avenue and he has some concerns about the blasting going on at Redlon. He wanted to know if there was some kind of a schedule or something of the blasting that is going on. His house shook quite a bit today and he is concerned because his house is about 150 years old. I spoke with Jim Wendel and he said that there isn't an actual schedule. I called Mr. Waxman back and told him to go and speak with the guys who are doing the blasting to get a better idea of what is going to be going on. Mr. Waxman spoke with Lt. McDougal and he is going to have a blasting guy go out to his house and see if the blasting did any damage or anything. Mr. Waxman seemed content with what I told him but if you have a minute could you call him. I told him you would call because you were the one who is handling the project but that you probably didn't know anymore than what I told him. Thanks!



## MEMORANDUM

**TO:** Sam Hoffses, Code Enforcement  
Sarah Hopkins, Senior Planner  
Alex Jaegerman, Chief Planner  
Joe Gray, Jr., Director, Planning and Urban Development  
Weinschenk Builders, Cottage Park Inc.; 91 Summer Pl., Portland ME 04101

**FROM:** Jim Wendel, Development Review Coordinator

**DATE:** February 2, 1998

**RE:** Redlon Park PRUD  
Project Status Report

On February 2, 1998, I visited the site as part of the construction monitoring of the project. Below is the current status of the construction:

1. Blasting of the ledge in the roadway is essentially complete.
2. The culvert at "culvert crossing 2" is installed. This culvert was required to be installed prior to issuing any building permit within the project. The installation appears to be appropriate. No other pipe systems or embankment work has been started.
3. The owner's representative informed me that blasting of the ledge outcrop within lot #6 has been allowed prior to a building permit for the lot. The request was made to take advantage of the fact that the blasting company is on site and the house site application had been submitted for review. This work has started.
4. I informed the owner's on-site representative that all the silt fence disturbed along the roadway due to construction activity needs to be repaired as soon as possible. He indicated that it would be started today. I also included the silt fence on lot #6 since they will be blasting ledge and likely disturbing soil.

Should you have any questions, please call.

**CITY OF PORTLAND, MAINE  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS/ENGINEERING - INSPECTIONS**

**TO:** Bill Bray, P.E., Director of Public Works  
**FROM:** Nancy L. Knauber, Associate Engineer  
**DATE:** August 11, 1998  
**SUBJECT:** Redlon Park, Weekly Report  
Ric Weinschenk - 828 - 3900

---

**Resident Concerns/ Involved:** Blasting is finished in Redlon Road (thank goodness). I am not aware of any claims filed by residents.

Ric did need to blast some remaining ledge in Lot # 7 on Aug. 6th this resulted in complaints from a Motley St. resident.

**Public Works/Inspector's Concerns:** We need to view the existing sewer main, when Ric ties on to it. We weren't able to get our camera all the way up the pipe when we T.V.ed it. We did find a hole in the existing pipe, and no decision (at this time) has been made to replace that pipe.

Jim Wendel has asked to be notified when the gravel is placed in the private roadway.

**Erosion Control:** There are two areas where the fence needs to be reattached.

**Work Completed This Week:** He dug out lot # 7 and has started the foundation

**Excavation Equipment on Site:**

Back Hoe on tracks  
Small dozer  
Small bucket loader

**Projected Schedule:** Sewer and water line are to be installed in a few weeks.

NLK:nlk

**cc:** Joe Gray, Director of Planning  
Alex Jeagerman, Chief Planner  
Sarah Hopkins, Planner  
Jim Wendel, Development Review Coordinator  
Bruce A. Bell, Operations Manager  
Katherine A. Staples, P.E., City Engineer  
Anthony W. Lombardo, P.E., Project Engineer  
Todd F. Merkle, Field Inspections Coordinator  
Steven Piela, Associate Engineer  
Project File

S.H.

**CITY OF PORTLAND, MAINE  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS/ENGINEERING - INSPECTIONS**

**TO:** Bill Bray, P.E., Director of Public Works  
**FROM:** Nancy L. Knauber, Associate Engineer  
**DATE:** July 7, 1998  
**SUBJECT:** Redlon Park, Weekly Report - Inspected July 6, 1998  
 Ric Weinschenk - 828 - 3900

RES. PHONE # 5

**Resident Concerns/ Involved:** See attached list of residents (for your file)

Lt. Robert Thompson (Michael) Fire Prevention Officer of the Portland Fire Dept. told me that Mr. Campitellie of # 7 Redlon Road, and Mr. Campitellie wants a seismic meter placed on his foundation before blasting occurs. Mr. Campitellie is concerned about the blasting for the C.M.P. pole; but C.M.P. informed me that they no longer blast, I informed Lt. Thompson of this.

Sam Hoffses has informed residents that the work in Redlon Rd. will soon begin and will require blasting.

**Public Works/Inspector's Concerns:**

Lt. Robert Thompson (Michael) Fire Prevention Officer of the Portland Fire Dept. came by to see me on July 1. He explained to me that the Fire Dept. issues blanket blasting permits which allow a company to blast any where in the city for one year. The only requirement is that notify the Fire Dept. before they blast.

**Erosion Control:** In very good condition.

**Work Completed This Week:**

They are continuing to build stone walls and to grade lot # 4

**Excavation Equipment on Site:**

- Back Hoe on tracks
- Small dozer
- Small bucket loader

**Projected Schedule**

They are waiting for their building permit for Lot # 7, so they blast for that lot and the street.

## Redlon Park - Conserved Residents

		N.L.K. 7/1/98
<b>Redlon Road</b>		
Left Side		Right Side
<p><b># 16 - 18</b> Mrs. Amato Daughter Mr. O'Brien of Stevens Ave.</p>		<p><b># 7</b> Linda &amp; Bob Campitellie Organized Neighborhood 773 - 0782 Want seismic meter during blasting</p>
<p><b># 22 - 24</b> Mrs. Alice Thompson 773 - 6235 Her nephew handles her concerns Want seismic meter during blasting (See June 28 report)</p>		<p><b># 21 - 23</b> <b>Do Not Give Out</b> Nancy Tkacz (W) 773 -0782 Works long hours</p>
<b>Stevens Ave.</b>		
Left Side		Right Side
<p><b># 124</b> M/M O'Brian 878 - 2031</p>		<p><b># 136</b> Unknown at this Time</p>

S. W. COLE ENGINEERING, INC.

REPORT OF GRADATION  
ASTM C-117, C-136

Project No. 98742  
Date 11/01/98

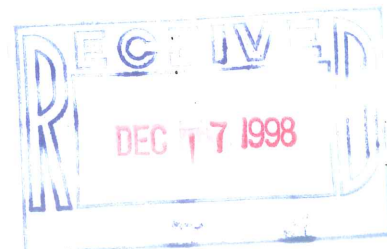
Project REDLON PARK  
Client RIC WEINSCHENK BUILDERS  
Sample No. 1, GRAVEL, PHINNEY PIT

MDOT TYPE C  
PROJECT  
Specifications %

<u>Sieve Size</u>	<u>Percent Passing</u>	<u>Specifications %</u>
3 "	100	
2 "	87	
1 1/2 "	77	
1 "	73	
3/4 "	71	
1/2 "	68	
1/4 "	63	25- 70
# 4	61	
# 10	54	
# 20	33	
# 40	13	0- 30
# 60	7	
# 100	4	
# 200	3.1	0-5.0

MOISTURE - DENSITY TEST

ASTM D-1557 Method C  
Maximum Dry Density : 130.0 pcf  
Optimum Moisture Content : 7.0 %



PROJECT: REDLON PARK  
 CLIENT : RIC WEINSCHENK BUILDERS

JOB NUMBER: 98742  
 PAGE 1

FIELD DENSITY TEST RESULTS

TEST #	TEST DATE	TECH INIT	TEST LOCATION	ELEV FEET	DEPTH INCHES	SAMPLE/ CURVE #	--- IN PLACE ---		COMPACTION PERCENT	REQUIRED COMPACTION
							MOISTURE CONTENT PERCENT	DRY DENSITY PCF		
1	10/29/98	GWB	REDLON ROAD STA 3 + 70 5'R	.0	8	1	5.2	131.4	99.5	95.0
2	10/29/98	GWB	REDLON ROAD STA 12 + 70 CL	.0	10	1	5.1	129.3	97.9	95.0
3	10/29/98	GWB	REDLON ROAD STA 11 + 25 6'L	.0	8	1	4.5	129.1	97.8	95.0

ELEVATION NOTES:

- 1) TOP OF SUBBASE

COMMENTS:

LABORATORY COMPACTION TEST REFERENCE

SAMPLE/ CURVE #	DATE RECEIVED	SAMPLE SOURCE	SOIL DESCRIPTION	TYPE OF TEST	METHOD	OPTIMUM MOISTURE CONTENT PERCENT	MAXIMUM DRY DENSITY PCF
1	5/05/98	PHINNEY PIT	SUBBASE GRAVEL	ASTM D-1557	C	7.8	132.0

COMMENTS:

- 1 ) PROCTOR FROM SWC #98-287

292

# Know all Men by these Presents, That

I, George T. Edwards of Portland, County of Cumberland and State of Maine,

in consideration of One Dollar and other valuable considerations paid by Nathan E. Redlon of Portland, County of Cumberland and State of Maine,

the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said Nathan E. Redlon, his

Edward's  
To  
Redlon

heirs and assigns forever, all right title and interest in and to Right of way or easement over the grantor, his heirs and assigns in and over three certain streets the first named street known as Trotley Street on plan of Brighton said street being described as follows: Beginning at a point on the south westerly side of Lighthouse Avenue which front has two hundred (200) feet southwesterly from the south westerly side of Humboldt Street; thence along said Brighton Avenue fifty (50) feet to a point thence from these two points southwesterly and at right angles to Brighton Avenue one thousand and sixty (160) feet to a point thence deflecting twenty seven degrees and twenty minutes (27° 20') towards the West and holding a bearing of fifty (50) feet a distance of two hundred and twenty four (224) feet, more or less to the intersection of the southerly cord of lot numbered one hundred and twenty five (125) as shown on plan of Brighton; thence from this point extending slightly towards the South until said lines join the lines of a subdivision of said street to be laid out through land of said Redlon.

The second named street being Caroline Street and the third named street being June Street of reference as to description of both of which said named streets see Unit Claim Deed from George Libby to George T. Edwards dated November 19, 1902 and recorded in Cumberland County Registry of Deeds, Book 726, Page 12.

TO HAVE and to HOLD the same in common with the grantor his heirs and assigns the said Nathan E. Redlon, his heirs and assigns forever, together with all the privileges and appurtenances thereunto belonging, to them

And I do covenant with the said Grantor, his heirs and assigns, that I will warrant and forever defend the promises to them the said Grantor, his heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through or under me.

In Witness Whereof, I the said George T. Edwards and Caroline A. Edwards wife of the said George T. Edwards joining in this deed as Grantor, and relinquishing all conveying her right by descent and all her other right to wit the above described premises have hereunto set our hands and seals this twenty third day of May in the year of our Lord one thousand nine hundred and six.

Signed, Sealed and Delivered in presence of  
S. Edgar Whitaker Geo. T. Edwards Seal  
Caroline A. Edwards Seal

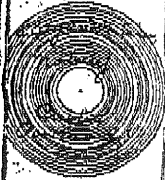
State of Maine.

Cumberland, ss. Portland, May 23, 1906.

Personally appeared the above named George T. Edwards and acknowledged the above instrument to be his free act and deed.

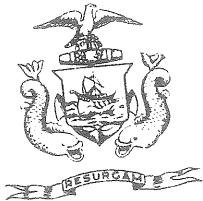
BEFORE ME, S. Edgar Whitaker Justice of the Peace, Notary Public.  
RECEIVED July 18, 1906 at 10 o'clock 39 m. A. M. and recognized according to the original.

ATTEST, W. T. Easton Register.



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CITY OF PORTLAND, MAINE



Tom V. Kane  
City Councilor - District 3

May 9, 1997

Dear Neighbor,

As promised, enclosed are the standards by which the Planning Board will judge the proposed Redlon Woods 7 Unit Planned Residential Housing project. City staff are preparing a summary of the primary questions asked last night and I will send those to you shortly.

Thank you for attending the meeting and sharing your thoughts and concerns regarding the project. Please feel free to contact me if you have any questions.

Sincerely,

*Tom Kane*

Tom Kane  
City Councilor, District 3

P.S. I am also enclosing the list of those who attended the meeting for your information.



# SUBDIVISION STANDARDS

## LAND USE

§ 14-497

- b. At any time after the sale of any lot therein and by written instrument, signed by the city and all owners of record of lots shown on the plat, declaring the same to be vacated and describing therein the part or portion to be so vacated.

Any instrument so executed vacating all or a portion of any plat shall be duly filed and recorded in the county registry of deeds. The execution and recording of the instrument described in subsection (4)b. above shall vest fee simple title to the centerline of the street, alley or easement for public passage so vacated in the owners of abutting properties. Title to property located within the vacated streets, alleys or easements for public passage shall pass to abutting property owners free and clear of any rights of the public or other owners of lots shown in the plan, but subject to the rights of the owners of any public utility installations which have been previously erected therein.

(Code 1968, § 603.7; Ord. No. 158-68, § 10, 5-6-68; Ord. No. 149-79, 6-6-79; Ord. No. 127-87, §§ 5, [12], 2-18-87; Ord. No. 95-88, §§ 1, 2, 7-19-88; Ord. No. 155-89, § 5, 11-20-89; Ord. No. 177-93, §§ 1, 2, 1-4-93)

**Editor's note**—Ord. No. 95-88, adopted July 19, 1988, amended subsections (2) and (3) of this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 95-88.

### → Sec. 14-497. General requirements.

(a) *Review criteria.* When reviewing any subdivision for approval, the planning board shall consider, among others, the following review criteria and before granting approval shall determine that the proposed subdivision:

- (1) Will not result in undue water or air pollution. In making this determination it shall at least consider the elevation of land above sea level and its relation to the flood plains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; the conformity to the applicable state and local health and water resources regulations;
- (2) Has sufficient water available for the reasonably foreseeable needs of the subdivision;
- (3) Will not cause unreasonable burden on an existing water supply;
- (4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
- (5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highway or public roads existing or proposed;
- (6) Will provide for adequate sanitary waste and storm water disposal and will not cause an unreasonable burden on municipal services if they are utilized;
- (7) Will not cause an unreasonable burden on the ability of the city to dispose of solid waste and sewage if municipal services are to be utilized;

(e) *Construction records and inspection.*

- (1) The project engineer and city engineer shall have the right to enter and inspect the construction site during all phases of the project to ensure compliance with this article.
- (2) After approval of the subdivision plat and prior to the construction of any of the subdivision's public improvements, the subdivider shall supply the city engineer with a complete set of engineering drawings on mylar or linen showing all streets, sanitary sewers and surface water drains and all appurtenant work within the subdivision.
- (3) The subdivider shall provide the project engineer with a complete and accurate list of any changes from the engineering drawings as approved by the planning board prior to the release of the performance bond.

(Code 1968, § 603.8; Ord. No. 158-68, § 10, 5-6-68; Ord. No. 149-79, 6-6-79; Ord. No. 127-87, §§ 6, [13], 2-18-87; Ord. No. 155-89, § 6, 11-20-89; Ord. No. 15-92, § 31, 6-15-92; Ord. No. 221-93, 5-17-93)

**Sec. 14-498. Technical and design standards.**

(a) *Adoption and amendment of standards:* The public works authority may promulgate technical and design standards for subdivisions and site plans. Such technical and design standards or any amendments thereto shall become effective only upon approval of the planning board following a public hearing before the planning board. In approving the technical and design standards, the planning board may direct staff to make changes with respect to format and text but, to the extent that standards are based upon sound engineering practice, shall not direct changes in the standards themselves. Such standards shall be additional to and consistent with the provisions of this article and shall be necessary and reasonable and shall be in accord with sound engineering practice. The public works authority shall maintain for public inspection current copies of the effective standards.

(b) *Street plan:*

- (1) All streets shall be platted along contour elevations which result in minimum grades and greatest visibility whenever practicable, with consideration given for anticipated use of the land.
- (2) 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.
- (3) Reserve strips or spite strips for unspecified or unacceptable purposes are prohibited.
- (4) Street right-of-way widths shall not be less than:
  - a. Fifty (50) feet for marginal access street;
  - b. Fifty (50) feet for minor street;
  - c. Sixty (60) feet for collector street.

# SITE PLAN STANDARDS

## LAND USE

§ 14-526

on the site plan. No action, other than an amendment approved by the planning authority or planning board, and field changes approved by the public works authority as provided herein, by any authority or department shall authorize any such modification or alteration. Field changes by the public works authority are limited to minor variation necessary to deal with unforeseen difficulties that arise during the course of construction involving such technical detail as utility location and substitution of equivalent plantings and shall not include any substantial alteration of the approved plan or change any condition imposed by the planning board.

(m) *Expiration of application.* A site plan application must be diligently pursued from the date of submission. The planning authority shall notify the applicant in writing whether the application is complete. If an application is not complete, the written notice shall set forth those items which have not yet been submitted and that the applicant will have one hundred twenty (120) days to complete its application. An application for development which is not yet complete may be scheduled for an informational workshop session with the planning board, which shall not be considered a substantive review under this article. The applicant must submit all items which are outstanding within one hundred twenty (120) days of the date of the notice from the planning authority requiring additional information, a revision of the plan, or other submissions. If the applicant fails to submit any item specified within one hundred twenty (120) days of the date of said notice from the planning authority, the application shall expire and shall be deemed null and void. Nothing in this section shall prevent the planning board or planning authority from requiring additional information as otherwise permitted or required by the terms of the article.

(n) *Post-approval submissions.* Following site plan approval and prior to issuance of any building permit, the developer shall submit copies of the contract plans and specifications, in reproducible form, showing the design of all infrastructure improvements, including without limitation all streets, sewers, drainage structures and landscaping, for the review and approval of the public works authority for compliance with its technical standards. Thereafter, all departures from such plans shall be approved by the public works authority as field changes pursuant to subsection (l) above. Nothing herein shall diminish the obligation of the developer to supply plans or specifications as provided in this article.

(Ord. No. 355-89, 7-17-89; Ord. No. 233-90, 2-21-90; Ord. No. 286-90, 4-2-90; Ord. No. 122-91, §§ 2, 3, 9-16-91; Ord. No. 15-92, § 32, 6-15-92; Ord. No. 176-93, §§ 1-3, 1-4-93)

### → Sec. 14-526. Standards.

(a) *Requirements for approval.* The planning board or planning authority shall not approve a site plan unless it meets the following criteria:

- (1) The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways; and the incremental volume of traffic will not create or aggravate any significant hazard to safety at or to and including intersections in any direction where traffic could be expected to be impacted; and will not cause traffic congestion on any street which

- (9) The provision for exterior lighting will not be hazardous to motorists traveling on adjacent public streets; is adequate for the safety of occupants or users of the site; and such lighting will not cause significant annoyance, glare or undesirable spill-over onto adjacent properties;
- (10) The development will not create fire or other safety hazards and provides adequate access to the site and to the buildings on the site for emergency vehicles;
- (11) The proposed development is designed so as to be consistent with off-premises infrastructure, existing or planned by the city;
- (12) Any industrial development will prevent undue adverse environmental consequences, including without limitation any substantial diminution to the value or utility of neighboring structures or significant hazard to the health or safety of persons residing in the vicinity by controlling the sound levels, particulates, and other emissions it generates;
- (13) For development within the R-P zone, where there is a consistent established architectural style or character to the existing structures in the immediate vicinity in which the development is proposed, that the concurrently visible architectural style or character of the proposed development would not be incongruous to that established style or character;
- (14) Planned residential unit developments in the R-3, R-5 or R-5A residential zones and manufactured housing parks shall meet the following standards:
  - a. *Design relationship to site:* The layout and design of buildings, roadways, parking areas, open space, recreation amenities, landscaping, drainage facilities and control mechanisms and other site improvements are organized to complement and accentuate the natural topography, vegetation, streams, water features, and other existing features of the site, and the solar orientation provides natural light within dwelling units, in outdoor open space and in recreation areas.
  - b. *Internal design character and relationship to surrounding neighborhood:* The design and layout of the development and buildings exhibit a cohesive design character and complement existing development in the surrounding neighborhood by virtue of such features as architectural style, height, scale and massing, character of exterior facades and roofs, circulation, open space, landscaping, and the transition of scale and massing with the surrounding neighborhood. Buildings with more than two (2) dwelling units or greater than forty (40) feet in length shall provide variation in roof and facade character through changes in facade setback, roof configuration, and projecting or recessed building elements.
  - c. *Recreation and open space:* All open spaces on the site shall be integrated into the development and designated on the site plan. Each development shall have the following features:
    1. *External buffers:* An effective and permanent screening from neighboring properties and roadways;

4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas;
  5. The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets;
- b. Two-family or multiple-family dwellings shall not be converted to lodging houses unless all units in the building have been vacant for at least one (1) year prior to the date conversion is sought or unless the individual multiple-family units are less than one thousand (1,000) square feet in size. In no event shall any single-family dwelling in the R-5 or R-6 zone be converted in whole or in part to a lodging house.
- (16) Development located within the B-3 zone shall also meet the following standards. Adequacy in meeting these standards will be evaluated on the basis of descriptions and illustrations in the Downtown Urban Design Guidelines. Nothing in this section is intended to discourage creative and responsive design or to mandate similarity or mimicry of design in order to achieve the standards herein:
- a. *Relationship to the pedestrian environment:*
    1. *General:* The exterior design of portions of buildings within the first thirty-five (35) feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment. Factors to be considered include the design, placement, character and quality of the following:
      - (a) Storefronts and building facades, including such factors as relationship to adjacent or nearby structures or open space, pedestrian character, materials and detailing, transparency and contemporary design;
      - (b) Building entrances, including such factors as compatibility with the building's facade, prominence along the street, access to the street, and accessibility for physically handicapped or for those with special needs;
      - (c) Blank facades; and
      - (d) Special features, such as selective use of such features as building arcades and skywalks or elevated walkways.
    2. *Pedestrian activities district (PAD):* In addition to subsection 1 of this section, proposed development located within the pedestrian activities district (PAD) overlay zone, as shown on the pedestrian activities district map, a copy of which is on file in the department of planning and urban development, shall be designed and constructed to accommodate pedestrian-oriented uses at the street level. In determining such design, the following factors should be considered:
      - (a) The exterior design of the street level building facade, including the placement of entrances, potential entrances, and window openings;

- (d) Facade proportion and composition;
  - (e) Pedestrian circulation and building entrances;
  - (f) Parking.
2. *Standards for increasing setback beyond street build-to line:* A proposed development may exceed maximum setbacks as required in section 14-220(3) only where the applicant demonstrates to the planning board that the introduction of increased building setbacks at the street level:
- (a) Provides substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest. Such amenities may include without limitation plazas, outdoor eating spaces and cafes, or wider sidewalk circulation areas in locations of substantial pedestrian congestion;
  - (b) Does not substantially detract from the prevailing street wall character by introducing such additional setback at critical building locations such as prominent form-defining corners, or create a sense of discontinuity in particularly consistent or continuous settings;
  - (c) Does not detract from existing publicly accessible open space by creating an excessive amount of open space in one (1) area or by diminishing the viability or liveliness of that existing open space; and
  - (d) The area of setback is of high quality and character of design and of acceptable orientation to solar access and wind impacts as to be attractive to pedestrian activity.
- c. *Roof top appurtenances:* All mechanical equipment, ventilating and air conditioning and other building systems, elevators, stairways, radio or television masts or equipment, or other rooftop elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building, as described and illustrated in the Downtown Urban Design Guidelines;
- d. *Shadow impact on open space:* The location, massing and orientation of portions of buildings in excess of sixty-five (65) feet in height shall be such that substantial shadow impacts on public plazas, parks, and other publicly accessible open space are avoided. In determining the impact of shadows, the following factors shall be taken into account: the amount of area shadowed, the time and duration of the shadow, and the importance of sunlight to the utility of the type of open space being shadowed, as described and illustrated in the Downtown Urban Design Guidelines;
- e. *Wind impacts:* The location, massing, orientation and architectural design of a new building or a building addition shall be such that no significant adverse wind impacts are created. In determining the impact of winds, the following factors shall be taken into account: the pre-development and projected post-development wind speeds and their impact on pedestrian movement, comfort and safety; and

- c. Sign lighting shall be designed to avoid glare. unshielded light sources and light spillover toward the sky. All light sources shall be shielded or provided with a diffuser lens so that lamps and bulbs are not visible to pedestrians or drivers of vehicles.
- (23) An applicant for minor site plan review of a sign denied for failure to comply with the requirements of section 14-369.5 shall meet the following standards for approval of such a sign under this division:
- a. The size, scale, proportions, design, materials, placement, and source and intensity of illumination of any signage approved shall be designed to complement and enhance the architectural attributes of the building(s) to which they are attached or to which they are visually related. In addition, such signs shall be appropriate to the scale and character of the neighborhood in which the sign is located, and shall be designed to suit the conditions from which it will be viewed, especially in relation to the distance, travel speed, and mode of travel of the viewing public;
  - b. The signage shall either be of special design merit or shall respond to unique circumstances associated with the subject property;
  - c. The signage shall have no detrimental impact upon the neighborhood;
  - d. The provisions of this subsection shall be limited to commercial uses in business or industrial zones, industrial uses or institutional uses.

(b) *Conditions.* Notwithstanding the provisions of subsection (a), the planning authority or planning board may impose any condition upon its approval of any site plan: (1) to minimize or abate any adverse impact of the proposed development on the value or utility of other private property, or on public property or facilities, to the extent feasible; or (2) to bring the development into compliance with the requirements of subsection (a); or (3) to minimize any other adverse environmental effects of the proposed development. Such conditions may include, but are not limited to, enclosing of equipment or operations, imposing limitations upon the hours of operation, or requiring the employment of specific design technologies, modes of operation, or traffic patterns, and may also include the construction of, or financial contribution to the construction of, on- or off-premises public facilities including, without limitation, streets and sewers impacted by the development. All such conditions shall be consistent with the purposes set forth in section 14-521.

(c) *Statement of findings.* All findings and decisions by the planning board or by the planning authority, denying or conditionally approving any site plan, shall be made in writing or reduced to writing promptly thereafter and shall state the reason(s) therefor sufficiently to apprise the applicant and any interested member of the public of the basis for the decision. (Ord. No. 355-89, 7-17-89; Ord. No. 202-89, 12-18-89; Ord. No. 234-90, 2-21-90; Ord. No. 236-90, §§ 1, 2, 2-26-90; Ord. No. 33-91, § 16, 1-23-91; Ord. No. 244-91, § 1, 3-11-91; Ord. No. 33A-91, § 10, 4-17-91; Ord. No. 176-93, § 4, 1-4-93; Ord. No. 253-94, § 2, 4-4-94; Ord. No. 254-94, 4-4-94)

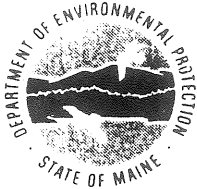
#### **Sec. 14-527. Appeals.**

(a) When the planning authority has finally approved or disapproved a site plan, any person aggrieved may appeal the decision to the planning board within ten (10) days of the

- 1 Nancy & Bill WARNOCK - 36 June St 774-190
- 2 Linda & Bob Campitelli - 7 Redlon Rd 773-078
- 3 DAWN DERICE - 21 REDLON RD 773-5083 (973-5651)
- 4 NANCY BOYCE <sup>28 HARMON RD Pk</sup> (EUNICE FRYE HOME) 773-8653 (Home)
- 5 Doris V. Chapman <sup>(also Eunice Frye Home)</sup> 32 Anson Rd. 772-1694 (Home)
- 6 Mickey & Emmett M. Brien 124 Stevens Ave 774-3274
- 7 Jim & Helen King 115 Capric St. 772-4013
- 8 TRACY A. & VINCENT L. DEVLIN 99 CAPRIC ST. 741 4587
- 9 Kathy & Louie Germani 76 Bancroft St 775 3498
- 10 Andrea & Glenn Fortier 34 Kenilworth St. 775-0731
- 11 Bob & Laura Carten 39 Kenilworth St 775-0479
- 12 Bill & Ruth Green 22 Rockland Ave 773 8619
- 13 STEVE & SHEILA LEADBETTER 83 CAPRIC ST 773-7003
- 14 Maureen Castello 102 Rockland Ave. 772-6690
- 15 Bob Provencher 154 Stevens Ave. 773-9697
- 16 NICK MAVODONES 127 WOLCOTT ST. 774-5136
- 17 Barbara Rick 7 Stoneledge Dr. 773 6197
- 18 Nancy Giard 4 Colonial Court 772-1146
- 19 GILBERTE DAVIS 118 Wolcott St. 773-2035
- 20 Chris & Ellen Pisoni 36 Stevens Ave 871-8049



2	Carleton Winslow	19 Capisic St.	773-8281
22	Debi V. Dowd	75 Machigonne St	773-6250
	Michelle Adles	City Hall	
23	Shawn Robinson	33 Bancroft St	761-0991
24	Mark & Julie Sengelmann	29 June St	761-2929
25	Richard + Nanette Norden	137 Bancroft St.	774-8055
26	DAN WAXMAN & WIFE	192 Stevens	774-8210
27	Cathy & Jerry Bruno	445 Brighton	773-8922
	Dorey-Anna Richards Waxman	192 Stevens	774-8210
28	Carbace Myers	9 Kenilworth St	761-5840
29	GREG DISMORE	25 MOTLEY ST.	774-7119
30	Everyn B Kumiszczak	55 Kenilworth ST.	774-2548
	Joseph F Kumiszczak	" " "	" "
31	Storia M. Cates	48 Rockland Ave.	774-1655
	FRANCIS E. Cates	48 Rockland Ave	774-1655
32	Virginia L. Kern	154 Bancroft Street	772-1062
33	Roger & Donna Gendron	118 Bancroft St	774-6830
34	Camen Bailey	143 Bancroft St.	761-3911
35	Sue LaSala	45 Kenilworth St.	774-5706
	Hannah LaSala	45 Kenilworth St.	774-5706
36	Meghan Bailey	143 Bancroft St.	761-3911
	MAYOR JOHN McDonough	1327 Westbrook St.	774-3349
37	Richard & Ayla	42 Kenilworth	773-7127
38	Antonio DiMillo Jr.	164 Bancroft St.	774-9195
39	William O'Neil	101 Bancroft St	761-0483



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

**Tier 1 / Tier 2 Decision**

Applicant Name & Address: Cottage Park  
91 Summer Place  
Portland, ME 04103

DEP Project Number: 97-183-S  
CORPS Number: 199700932

Description of Work: Fill approximately 13,200 square feet of forested freshwater wetland for the construction of a 7 lot residential subdivision off Redlon Road in Portland.

Permit for:	<input checked="" type="checkbox"/> Tier 1	<input type="checkbox"/> Tier 2
Date of Joint Review:		
DEP Decision:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied (see attached letter)
CORPS Action:	<input checked="" type="checkbox"/> Approved ↗	<input type="checkbox"/> Ineligible (see attached letter)
	<input type="checkbox"/> enclosed	
	<input type="checkbox"/> pending (see below)	
	<input checked="" type="checkbox"/> letter forthcoming directly from Maine Project Office	

Approval Pending: The Corps, Maine Project office, has recommended approval of your project, however, the final decision will be forthcoming directly from their regional office headquarters.

Special Conditions:

Standard Conditions:

- If approved, this permit is good for two (2) years from the date signed and is transferable only with prior approval from the Department.
- The project must be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- Erosion control measures must be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- A copy of this approval will be sent to the City of PORTLAND. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

This decision satisfies the Water Quality Certification requirement.

Please note the attached sheet for guidance on appeal procedures. If you have any questions regarding this, please contact Dawn Hallowell at 207-822-6300.

  
EDWARD O. SULLIVAN, COMMISSIONER

May 5, 1997  
DATE

cc: file  
City of Portland

---

CITY OF PORTLAND, MAINE



Tom V. Kane  
City Councilor - District 3

April 27, 1997

Dear Neighbor,

I have received a number of calls and letters from neighbors of Redlon Woods and Wetlands who are very concerned about the proposed 7 unit development on that site.

They are worried about the proposal in general and the following issues in particular:

- Ledge blasting;
- Drainage problems;
- Destruction of wetlands, vernal pools and wildlife habitats;
- Traffic; and
- Capacity of water supply and sewer

Therefore, we are having a neighborhood meeting to educate and organize ourselves on **Thursday, May 8, 1997 at 7:00PM at St. Patrick's Church Hall on Congress Street.**

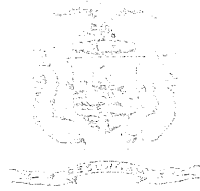
Representatives from the city and state will be available for questions.

Thank you and I hope to see you there.

Sincerely,

*Tom Kane*

Tom Kane  
City Councilor, District 3



CITY OF PORTLAND

June 6, 1997

Mr. Alan Prosser  
BAS, Inc. / Alan Auto Volvo Service  
195 St. John St.  
Portland, ME. 04102

Re: Response to your questions faxed 5/29/97

Dear Mr. Prosser:

The following items are listed in response to your list of questions faxed to me on 5/29/97. I trust that you will find this useful in preparing for the Planning Board's Tuesday June 10, 1997 public hearing on the Redlon Park development proposal.

1. *Have all matters been resolved to the satisfaction of complainants at the Cottage Park Project with regard to drainage issues?*  
The persons impacted by the drainage issues were actually from both Cottage Park and Brook Road. We are currently performing remedial loam and seed work on the lawn of one resident on Brook Rd., however, the project completion last spring appears to have resolved the issues.
2. *Whose responsibility was it to resolve drainage problems at this site?*  
Both the City of Portland and Ric Weinschenk Builders shared responsibility in this project.
3. *How long did this work take?*  
The City's project took a little over a month, mostly Nov. 27, 1995 to Dec. 15, 1995 with landscaping the following spring.
4. *Was litigation involved in affecting a resolution to drainage issues?*  
No
5. *If litigation was involved were the plaintiffs compensated for legal fees? By whom?*  
N/A
6. *Has the City of Portland been fully reimbursed for costs involved in correcting drainage problems on the PRUD portion of this site?*  
The City of Portland never demanded reimbursement for this work.
7. *What were the natures of all the residents and neighbors complaints to the City regarding Cottage Park other than drainage?*  
The Department of Public Works and its Engineering Section were only involved in resolving the drainage issues. You may want to discuss this question with the Planning Department and / or its Building Inspections Division.
8. *How much was the Cottage Park project bonded for? Did this amount cover cost of repairs borne by the City? What was the duration of the bond?*  
That figure would be available from the Planning Department files as they arrange for bond coverage at the time of application approval. No bond moneys were utilized for the

drainage remediation work performed by the City. The City did retract a "defect guarantee" in the amount of \$14,646.00 which was returned to Ric Weinschenk Builders upon his successful completion of drainage work on the Cottage Park site.

9. *How many people were affected by problems reported to the City?*

Several properties both on Brook Rd. and within Cottage Park were affected by the drainage issue. That is the only problem which was addressed by Public Works Engineering staff.

10. *Are there currently any other projects underway by Weinschenk?*

Yes, an 18 unit PRUD called "Willow" located off Mitton and Lassell Streets. "Summer Place", another PRUD located off Ocean Ave. was completed last season.

11. *Has Engineering received complaints about other Weinschenk projects? If so, which ones?*

Yes, an abutter to the Summer Place development contacted my office last season to express his concern that drainage from that project was impacting his property on Presumpscot Street. He was advised to discuss his issue with the Planning Department to find resolution, as their staff was responsible for reviewing and evaluating the original development proposal and inspecting on-site work. Since Mr. Weinschenk's developments are typically built on marginal sites, we do get many questions and comments on a variety of issues. Our most common question is to have site conditions changed after they have been built to approved standards.

Should you need any clarification regarding this information, please contact me at 874-8830.

Sincerely,  
CITY OF PORTLAND



Katherine A. Staples, P.E.  
City Engineer

KAS/kas

pc: William J. Bray, P.E., Acting Director  
Bruce A. Bell, Operations Manager  
Tony Lombardo, Project Engineer  
Rick Knowland, Senior Planner  
Natalie Burns, Associate Corporation Counsel  
Steve Bushey, Deluca-Hoffman Associates, Inc.

ALAN PROSSER  
7786968

CITY OF PORTLAND  
ENGINEERING  
KATHERINE STAPLES

DEAR KATHERINE,

HERE IS THE LIST OF QUESTIONS I NEED YOU TO ADDRESS BASED ON INFORMATION FROM THE WEINSCHENK FILE. I MAY POSSIBLY NEED TO REVIEW THE FILE NEXT WEEK BUT AM HOPING THAT ANSWERS TO THESE QUESTIONS WILL SUFFICE. THANKS FOR YOUR HELP.

- 1) HAVE ALL MATTERS BEEN RESOLVED TO THE SATISFACTION OF COMPLAINANTS AT THE COTTAGE PARK PROJECT WITH REGARD TO DRAINAGE ISSUES?
- 2) WHOSE RESPONSIBILITY WAS IT TO RESOLVE DRAINAGE PROBLEMS AT THIS SITE?
- 3) HOW LONG DID THIS WORK TAKE?
- 4) WAS LITIGATION INVOLVED IN AFFECTING A RESOLUTION TO DRAINAGE ISSUES?
- 5) IF LITIGATION WAS INVOLVED WERE THE PLAINTIFS COMPENSATED FOR LEGAL FEES? BY WHOM?
- 6) HAS THE CITY OF PORTLAND BEEN FULLY REIMBURSED FOR COSTS INVOLVED IN CORRECTING DRAINAGE PROBLEMS ON THE PRUD PORTION OF THIS SITE?
- 7) WHAT WERE THE NATURES OF ALL THE RESIDENTS' AND NEIGHBORS' COMPLAINTS TO THE CITY REGARDING COTTAGE PARK OTHER THAN DRAINAGE?
- 8) HOW MUCH WAS THE COTTAGE PARK PROJECT BONDED FOR? DID THIS AMOUNT COVER COST OF REPAIRS BORN BY THE CITY? WHAT WAS THE DURATION OF THE BOND?
- 9) HOW MANY PEOPLE WERE AFFECTED BY PROBLEMS REPORTED TO THE CITY?

10 Are there currently any other projects underway by Weinschenk?

11 ~~Are there~~ Has engineering received complaints about other Weinschenk projects - if so which ones

attachment 1

Linda Campitelli  
7 Redlon Rd.  
Portland ,Me. 04102  
4/25/97

Director of Projects  
Department of Environmental Protection  
Southern Maine Regional Office  
312 Canco Road  
Portland, Me. 04103

Dear Director,

We, and the neighbors and abutters of the proposed Redlon Park development by Ric Weinschenk , request a public hearing to express our opposition to this project . We have a video, photographs and on-site presentation of this space which includes ledge, woods and Wetlands.

Sincerely,

Linda and Bob Campitelli

cc  
Mr. Joseph Gray-Planning Board Director  
Planning Board Office  
4th Floor  
City Hall  
Portland, Maine 04101

Department of Environmental Protection  
Bureau of Land and Water Quality  
State House Station 17  
Augusta, Me. 04333-0017

Tom Kane  
71 Rosemont Ave.  
Portland , Maine 04103

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.

P.S. Please read attachment 1 which was hand delivered on 4/25/97 to DEP and Planning Board on 4/25/97  
4/25/97

Sincerely,

 Linda +  
Bob Campitelli



Linda and Robert Campitelli  
7 Redlon Rd.  
Portland, Me. 04102

Alexander Jaegerman  
Planning Board Executive Officer  
Planning Board-4th Floor  
City Hall  
Portland, Me. 04101

Dear Mr. Jaegerman,

In reference to Ric Weinschenk's Redlon Park development proposal, we have become aware of two issues that warrant additional research and consideration. The first one is the issue of the Eunice Frye Home and its historical significance. Before being named the Eunice Frye Home, it was the Mary Brown Home. Before being the Mary Brown Home, it was the Stroudwater Meeting House. Additionally the old Schoolhouse is located next to this spot.

The second issue is in reference to the deeded rights of way as explained in the deeds of the proposed sight. It appears that these deeded rights of way continue, and are recognized, in the current deed. This goes beyond the issues of the paper streets, in that these rights of way are deeded and binding.

Enclosed are two deeds that bring to light these two above-mentioned issues. We do have additional deeds that more fully explain these rights of way. More extensive research on both topics needs to be conducted as well as a historical study of this sight. We will not be able to make these studies if this proposal is approved. Consequently, a historical discovery and part of our past could be lost. This would most assuredly be sad for the present and the future.

Sincerely,  
Linda and Bob Campitelli

cc: Tom Kane

17924

Instr 19936 Bk 9557 Pa 225

7 Pa 224

**WARRANTY DEED**  
(Maine Statutory Short Form)

he  
and,

KNOW ALL MEN BY THESE PRESENTS, that Donalco, Inc., a corporation organized and existing under Maine law, with a place of business in South Portland, Cumberland County, Maine, for consideration paid, grants to Housing Resources Corporation, of Portland, Cumberland County, Maine, with a mailing address of 428 Cumberland Avenue, Portland, Maine 04101, the real property in Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land with the buildings thereon, situated at the westerly terminus of Redlon Road in said City of Portland, being more particularly bounded and described as follows:

Beginning at a point which marks the most southeasterly point in Redlon Road as presently laid out;

Thence North 85°06' West one hundred two feet (102') to an iron;

Thence North 76°22'30" West five hundred eighty-five and fourteen hundredths feet (585.14') to an iron;

Thence North 38°49' East five hundred forty-seven and seven hundredths feet (547.07') to an iron;

Thence South 34°32'30" East two hundred sixty-five and ninety-two hundredths feet (265.92') to an iron;

Thence continuing on the same course one hundred sixty-two and eighty-four hundredths feet (162.84') to an iron;

Thence along the westerly sideline of Caroline Street as proposed in a southerly direction nineteen and twenty-eights hundredths feet (19.28') to an iron;

Thence North 85°33' East ninety-eight and three hundredths feet (98.03') to an iron;

Thence South 02°41' West one hundred ninety-three and ninety-five hundredths feet (193.95') to the point of beginning.

The above-described premises are conveyed together with and subject to all rights-of-way as contained in a deed from Franklin G. Redlon to Edna L. Taylor dated July 29, 1938 and recorded in said Registry in Book 1558, Page 15.

MAINE REAL ESTATE TRANSFER TAX PAUL

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resident  
of Maine

Recorded  
and County  
of Deeds  
10:54:07 AM  
P. Titcomb  
Register

*A*

Instr 19836 Ek 9557 Ps 226

Reference is made to the deed of Donald R. Peters, Trustee of Grace Street Trust dated June 30, 1989, recorded in Cumberland County Registry of Deeds, Book 8833, Page 29.

IN WITNESS WHEREOF, the said Donalco, Inc. has caused this instrument to be signed and sealed by Donald R. Peters, its President, this 13<sup>th</sup> day of May, 1991.

WITNESS:

Walter E. Webber

DONALCO, INC.

BY: Donald R. Peters  
Donald R. Peters  
Its President

STATE OF MAINE  
Cumberland, ss.

May 13, 1991

Personally appeared the above-named Donald R. Peters, President of Donalco, Inc., and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.

Before me,

Walter E. Webber  
Notary Public/Attorney-at-Law  
Walter E. Webber

Recorded  
Cumberland County  
Registry of Deeds  
05/15/91 11:31:11AM  
Robert P. Titcomb  
Register

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KNOW ALL MEN BY THESE PRESENTS, That I, Franklin G. Redlon of Portland in the County of Cumberland and State of Maine, in consideration of one dollar and other valuable consideration, paid by Edna L. Taylor of said Portland, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Edna L. Taylor, her heirs and assigns forever, a certain lot or parcel of land situated on the northerly side of Capisic Street in said Portland, bounded and described as follows: Beginning on said Capisic Street on the northerly side at the southwesterly corner of the land of the Mary Brown Home, formerly of the Stroudwater Meeting House; thence northerly along said Mary Brown Home land nine (9) rods eleven (11) links, more or less, to the northwesterly corner of said Mary Brown Home lot; thence easterly along said Mary Brown Home land fourteen (14) rods twenty-three (23) links more or less to land formerly of John Haskell, later of Arthur Milliken and still later of Nathan E. Redlon; thence northerly along said Haskell-Milliken land to land formerly of George Libby; thence northwesterly as the fence formerly stood to land formerly of John Prout; thence southerly along said Prout land to said Capisic Street; thence southeasterly along said Capisic Street to the point of beginning, containing six (6) acres more or less.

Being the same premises conveyed to Nathan E. Redlon by Ellen M. Dow by deed acknowledged November 27, 1905, recorded in Cumberland County Registry of Deeds in Book 779, Page 113, excepting, however, from the above described lot the portion thereof conveyed by Ellen M. Dow to Gertrude G. Pennell by deed dated September 3, 1904, recorded in said Registry of Deeds in Book 758, Page 293 and the two parcels conveyed by Nathan E. Redlon to Charles L. Brackett by deeds dated March 31, 1906 and July 6, 1909, and recorded in said Registry of Deeds in Book 861, Page 382 and Page 385. Also a certain lot or parcel of land situated in said Portland northerly of Capisic Street, bounded southerly by land conveyed by Franklin R. Redlon to Ethel E. Norton by deed dated December 15, 1934, westerly by the parcel hereinbefore described, northerly by land formerly of George Libby and easterly by land formerly of Daniel Mason.

Being the same premises conveyed to Nathan E. Redlon by Caroline M. Milliken by deed dated March 28, 1904, recorded in said Registry of Deeds in Book 752, Page 158 and a part of the premises conveyed to Nathan E. Redlon et al by Arthur B. Milliken by deed dated April 3, 1906, recorded in said Registry of Deeds in Book 789, Page 247.

The above described premises are conveyed subject to the rights of way granted by Nathan E. Redlon to George T. Edwards by deed dated May 23, 1908, recorded in said Registry of Deeds in Book 800, Page 407, and including herein all rights conveyed by George T. Edwards to Nathan E. Redlon by deed dated May 23, 1906, recorded in said Registry of Deeds in Book 787, Page 282.

Nathan E. Redlon died June 18, 1910 devising the residue of his estate to his son Franklin R. Redlon, an abstract of his will being recorded in said Registry of Deeds in Book 860, Page 8. Reference is also made to deed to Franklin R. Redlon by

16

Harristt E. Files et als dated May 17, 1933, recorded in said Registry of Deeds in Book 1469, Page 255, and to deed by Nina M. Strickland et als to Franklin R. Redlon dated May 6, 1935, recorded in said Registry of Deeds in Book 1469, Page 256, and to the final decree in a bill in equity in the Supreme Judicial Court of Cumberland County entitled "Franklin R. Redlon vs. Walter L. Milliken et als," which decree is recorded in said Registry of Deeds in Book 1474, Page 164.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Edna L. Taylor, her heirs and assigns, to his and their use and behoof forever.

AND I do hereby covenant with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; except as aforesaid; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Franklin G. Redlon being unmarried, have hereunto set my hand and seal this twenty ninth day of July in the year of our Lord one thousand nine hundred and thirty-eight.

Signed, Sealed and Delivered in Presence of

John E. Bates Franklin G. Redlon Seal  
State of Maine, Cumberland, ss. July 29th, 1938.

Personally appeared the above named Franklin G. Redlon and acknowledged the foregoing instrument to be my free act and deed.

Before me, John E. Bates Justice of the Peace  
Received July 29, 1938, at 11 - P. M., and recorded according to the original

MEMORANDUM OF AGREEMENT, made and entered into this 16th day of July, 1938, by and between Harry C. Sweetsir, of Cape Elizabeth in the County of Cumberland and State of Maine, and the Portland Water District, a municipal corporation existing by law and having an established place of business in said Portland,

WITNESSETH AS FOLLOWS:

Said Harry C. Sweetsir, his heirs, executors, administrators and assigns, has granted and does hereby grant to the said Portland Water District, its successors and assigns forever, a right of way for the purpose of constructing, repairing, and perpetually maintaining a water pipe of such size as the said District may determine in and through land of said Harry C. Sweetsir to be confined in its location to the street now laid out in the said Town of Cape Elizabeth and called Sweetsir Road.

Said District agrees to lay and maintain the said pipe line within the limits of said street without cost, expense, or charge to the said Harry C. Sweetsir, his heirs, executors, administrators or assigns, and to do the work of laying a pipe without unnecessary inconvenience to the public.

And the said Harry C. Sweetsir for himself, his heirs, executors, administra-

V.S.T.R.  
\$1.00  
7/29/38  
P.G.R.

Sweetsir  
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BULLETIN  
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BARGAIN SALES

Selling real estate at a "bargain price" may sound like a really good deal for the buyer and not such a bargain for the seller. But, if the buyer is a non-profit organization, the seller will usually enjoy tax benefits that offset the reduction in the purchase price.

Let's say you own outright a piece of property that is worth \$100,000, and a non-profit organization offers you \$75,000 for it. On the surface, that doesn't look like a very attractive offer from the seller's point of view. But, if you can substantiate that the fair market value is really \$100,000, then the IRS will consider the \$25,000 loss as a tax-deductible gift to the non-profit organization. And, when we factor that tax benefit into the total picture, the \$75,000 bargain sale really can be a true bargain for the seller, too.

Let's compare the \$75,000 bargain sale with a hypothetical full-price offer of \$100,000. Scenario 1 is that you receive \$75,000 for the land, and donate \$25,000 to the non-profit organization. Scenario 2 is that you receive the full \$100,000.

Clearly, your tax situation on the first \$75,000 is the same in both scenarios. How much of it is considered a capital gain, and what tax bracket it puts you into, are questions that will depend on your own personal circumstances. But there is no difference between Scenario 1 and Scenario 2, so the impact of the first \$75,000 can be set aside for the purpose of this analysis.

In Scenario 1, your tax liability stops at \$75,000. Then, because of the \$25,000 donation, you get to deduct \$25,000 off the top of your income on both your IRS and state tax returns. If the \$75,000 gain has already pushed you up into the IRS's 28 percent bracket (the top bracket, in most cases, for capital gains), and the state takes another 7 percent, then the gift gives you an effective gain of 35 percent of \$25,000, or \$8,750, bringing your total net gain up to \$83,750 (disregarding your tax liability on the \$75,000 purchase price).

In Scenario 2, you have a tax liability on the full \$100,000. Let's break this down into two parts: First, the liability on the first \$75,000, again, does not enter into the consideration of differences between the two scenarios. The tax treatment of the remaining \$25,000, however, is almost certain: It will be taxed by the IRS at 28 percent, and then taxed by the state at about 7 percent. In other words, on the top \$25,000, you will lose \$8,750 in taxes (giving you a net gain of \$16,250). You will also pay a real estate commission on the full \$100,000 - which, at 10 percent, will be \$2,500 more than you would have paid on the \$75,000 "bargain sale." This brings your total net gain on the \$100,000 offer - in comparison with the \$83,750 net gain on the \$75,000 bargain sale - to \$88,750.

Let's say you own outright a piece of property that is worth \$100,000, and a non-profit organization offers you \$75,000 for it. On the surface, that doesn't look like a very attractive offer from the seller's point of view. But, if you can substantiate that the fair market value is really \$100,000, then the IRS will consider the \$25,000 loss as a tax-deductible gift to the non-profit organization. And, when we factor that tax benefit into the total picture, the \$75,000 bargain sale really can be a true bargain for the seller, too.

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In Scenario 2, you have a tax liability on the full \$100,000. Let's break this down into two parts: First, the liability on the first \$75,000, again, does not enter into the consideration of differences between the two scenarios. The tax treatment of the remaining \$25,000, however, is almost certain: It will be taxed by the IRS at 28 percent, and then taxed by the state at about 7 percent. In other words, on the top \$25,000, you will lose \$8,750 in taxes (giving you a net gain of \$16,250). You will also pay a real estate commission on the full \$100,000 - which, at 10 percent, will be \$2,500 more than you would have paid on the \$75,000 "bargain sale." This brings your total net gain on the \$100,000 offer - in comparison with the \$83,750 net gain on the \$75,000 bargain sale - to \$88,750.

So, the tax and commission benefits create a situation where the net difference between a full price offer and a 75 percent "bargain sale" is only \$5,000. This would be like accepting an offer of \$95,000 on a \$100,000 property, which is quite common and not at all unreasonable.

Please note that the scenarios above are hypothetical only, and will vary according to your personal financial status, particularly the status of your gain (or loss) on the property being sold. Also, if your other income is low, there may be limits that force you to spread the deduction over a period of several years. Please consult your accountant to determine precisely how much a "bargain sale" would affect your own personal tax situation.

Dear Mr. Hagg, 4/21

My daughter  
Hannah & her friends  
are responding to  
the proposed  
Bedden Road  
Cottage Park Project.  
They have a very  
valid point, esp. in  
light of the Sunday  
Press Herald's recent  
article on wildlife &

houses in the  
area? Sawcraft  
already suffers  
every spring with  
runoff & the add.  
houses will further  
increase the moisture  
of the surrounding  
area. Come check it  
out yourself!  
Thanks for listening.  
Sue LaSala



streams ponds in  
the potential housing  
site area. Have you  
investigated fully  
the impact diverting  
all the water off the  
Redden area will have  
on the surrounding  
already established

To 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  
probably die.

again I  
is very



The forest  
will say  
important

So please, please  
don't cut down our  
forest.

Yours faithfully,  
Hannah LaSala,  
Stacey Robinson, and  
Hayley Oliver, and  
Antonia de la Rosa



Gerrit

14 June St  
April 13, 1997

City of Portland  
Dept of Planning  
389 Congress St 4<sup>th</sup> floor  
Portland, Maine 0411

Dear Sir,

Receive your notice about the vicinity of the "Redden Road Project" and for what I know you. I am against such a move even if my land borders on Carolyn St. I know Carolyn St is an accepted St but nothing has been done to improve it since I have lived on June St and that more over fifty years. I am 88 years old now and will be 89 in Sept. The city has too many things now to take care of properly.

Sincerely,

(Mrs) Ruth L. Morris

Dear Rich Knowland my grandparents have lived on 24 motley street  
for nine years. I go in those woods with friends and play games.  
When I heard the beautiful trees would be cut down I decided  
to write this letter. Some people say there arnt any  
animals that live in those woods. There wrong. When I go  
in there its swarming with animals of all kinds. I'm only  
eleven years old but I want my three month old  
sister to enjoy hiking in those woods when she gets  
older. Please dont cut down those trees.

Sincerely Kristi Parker

Kristi Parker

22 Rockland Ave.  
Portland, ME 04102  
June 6, 1997

Mr. Joseph Gray  
Portland City Hall  
389 Congress St., 4th Floor  
Portland, ME 04101

Re: Redlon Road

Dear Mr. Gray:

We have lived at 22 Rockland Avenue for the past 25 years and raised 2 children here. The woods which will be impacted by Mr. Weinschenk's development are directly outside our home. We have skated on a frozen pond, walked through the woods to visit my grandmother at Eunice Frye Home, and this past winter, snowshoed there. The woods are unique and our children grew up knowing how fortunate they were to have such a rare privilege in their own back yard. Everyone who comes here tells us what a great location we have. We have cardinals and many other birds, including pheasant. You need only to come to our house in the early morning, or evening for that matter, and listen to the quietness and appreciate peaceful beauty of the nearby surroundings.

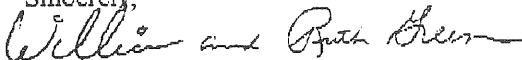
We question the necessity to blast extensive ledge (possibly disturbing many nearby foundations). We question the necessity of disturbing the vegetation (including endangered lady slippers). We question the necessity of disturbing wetlands in order to build houses which are unlike any in our area. We already have homes for sale in our immediate area at present. Please note that the homes for sale are in the \$110,000 to \$150,000 range. Mr. Weinschenk's homes have been reported to be in the \$225,000 range. We question the need to disturb the unspoiled natural beauty of the woods where many of our neighbors walk with their children and ride their bikes.

We love the peace and tranquility we have always enjoyed here and hope you will respect our opinion as taxpayers of the City of Portland when we say we are concerned and are attempting to be heard. We have never had water in our basement in 25 years here. If we do have water or a cracked foundation as a result of this proposed project, we will certainly not be alone in making the City of Portland aware of the fact that we voiced our concerns and were not heard. Mr. Weinschenk has had problems with many of his past projects and we are well aware of that. This makes the situation even more disturbing to us. We sincerely hope that you will listen to our concerns and make the right decision for the people who are presently your taxpayers.

We recently read an article in the Portland Press Herald regarding "Portland's last green neighborhood sanctuaries are vanishing" by Alan Prosser. We would like to keep a little of the "forest" in "Forest City".

Thank you, in advance, for taking the time to read this letter.

Sincerely,



William & Ruth Green

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

May 19, 1997

Judith A. Greenwood  
68 Bancroft Street  
Portland, Maine 04102

Mr. Joseph E. Gray  
Director of Planning and Urban Development  
389 Congress St.  
Portland, Maine 04101

Dear Mr. Gray,

After a review of the Redlon Park proposal, I feel compelled to share my concerns. As a single professional woman, I recently relocated to the city of Portland. As one who has lived in and around Portland for over forty years, I have witnessed both positive and negative expansion and development in the city. I support the concerns and objections of abutting property owners in the loss of valuable open space.

Additionally, the extensive blasting in the area poses a threat to existing homes, many of which are older and probably already have some structural foundation changes. To what extent can aggravation of an existing structural change on an older home be litigated? The blasting also precludes a best case scenario; impact to existing ledge and water flow along these natural glacial tills is at best an informed guess. Rippling effects cannot be guaranteed; thus causing concern to those in the stormwater drainage area.

This area is already wet and drains poorly. An example in point is the end of Bancroft Street from Rockland Avenue west towards Capisic Street. Water in this area already pools in backyards and drains slowly through inadequate ditches to culverts which are insufficient to handle the water and are also poorly maintained. The Public Works Dept. is deployed to this area several times a year, especially during the winter when a section of Bancroft Street becomes a frozen glacia around which residents must navigate. A similar situation could develop all along Bancroft Street, as well as aggravating the existing problem. I was particularly disturbed to read that the developer has responsibility during the construction and after to the extent that the engineering design was properly completed. The city is also exempted from direct responsibility, leaving only the residents of Redlon Park responsible for ensuing water problems. I also found the suggestion that current residents could retain their own engineers and attorneys, if they have doubts, irresponsible and insensitive. These people are, for the most part, moderate income working people, whose homes are their primary investment. The cost of retaining specialists is prohibitive to most. One relies on the city to protect, consider, and make informed decisions that take into consideration the majority of affected citizens.



In conclusion I ask that the concerns for the large numbers of home owners potentially affected be reconsidered. Are these six home sites so desperately needed that jeopardizing other existing homes is warranted? One only knows too well the meaning of the word, "once gone, gone forever," if you are a person who remembers the Union Station before the strip mall. Decisions should consider the use of land not only for today, but in a score to come.

Sincerely,

A handwritten signature in cursive script that reads "Judith A. Greenwood". The signature is written in dark ink and is positioned above the printed name.

Judith A. Greenwood

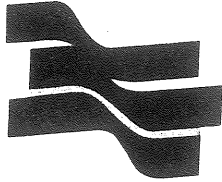
Neighbors of Redlon Woods and Wetlands  
c/o Robert and Linda Campitelli  
7 Redlon Rd.  
Portland, Me. 04102  
773-0782  
May 23, 1997

Mr. Alexander Jaegerman  
Chief Executive Officer  
Planning Board Office  
City Hall-4th floor  
Portland, Me. 04101

Dear Mr. Jaegerman,

In order to acquire our own technical experts to evaluate the sight of the proposed Redlon Park Development, we request intervener status. Also, we would like a copy of the Planning Board procedure. Please mail the information to us at the above address. Thank-you!

Sincerely,  
Linda and Bob Campitelli



**Timson & Peters, Inc.** ENVIRONMENTAL SERVICES

Environmental Permitting  
Geologic Consulting • Wetland Analyses  
Environmental Assessments • Groundwater Investigations

June 9, 1997

**EWBT-REDLON**

Friends of Redlon Park  
c/o Robert and Linda Campitelli  
7 Redlon Road  
Portland, ME 04101

**Re: Wetland Alteration and Hydrogeologic Impacts of the Proposed  
Redlon Park PRUD Development**

Dear Mr. and Mrs. Campitelli:

Pursuant to our Agreement between the Friends of Redlon Park and Timson & Peters, Inc., I have reviewed pertinent application materials submitted to the Maine Dept. of Environmental Protection (MDEP) and the City of Portland Planning Board and visited the site of the above-proposed development on two occasions -- once on June 2, 1997 and again on June 7, 1997. Based on this review and other pertinent published map and narrative data regarding the geology of the area, the following are my professional opinions regarding wetland fill and bedrock blasting as proposed by the applicant.

A. Impacts of Wetland Fill

The applicant proposes to fill approximately 13, 200 sq. ft. of forested wetland to provide for driveway crossings, road construction and stormwater runoff detention basin construction.

Based upon my visitations to the site, the applicant's delineation of the wetland appears to be accurate and the area of impact accurately determined. The wetland does contain a defined water course, although by MDEP definition, this water course does not constitute a stream channel. On the evening of June 2, 1997, there was perceptible but sluggish flow in the channel, but by June 7, any flow within the channel had ceased.

However, the fact that flow remained within the channel up through the beginning of June without much precipitation in the immediate past, as well as finding several minor ground water seeps at the base of bedrock outcrops, indicates that an important function of this wetland is control of flood waters,

particularly from the discharge of ground water from the fractured bedrock aquifer underlying the thin glacio-marine soils and swamp muck deposits covering the bedrock in the low areas of the site. I also soil cored into the upland soils between the wetland boundary and the exposed bedrock where the internal road for the PRUD is to be located. Although wetland vegetation was not abundant at this location, the soils were saturated at a depth of 6 to 8 inches, again attesting to the fact that the discharge of ground water to this low area is still ongoing.

The bedrock exposed in the Redlon Park site has been mapped and identified by Hussey (1985) as the Vassalboro Formation. The Vassalboro is a medium- to dark gray relatively coarse-grained metamorphic rock which is fractured. The Redlon Park area lies just north of a major regional fault, the Flying Ridge Fault. Because the bedrock is fractured, ground water can move and migrate within the fracture spaces, thus the bedrock is considered a fractured bedrock aquifer from which water can be extracted for drinking water purposes.

Additionally, when considered in relation with the covering geologic surficial materials as mapped by Thompson (1976), the Redlon Park area fractured bedrock exposures are most likely artesian. To the northeast, the Vassalboro Formation crops out on the surface at higher topographic elevations in the Highland/Brighton Corner section of the City. Between this area and the Redlon Park area, the bedrock is overlain by glacio-marine deposits. The glacio-marine deposits are of lower hydraulic conductivity than the underlying fractured bedrock, thus ground water flowing in the fractured bedrock is "confined" to the bedrock as it flows from the Highlands to Redlon Park. Shallow ground water can then discharge from the exposed fractures in Redlon Park, but the discharge is under pressure and, therefore, artesian.

The importance of above the discussion in relation to the proposed development is that bedrock discharge to the wetland can occur long after a storm event recharges the exposed fractured bedrock recharge area in the Highlands neighborhood and that such discharge relationships are not accounted for by normal stormwater runoff models employed to model pre- and post-development runoff conditions. To my knowledge, the Hydrocal program utilized by the developer of Redlon Park does not account for ground water discharge and runoff conditions and, therefore, might underestimate the actual stormwater flows which will need to be conveyed from the site.

With regards to wetland impacts, then, I believe that the flood-storage capacity of the Redlon Park wetland has not been evaluated and remains an unknown. Because of this, the basement flooding problems reported in the neighborhood below the Redlon Park site may be aggravated by the development.

In this regard, the Friends of Redlon Park have a valid issue in appealing the NRPA wetland permit issued by the MDEP and Corps of Engineers to the developer. The developer submitted a Tier 1 wetland fill application on the proviso that the proposed development would not impact a defined stream or the 100-year floodplain. However, Tier 1 and Tier 2 permits are only valid for projects which do

not involve fill in the 100-year floodplain. Although FEMA has not mapped a 100-year floodplain or floodway on this parcel of land, the applicant has now generated minimal flow calculations from which the 100-year floodplain can be determined. Given the availability of this information, it is a high likelihood that the applicant, by developing stormwater detention basins completely across the wetland, is causing fill within the 100-year floodplain. A successful appeal and submission of necessary supporting information for a Tier 3 permit application by the applicant would provide a more complete picture of the impacts on ground and surface water runoff on the wetlands and downgradient neighborhood than has been presented to date.

### B. Impacts of Blasting on Abutting Property Owners

The applicant has submitted a letter by R.W. Gillespie & Associates, Inc. in support of their conclusion that blasting of ledge will not impact abutting property owners or structures.

The letter from R.W. Gillespie & Associates adequately identifies the type of bedrock and its fractured condition on the site. I also measured the spacing and orientation of bedrock fractures on several outcrops on my visit to the site on June 7, 1997 and found fracture systems which were primarily subparallel with bedding orientation and fractures at right angles to bedding orientation. However, I also found several primary (extended across entire outcrop face) fracture sets running between N 70 E and S 78 E.

With this existing fracture pattern, hydraulic pathways within the bedrock presently exist between the Redlon Park site and its ground water recharge area to the northeast and between the site and the 2 immediate abutters on Redlon Road 9 (DeRice and Thompson).

Given my previous discussion regarding the hydraulic conductivity of the fractured bedrock and artesian flow within the fractured bedrock aquifer, my concern with the blasting is two-fold.

First, that blasting, even localized, would be sufficient to increase existing fracture openings to locally increase the hydraulic conductivity of the bedrock, thereby increasing ground water flow in and around the basements of the abutters. The DeRice residence is less than 100 feet from the proposed blasting site for the road and the Thompson residence is within approximately 150 feet.

Second, that site blasting will increase ground water discharge to the site overall by enhancing fractured bedrock hydraulic conductivities both laterally and at shallow to intermediate depths (10 to 40 feet).

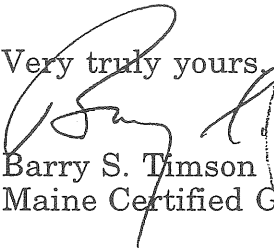
R.W. Gillespie & Associates have recommended a monitoring program to ensure that blasting effects will be minimal or that damage to structures within 500 feet by blasting will be readily identified (and compensated for by the developer?). This type of monitoring program, however, will not reveal effects on the fractured

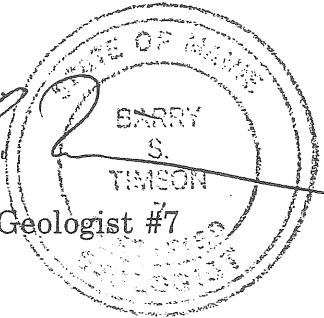
bedrock -- effects which could increase basement flooding in nearby abutting dwelling structure basements.

C. Conclusions

Based on my review of the existing application materials, two site visits, and related supporting materials, it is my professional judgment that the applicant of Redlon Park, at this point in time, has not demonstrated that the proposed development will not create any significant soil drainage problems by filling portions of the wetland on site and that no adverse impact will occur to abutting neighbors by locally increasing ground and surface water flow and quantity, thereby increasing basement flooding.

Very truly yours,

  
Barry S. Timson  
Maine Certified Geologist #7



June 4, 1997

Mr. Joseph E. Gray, Jr.  
Dir. of Planning & Urban Dev.  
City Hall, 4th Floor  
389 Congress Street  
Portland, Me. 04101

Dear Mr. Gray,

I am a long-time resident of 107 Bradley St.  
(and I am concerned about the projected  
development at the end of Bellon Road.

I feel that there are drainage problems  
in this area which will only be enhanced  
if this development is allowed to go for-  
ward.

This area drains into Lapize Pond,  
already a polluted area. Fore River Trails  
and the Maine Audubon Society have  
invested heavily in their Sanctuary and  
do not want more problems than they  
already have.

Please call a halt to this development.  
Our area has already seen the Roman  
development and we don't need any more.

Sincerely yours,

Hazel E. McEram →

22 Rockland Ave.  
Portland, ME 04102  
June 6, 1997

Mr. Joseph Gray  
Portland City Hall  
389 Congress St., 4th Floor  
Portland, ME 04101

Re: Redlon Road

Dear Mr. Gray:

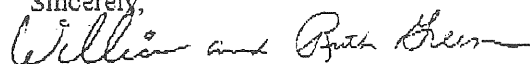
We have lived at 22 Rockland Avenue for the past 25 years and raised 2 children here. The woods which will be impacted by Mr. Weinschenk's development are directly outside our home. We have skated on a frozen pond, walked through the woods to visit my grandmother at Eunice Frye Home, and this past winter, snowshoed there. The woods are unique and our children grew up knowing how fortunate they were to have such a rare privilege in their own back yard. Everyone who comes here tells us what a great location we have. We have cardinals and many other birds, including pheasant. You need only to come to our house in the early morning, or evening for that matter, and listen to the quietness and appreciate peaceful beauty of the nearby surroundings.

We question the necessity to blast extensive ledge (possibly disturbing many nearby foundations). We question the necessity of disturbing the vegetation (including endangered lady slippers). We question the necessity of disturbing wetlands in order to build houses which are unlike any in our area. We already have homes for sale in our immediate area at present. Please note that the homes for sale are in the \$110,000 to \$150,000 range. Mr. Weinschenk's homes have been reported to be in the \$225,000 range. We question the need to disturb the unspoiled natural beauty of the woods where many of our neighbors walk with their children and ride their bikes.

We love the peace and tranquility we have always enjoyed here and hope you will respect our opinion as taxpayers of the City of Portland when we say we are concerned and are attempting to be heard. We have never had water in our basement in 25 years here. If we do have water or a cracked foundation as a result of this proposed project, we will certainly not be alone in making the City of Portland aware of the fact that we voiced our concerns and were not heard. Mr. Weinschenk has had problems with many of his past projects and we are well aware of that. This makes the situation even more disturbing to us. We sincerely hope that you will listen to our concerns and make the right decision for the people who are presently your taxpayers.

We recently read an article in the Portland Press Herald regarding "Portland's last green neighborhood sanctuaries are vanishing" by Alan Prosser. We would like to keep a little of the "forest" in "Forest City".

Thank you, in advance, for taking the time to read this letter.

Sincerely,  


William & Ruth Green



401

Attachment 2

17 June 50  
CH 20013, 1947

City of Portland  
Dept of Planning  
329 Congress St 4<sup>th</sup> floor  
Portland, Oregon 0401

Dear Sir

Received your notice about the suitability  
of the "Pellon Road Project" and for what  
I know now I am against such a move  
even if my hand be here on Congress St  
I know Congress St is an acceptable St but  
nothing has been done to improve it since  
I was born on June 1st and that was over  
fifty years I am 55 years old now and  
will be 79 in Sept. The city has too many  
things now to take care of properly.

Sincerely,

(Mrs) Ruth L. Norris

# WELLS SPRINGS 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 next in dry and freeze before hatching the next year.

## Blue-spotted salamander

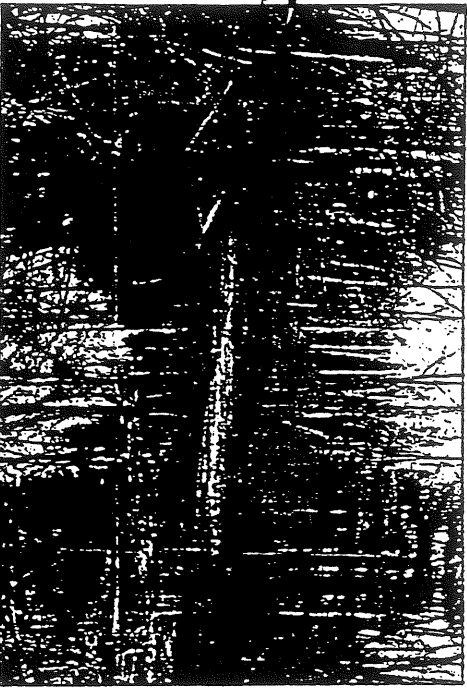


The scribble comes to vernal pools in early April to breed. Males deposit packets of sperm known as spermatophores on the bottom of the pool. The female then puts up the packets and saves them in her cloaca. After her eggs are fertilized internally, they fall to the bottom of the pool or cling to vegetation.

## Spotted salamander



Spotted salamanders return to their natural vernal pools in sub-green mountains that are not disturbed by roads, crossing trails, or by local predators. Once they reach the pool they enter a long diapause, moulting each other's skin with their nose, then with their bodies. Their eggs are fertilized in the same manner as the eggs of the blue-spotted salamanders.



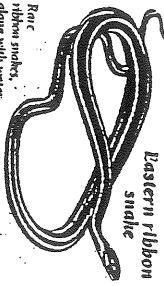
The average size of a vernal pool in southern Maine is about 4,000 square feet. Sunlight, water temperature and hydroperiod — the length of time a pool stays filled with water — all influence how well young amphibians and other creatures survive in the pools during the spring and summer.

## Spotted turtle



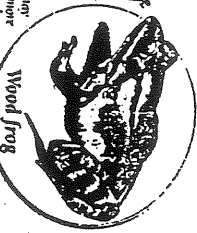
Spotted turtles, a threatened species in Maine, do almost all of their feeding at vernal pools in southern Maine. They visit just once a year, in the spring, to lay their eggs. Spotted turtles have shown that once one pool dries up, they will travel up to a half-mile overland to the next one, never getting lost.

## Eastern ribbon snake



Rare ribbon snakes, like to hunk around vernal pools, especially when tadpoles are overwintering in the pool. The ribbon snake's favorite food is amphipods.

## Wood frog



Caddisfly eggs hatch as soon as the vernal pool fills with water in the spring. The larvae build elaborate cases that look something like a shell and then live in them for 1-2 years or months. Here, caddisfly larvae are being studied by a Maine Department of Invertebrates.

Source: The Bad and the Beautiful in the North, Invertebrate Fauna and Amphibians, The Amphibians and Reptiles of Maine, Spring, Fall, and Snow, and the Spotted Salamander, Spring, Fall, and Snow.

Research around state may lead to protection for vernal pools

By MENEZES 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 moonlight, salamanders perform magical 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 snow — 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-of-a-kind 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, throughout New England these wetlands are being lost to develop-

17 Apr 97

To: Joseph Gray, Jr.,

I received the notice from the city of PHD regarding the possibility of building a 7 lot residential unit on Motley / Caroline streets. I strongly object to this proposal. The peace and calmness that are obtained from the woods behind my house & my neighbor's is invaluable. This was the primary reason I purchased my home in this location - to have that "bit of country" in Portland.

The land behind my home at 18 Motley is swampy and is a natural breeding ground for turtles, lizards/salamanders, etc. This wetland is an area that needs to be preserved - Not developed.

Please don't take this bit of woods and wild life away. We all need it.  
Thanks! Janet A. Stukas

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

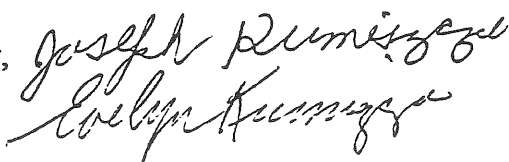
Dear Mr. Gray:

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 & Evelyn Kumiszczka

JOAN S. LEITZER, M.D.

June 10, 1997

Dear Mr. Fowland,

I am writing to express my support for the re-development of 4.9 acres in Portland at the end of Adlon Street. I believe that parks are an enormous asset for cities and it is important to preserve green space within cities for the enjoyment of everyone.

Because of a school function tonight I will be unable to express my support in person tonight at City Hall.

Jean Leitzer  
18 NEX ST.  
PORTLAND, ME  
(207) 879-7119 0410

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

June 18, 1997

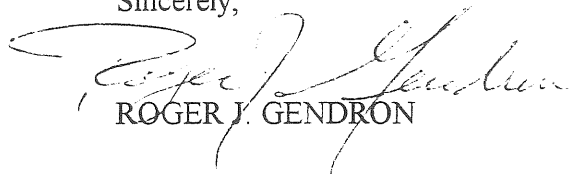
Joseph E Gray, Jr.  
Director of Planning and Urban Development  
City Hall, 4th Floor  
389 Congress Street  
Portland, ME 04101

Dear Mr. Gray:

On behalf of the Neighbors of Redlon Woods and Wetlands, I am providing, for reference, a written record of the formal presentation given at June 10th Public Hearing in that there is no written transcript of testimony given on that date. Additionally, we contend a number of issues presented for your review during the hearing apply equally to a subdivision as they do for a PRUD. For that reason, we request a copy of the attached be placed on file with other information available to Board Members and the public.

Given our understanding that the developer is going to propose alternatives to his original plan to include a subdivision on June 24th, we respectfully request an opportunity to review these proposals in more detail and be allowed another public hearing to express our views before the Planning Board renders their decision. We have already spent a significant amount of time, energy and money making our case and we are currently gathering additional information germane to this site in general and to additional problems with the latest development proposals in particular. We feel that additional disclosure, based on the latest data, is both prudent and necessary to render a sound decision on this matter.

Sincerely,

  
ROGER J. GENDRON

**- Neighbors of Redlon Woods and Wetlands -  
10 June 1997 Hearing Agenda**

Introduction - Bob Campitelli (7 Redlon Road)

Highlight of Major Arguments - Bob Provencher (154 Stevens Ave.)

Water Standards - Barry Timson (Hydrogeologist)

Active & Passive Rec. Spaces - Anne Archambault (154 Stevens Ave.)

Technical Capacity - Ellen Pirone (136 Stevens Ave.)

Drainage Standard - Roger Gendron (118 Bancroft Street)

Financial Standard - Alan Prosser (195 St. John Street)

Environment Criteria - Holly Dominie (Visual Resource Consultant)

Summary - Greg Dismore (25 Motley Street)

**Note:** While anyone attending will have an opportunity to speak, you are encouraged to keep the number to a minimum because a lengthy hearing will diminish the impact of our prepared presentation. If you are so compelled to speak, be mindful of the fact that you have 3 minutes and that it is critically important that you stick to the criteria and standards contained within the Portland Code which are the only bases the Board can use in rendering its final decision. Above all, do not attack Planning Board members who are chartered to pass judgment on proposals based on the "facts" presented for their consideration.

## AGAINST REDLON PARK

Chairman Hagge, Members of the Board;

June 10, 1997

The major arguments against the proposed Planned Residential Unit Development (PRUD), so-called "Redlon Park" are as follows:

(1) - Portland Land Use Code, **Section 14-526, Standards**, sub-paragraph

(a) (8): The applicant has not met his burden-of-proof in demonstrating that the proposed project will not create any **significant soil and drainage problems**, both on- and off-site.

(2) - **Section 14-526, Standards**, sub-paragraph (a) (20): The applicant has not met his burden-of-proof in demonstrating that the proposed development shall have no **adverse impact upon the existing natural resources**, including the **amount of groundwater**, both on- and off-site and not **adversely impact upon wetlands**.

(3) - **Section 14-526, Standards, Sub-paragraph (a) (5)**: The applicant has not demonstrated that the proposed subdivision will not **overburden the storm drains or public facilities and utilities**...as this standard specifically applies to icing and water pooling problems found on Bancroft St.

(4) - **Section 14-497, General Requirements**, sub-paragraph (a) (8): The applicant has not demonstrated that the PRUD will not have an **undue adverse effect on the scenic or natural beauty of the area**.

(5) - **Section 14-526, Standards**, sub-paragraphs (a) (14), (c) (3 & 4): The applicant has not fulfilled the intended requirements of a PRUD for both **Passive and Active Recreational Open Space**.

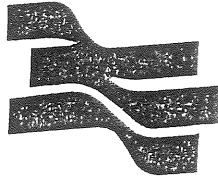
(6) - **Section 14-497, General Requirements**, sub-paragraph (a) (10): The applicant has not demonstrated adequate **financial and technical capacity** as relates to **Standards (a) (5), (a) (8)**, as well as our own **proposed initiative that this technically challenging project be tied to a long term performance defect bond of \$5,000,000.00 over a five year period of time beyond completion of the project**. We believe that this proposed performance defect bond is endemic of a site with such physical constraints as high ground water table, topography, ledge, intermittent stream, and natural drainage problems.

(7) - Our final argument is an **appeal to the DEP for a Tier II Listing**.

These issues will be presented to you by Geologist Barry Timson, Land-Use Planner Holly Dominie, and members of our neighborhood coalition. These people are here tonight to remind you that Portland's past experiences with similar projects well documented in the public record, may come to seem like a walk in the "Cottage Park", compared to what could occur in this particular application.

Thank You





Timson & Peters, Inc. ENVIRONMENTAL SERVICES

Environmental Permitting  
Geologic Consulting • Wetland Analyses  
Environmental Assessments • Groundwater Investigations

June 9, 1997

EWBT-REDLON

Friends of Redlon Park  
c/o Robert and Linda Campitelli  
7 Redlon Road  
Portland, ME 04101

**Re: Wetland Alteration and Hydrogeologic Impacts of the Proposed  
Redlon Park PRUD Development**

Dear Mr. and Mrs. Campitelli:

Pursuant to our Agreement between the Friends of Redlon Park and Timson & Peters, Inc., I have reviewed pertinent application materials submitted to the Maine Dept. of Environmental Protection (MDEP) and the City of Portland Planning Board and visited the site of the above-proposed development on two occasions -- once on June 2, 1997 and again on June 7, 1997. Based on this review and other pertinent published map and narrative data regarding the geology of the area, the following are my professional opinions regarding wetland fill and bedrock blasting as proposed by the applicant.

A. Impacts of Wetland Fill

The applicant proposes to fill approximately 13, 200 sq. ft. of forested wetland to provide for driveway crossings, road construction and stormwater runoff detention basin construction.

Based upon my visitations to the site, the applicant's delineation of the wetland appears to be accurate and the area of impact accurately determined. The wetland does contain a defined water course, although by MDEP definition, this water course does not constitute a stream channel. On the evening of June 2, 1997, there was perceptible but sluggish flow in the channel, but by June 7, any flow within the channel had ceased.

However, the fact that flow remained within the channel up through the beginning of June without much precipitation in the immediate past, as well as finding several minor ground water seeps at the base of bedrock outcrops, indicates that an important function of this wetland is control of flood waters,

particularly from the discharge of ground water from the fractured bedrock aquifer underlying the thin glacio-marine soils and swamp muck deposits covering the bedrock in the low areas of the site. I also soil cored into the upland soils between the wetland boundary and the exposed bedrock where the internal road for the PRUD is to be located. Although wetland vegetation was not abundant at this location, the soils were saturated at a depth of 6 to 8 inches, again attesting to the fact that the discharge of ground water to this low area is still ongoing.

The bedrock exposed in the Redlon Park site has been mapped and identified by Hussey (1985) as the Vassalboro Formation. The Vassalboro is a medium- to dark gray relatively coarse-grained metamorphic rock which is fractured. The Redlon Park area lies just north of a major regional fault, the Flying Ridge Fault. Because the bedrock is fractured, ground water can move and migrate within the fracture spaces, thus the bedrock is considered a fractured bedrock aquifer from which water can be extracted for drinking water purposes.

Additionally, when considered in relation with the covering geologic surficial materials as mapped by Thompson (1976), the Redlon Park area fractured bedrock exposures are most likely artesian. To the northeast, the Vassalboro Formation crops out on the surface at higher topographic elevations in the Highland/Brighton Corner section of the City. Between this area and the Redlon Park area, the bedrock is overlain by glacio-marine deposits. The glacio-marine deposits are of lower hydraulic conductivity than the underlying fractured bedrock, thus ground water flowing in the fractured bedrock is "confined" to the bedrock as it flows from the Highlands to Redlon Park. Shallow ground water can then discharge from the exposed fractures in Redlon Park, but the discharge is under pressure and, therefore, artesian.

The importance of above the discussion in relation to the proposed development is that bedrock discharge to the wetland can occur long after a storm event recharges the exposed fractured bedrock recharge area in the Highlands neighborhood and that such discharge relationships are not accounted for by normal stormwater runoff models employed to model pre- and post-development runoff conditions. To my knowledge, the Hydrocal program utilized by the developer of Redlon Park does not account for ground water discharge and runoff conditions and, therefore, might underestimate the actual stormwater flows which will need to be conveyed from the site.

With regards to wetland impacts, then, I believe that the flood-storage capacity of the Redlon Park wetland has not been evaluated and remains an unknown. Because of this, the basement flooding problems reported in the neighborhood below the Redlon Park site may be aggravated by the development.

In this regard, the Friends of Redlon Park have a valid issue in appealing the NRPA wetland permit issued by the MDEP and Corps of Engineers to the developer. The developer submitted a Tier 1 wetland fill application on the proviso that the proposed development would not impact a defined stream or the 100-year floodplain. However, Tier 1 and Tier 2 permits are only valid for projects which do

not involve fill in the 100-year floodplain. Although FEMA has not mapped a 100-year floodplain or floodway on this parcel of land, the applicant has now generated minimal flow calculations from which the 100-year floodplain can be determined. Given the availability of this information, it is a high likelihood that the applicant, by developing stormwater detention basins completely across the wetland, is causing fill within the 100-year floodplain. A successful appeal and submission of necessary supporting information for a Tier 3 permit application by the applicant would provide a more complete picture of the impacts on ground and surface water runoff on the wetlands and downgradient neighborhood than has been presented to date.

B. Impacts of Blasting on Abutting Property Owners

The applicant has submitted a letter by R.W. Gillespie & Associates, Inc. in support of their conclusion that blasting of ledge will not impact abutting property owners or structures.

The letter from R.W. Gillespie & Associates adequately identifies the type of bedrock and its fractured condition on the site. I also measured the spacing and orientation of bedrock fractures on several outcrops on my visit to the site on June 7, 1997 and found fracture systems which were primarily subparallel with bedding orientation and fractures at right angles to bedding orientation. However, I also found several primary (extended across entire outcrop face) fracture sets running between N 70 E and S 78 E.

With this existing fracture pattern, hydraulic pathways within the bedrock presently exist between the Redlon Park site and its ground water recharge area to the northeast and between the site and the 2 immediate abutters on Redlon Road 9 (DeRice and Thompson).

Given my previous discussion regarding the hydraulic conductivity of the fractured bedrock and artesian flow within the fractured bedrock aquifer, my concern with the blasting is two-fold.

First, that blasting, even localized, would be sufficient to increase existing fracture openings to locally increase the hydraulic conductivity of the bedrock, thereby increasing ground water flow in and around the basements of the abutters. The DeRice residence is less than 100 feet from the proposed blasting site for the road and the Thompson residence is within approximately 150 feet.

Second, that site blasting will increase ground water discharge to the site overall by enhancing fractured bedrock hydraulic conductivities both laterally and at shallow to intermediate depths (10 to 40 feet).


R.W. Gillespie & Associates have recommended a monitoring program to ensure that blasting effects will be minimal or that damage to structures within 500 feet by blasting will be readily identified (and compensated for by the developer?). This type of monitoring program, however, will not reveal effects on the fractured

bedrock -- effects which could increase basement flooding in nearby abutting dwelling structure basements.

C. Conclusions

Based on my review of the existing application materials, two site visits, and related supporting materials, it is my professional judgment that the applicant of Redlon Park, at this point in time, has not demonstrated that the proposed development will not create any significant soil drainage problems by filling portions of the wetland on site and that no adverse impact will occur to abutting neighbors by locally increasing ground and surface water flow and quantity, thereby increasing basement flooding.

Very truly yours,

Barry S. Timson  
Maine Certified Geologist #7