Response – Since the original application was filed in October of 1999 the City has not requested any boring data. As required under the City regulations, a High Intensity Soil Survey was provided as part of the April 5, 2000 submittal. Based on the High Intensity Soil Survey, shallow rock is not anticipated, and therefore a blasting plan has not been submitted.

Comment 8 – The erosion control plans should be revised to avoid placement of silt fence across the contours. All silt fence should be placed along a contour. Special erosion measures should be provided at the v-shaped interface of proposed grading and existing contours, especially on the steeper fills within the ravines. More emphasis must be placed on the ravine fill procedures and erosion control measures.

Response – Based upon previous projects, which have been reviewed by the MDEP in larger watershed, the placement of the silt fence perpendicular to the contours has been acceptable and encouraged to emphasize the need for silt to the contractor. We have also added a rip rap to the v-shaped interface at the appropriate locations.

Comment 9 – Can runoff be directed around the pump station area?

Response – The grading plan has been revised to include a ditch around the pump station.

Comment 10 – The limits of disturbance for the entire site should be identified. I recommend a construction sequencing plan be created that places special emphasis on the construction of the ravine crossings, contractor access, erosion control, drainage sequencing, etc.

Response – A limit of disturbance has been shown for all of the lots that are located adjacent to steep slopes. These limits have been previously agreed to based upon the slopes mapping that was provided to your office. In addition, grading for the roadway depicts the overall limits of disturbance which will be necessary. The Erosion Control Report has been revised to include the requirement that as part of the Pre-Construction Conference, the Contractor will be required to prepare a ravine crossing sequence of construction, which will specifically address access, erosion control, sequence of construction for culverts and storm drain piping. It would appear that this issue would best be addressed at that time. It has been noted in the Erosion Control Report that the Ravine Crossing Sequence of Construction be reviewed and approved by the City prior to undertaking construction within 25' of the ravines.

Comment 11 – The grading for Lot 1 should be reviewed to show how a driveway will be constructed for Lot 1. The driveway must meet the MDOT standards for driveways.

Response – A detail has been provided indicating that the driveway can be built in accordance with MDOT standards.

Comment 12 – Can Lot 30 be accessed with a proper d/w meeting MDOT requirements?

Response – A detail has been provided indicating that the driveway can be built in accordance with MDOT standards.

Comment 13 – Is DMH 8 large enough for 5 pipes?

Response – The elevations of the various pipes are such that the structure is large enough to accommodate 5 pipes. A sketch has been provided documenting this information.

Comment 14 – The engineer should review the level spreader at the outlet of CB #17. I am concerned that the spreader will not function given the steepness of the slopes and the placement of just a granite stone above the frost line. This slope location does not seem an appropriate location for the application of a level spreader.

Response – The level lip spreader will convey 3 cfs based on a 25 year storm. Based upon MDEP requirements of no more than 0.25 cfs/lf of spreader, this would result in a level spreader of 12 feet in length. The level spreader that has been provided is 25 feet. While our office is of the opinion that the level spreader would be the preferable method of discharging the stormwater, we will agree to use of a rip rapped culvert outlet at the base of the ravine. This will result in additional tree removal. We will change the plans to depict this additional clearing if requested by the Planning Authority.

Comment 15 – The cleanout manhole for the houses with a pump should be specified. I recommend a regular 4' diameter structure.

Response – A note has been added to the plans (Sheet 14) to clarify that a 4' diameter structure would be installed by the property owner as part of the service.

Comment 16 – A condition of approval should require the Ultracav pump station be the selected PS for those requiring them. No substitutes should be allowed.

Response – A note has been added to the plans (Sheet 14) indicating that no substitutes would be allowed for the Ultracav pump station.

Comment 17 – The typical section for Curtis Road shows sidewalk and both sides of the road. The plans should be revised to match the cross section.

Response - As previously discussed, the Applicant is requesting a waiver from the Board to only construct sidewalks on one side of Curtis Road. Assuming that the waiver is granted, the typical section would be revised.

Comment 18 – A typical driveway section meeting MDOT requirements should be provided in the details.

Response – A detail has been provided indicating that the driveway can be built in accordance with MDOT standards.

Comment 19 – A casco trap should be provided on all CB's with a 12" outlet.

Response – The detail provided on Sheet 15 is the City of Portland Standard Detail for catch basins

which indicates that each outlet should be provided with a Casco Trap. To ensure that there is no confusion, note 10 has been added to the City Detail requiring a Casco Trap on all 12" catch basin outlets.

Comment 20 – Where are the antiseep collars required? They should be shown on the plan view.

Response – Antiseep collars have been added to the plan views for the culverts at the major ravine crossings.

Gorrill-Palmer appreciates the opportunity to respond to these comments and look forward to your review. Should you have any questions or need additional information, please contact our office.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Alton M. Palmer, P.E.
Vice President

cc: Burt Wolf, w/o Enc.
Bob Adam, w/o Enc.
Terry Snow, w/o Enc.
Anthony Lombardo, City of Portland
Steve Bushey, Deluca-Hoffman

DER/rmg/JN98089/KnowlandC&R01-15-02

ATTACHMENT D

From: Larry Ash
To: Rick Knowland
Date: Fri, Jan 18, 2002 8:09 AM
Subject: PRP III

Rick: as regards PRP III:

1. I do not believe the 200 foot radii on the 5% slope for curve C1)as illustrated on sheet 4) to be problematic. Parking, however, should be prohibited on both sides of the street between stations 10+00 and 13+00.

2. I do not have a concern with the 4% gradient at Curtiss Road/Hope St provided that parking be prohibited 100 ft on both sides of the street.

3. Should the number of available units increase from 27 to 30 units, I do not believe raffic considerations will change appreciably from those previously outlined.

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

207-657-6910
FAX: 207-657-6912
E-Mail:gpcei@maine.rr.com

September 23, 2002

Mr. Rick Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101-3503

Subject: Presumpscot River Place Phase III
Mylar

Dear Rick,

Last week our office provided you with a mylar for the Board's signature for the above referenced project. As we discussed, there were several minor revisions to the project layout as a result of the MDEP review, which have been incorporated into the latest plan. These revisions include:

- Elimination of Lot 21, the lot, which was adjacent to the southerly side of Curtis Road. The area for Lot 21 was incorporated into Lot 20, to reduce overall wetland impacts.
- Increasing the undisturbed zones on Lots 1 and 3. The DEP required a minor enlargement of the undisturbed zones, on the order of 10' to 15' to provide a larger buffer to the stream that traverses these two lots.
- As the undisturbed zones on Lots 1 and 30 were increased, this resulted in the building envelope being reduced. The lot lines for lots 2 - 6, and lots 26 – 29 were shifted to the south by approximately 16' (4' per lot) to compensate for the increase in the undisturbed zones.

It is our understanding that you will have the mylar signed at the September 24, 2002 Board meeting. Please call us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Alton M. Palmer, P.E.
Vice President

Enclosure

copy: Burt Wolf
Bob Adam

AMP/aw/JN98089/Knowland9-23-02

PLANNING REPORT #4-02

PRESUMPSCOT RIVER PLACE SUBDIVISION (PHASE 3)

VICINITY OF CURTIS ROAD

ROBERT ADAM AND LLOYD WOLF, APPLICANTS

Submitted to:

Portland Planning Board
Portland, Maine

January 22, 2002

I. INTRODUCTION

A public hearing has been scheduled to consider a proposed residential subdivision in the vicinity of Curtis Road. The applicants are Bob Adam and Lloyd Wolf. This application was tabled at the Board's September 25, 2001 meeting.

The Presumpscot River Place (phase 3) will be reviewed under the subdivision ordinance. The attached Green Book includes supplemental and updated information submitted by the applicant. An updated subdivision plan is shown as Attachment A. The original plan is shown on Attachment B. A 700 foot section of the subdivision roadway is in the Town of Falmouth.

The applicant will be requesting a sidewalk waiver along one side of Curtis Road.

996 notices were sent to area property owners in Portland and Falmouth, including the Falmouth Municipal Offices.

II. FINDINGS

Zone:	R-2 Residential
Land Area:	30.94 acres
Number of Lots:	30
Lot Size:	16,273 sq. ft. (lot #21) to 2.71 acres (lot #1)

Since the September 25th meeting the subdivision plan has been revised. The most significant changes are to the lot layout and alignment of the streets.

- The plan has been revised reflecting the open space to be acquired by the City. The open space includes:

  - A 500-foot wide buffer along the Presumpscot River in Portland and Falmouth.

  - Open space east of the subdivision, between the subdivision and the Portland/Falmouth line. This eliminates a future PRP subdivision phase previously labeled as "phase IV". It is contiguous to Oat Nuts Park.

- The name of Eagle Avenue has been changed to Hope Avenue since Eagle (now Hope) will be extended through Falmouth via Hope Avenue to Alice Street. The issue of a satisfactory secondary access into the subdivision has now been addressed. It will be built as part of this subdivision. The alignment of the roadway has changed to address a new lot layout.

- The number of lots has been increased from 27 lots to 30 lots, but with the 500 foot river buffer, the lots are now located a significant distance from the river. All of the lots have been reconfigured since they are now clustered along Hope Avenue. Most of the lots along Hope Avenue are generally larger than the previous plan. The lots now range in size from .44 acre to 2.71 acres.

- The Brothers Road and Pratt Road have been eliminated. The Brothers Road served the lots closest to the river. Pratt Road, a small connecting roadway by the sewer pump station is no longer needed. The extension of Hope Avenue addresses secondary access concerns.

- The subdivision now incorporates land previously shown as a future phase (phase IV). Hope Avenue (previously Eagle Avenue) has been extended about 580 feet easterly to accommodate these lots. This change was needed for the new lot layout.

- Pedestrian circulation: With the City purchase of a 500-foot river buffer, access along the river is assured. There are several possibilities for pedestrian access through the subdivision to the river. A 30-foot wide pedestrian easement is shown adjacent to Lot 1 along the Falmouth/Portland municipal line. This runs from Hope Avenue to the City 500-foot wide river buffer. The City land purchase also includes land adjacent to Oat Nuts Park which connects to the river buffer.

- A 10-foot wide pedestrian easement is shown within the previous footprint of Pratt Road. This connects Alice Street to Hope Avenue. This easement is consistent with the Portland Transportation Plan of connecting roadways together and is a direct link to Alice Street and other surrounding streets.

- Since the lot layout has changed, a number of the recording plat notes have changed.

- With the elimination of The Brothers Road lots, this eliminates the need for a private low-pressure (force main) system maintained by a homeowners association.

A portion of Hope Avenue and proposed sewer pump station are within the Town of Falmouth. It is expected that a bill will be submitted shortly to the Maine Legislature annexing this section of Falmouth (between this subdivision and the Maine Turnpike) to the City of Portland. Obviously, town of Falmouth approval of the roadway will be required if the annexation is not successful.

Other Permits

This application qualifies for site location review since this project, when combined with adjacent subdivision development undertaken by the applicant exceeds 30 acres. A subdivision of this size exceeds municipal review authority so the DEP will review it.

The applicant will be filing for site location review with the DEP after the City review process.

MDEP Natural Resource Protection Act Permits and Army Corp of Engineers Wetland Permits are also required for a stream crossings associated with Hope Avenue and wetland filling near lots 6 and 7. In addition, the owners of lots 1 to 6, 8 to 10, 15, 16 and 30 will likely need to obtain a DEP permit-by-rule for soil disturbance within 100 feet of a protected stream. According to the applicant, lot owners will be responsible for obtaining these permits.

Although the subdivision borders a shoreland zone (Presumpscot River), all of the lots are located a minimum 500 feet from the shoreline.

Neighborhood Meeting

The applicant has held a number of neighborhood meetings. The most recent one occurred on December 27, 2001 in which the updated subdivision plan was presented. Notes from the meeting are enclosed. Previously neighborhood meetings were held on July 16, 2001, April 2000 and February 29, 2000.

III. STAFF REVIEW

This development has been reviewed by staff for conformance with the applicable review standards of the subdivision ordinance.

1. Water Pollution

The subdivision lots will be served by a public sewer.

2/3. Water Supply

The Portland Water District has previously indicated there is sufficient capacity available to serve 27 lots and meet all normal fire protection and domestic water service demands. Based on comments from the water district on the 30 lot subdivision, the applicant has revised the plans accordingly. An updated letter from the water district verifying approval should be submitted.

An 8 inch water main will be installed in Hope Avenue, which will connect into existing water mains in Curtis Road and Alice Street.

4. Soil erosion, reduction in the capacity of land to hold water

We have previously discussed in detail slope issues relating to this development including implications for construction, disruption to ground cover and natural features, erosion and sedimentation control.

Color coded slope maps were submitted by the applicant to show slope values, buildings windows and undisturbed zones. Of primary concern has been to locate building windows in appropriate locations away from steeper slopes while creating buffers (undisturbed zones) along steep ravines, recognizing that existing groundcover, under story vegetation trees and root structures are part of a natural system that stabilizes soils and steep slopes. After extensive discussions and revisions, the plan has evolved to its present version. Significant progress has been made since the original submission to address such concerns.

- All of the lots are now at least 500 feet from the Presumpscot River. The development is now focused along Hope Avenue eliminating The Brothers Road which had brought building windows much closer to the river.

- The building windows are now smaller eliminating construction and regrading activities on the steepest slopes of the site.

- The "undisturbed zones" shown on the plan help protect the steep slopes and ravines of the site. Recording plat note #6 indicates that no regrading, tree clearance or construction may take place within this zone except to remove diseased or storm damaged trees.

For those lots along the water side of Hope Avenue and two other lots having steep slopes (16 and 30), the recording plat includes note #5 as a way to monitor site construction activities on individual lots and to address the construction challenges posed by this site. This provides for a licensed engineer or landscape architect (who designed the lot site plan) to periodically inspect such construction elements as clearing and grubbing, grading, surface restoration and erosion control measures.

The developer has submitted a variety of information in support of their application. See Green Book. This includes a high intensity soil survey, stormwater analysis, erosion control plan, and an updated environmental report.

A grading, drainage and erosion control plan for the roadway is shown on Attachment A, sheets 10 to 12 and 16. Since the roadway crosses three ravines, grading and erosion control are particularly important. All outlets will have rip rap at culvert discharge points. Various notes on the plan indicate that Curlex Blankets will be installed on slopes greater than 3:1 that have been regraded. Other multimat fabric will be installed on slopes equal to or steeper than 8% for October 1st through April 15th and equal to or steeper than 15% for April 15th through October 1st. Silt fencing is shown along sections of Hope Avenue including adjacent to the ravine crossings.

A level lip spreader shown at the easterly end of Hope Avenue is proposed by the applicant. Staff is reviewing whether an alternative drainage improvement would be more appropriate.

5. Traffic

Traffic Report

A traffic report has been submitted by Gorrill-Palmer consulting engineers. The report indicates that the subdivision will generate 31 weekday AM and 34 weekday PM trips during the peak hours respectively. No high accident locations were found in the vicinity of the site (Auburn/Jackson and Allen/Summit.)

The report's intersection capacity analysis showed that the intersections of Auburn/Jackson and Allen/Summit will operate at an acceptable level of service.

The report concludes that the project "can be safely accommodated on the surrounding street system".

Larry Ash, City Traffic Engineer, has reviewed the plan and the submitted traffic report and finds it acceptable. Mr. Ash indicates that the addition of 3 lots (the previous traffic report was for 27 lots) does not change the conclusions of the traffic report.

Mr. Ash's comments are shown on Attachment D. There was an initial concern whether a 200 foot radius and 5% slope on a curve on Hope Avenue (see Attachment B, drawing 4) was within the City's Technical Standards. He indicates that this does not pose a problem but that parking should be prohibited on both sides of the street between stations 10+00 and 13+00.

Mr. Ash also indicates that he does not have a concern with the 4% gradient at Curtis Road/Hope Street provided that parking be prohibited on both sides of the street.

Circulation

Hope Avenue is the main roadway of the subdivision. It is 3,546 feet long and connects into Curtis Road and the existing Hope Avenue stub off Alice Street. It will be built in its entirety as part of the subdivision plan and will not be phased. The street connections into Alice Street and Curtis Road resolves the access issues of this project. Two roadway connections were needed for fire protection as well as providing a second means to circulate in and out of the subdivision with the existing neighborhood roadway system.

The revised subdivision plan resulted in the elimination of two roadways from the previous plan. The Brothers Road was eliminated with the new lot configuration. Pratt Road (by the sewer pump station) was eliminated because Hope Avenue was extended.

Pedestrian Circulation

Sidewalks are proposed on both sides of Hope Avenue. The applicant is requesting a waiver on one side of Curtis Road which is described later in this report.

With the City purchase of 500-foot river buffer, access along the river is assured. There are several possibilities for pedestrian access through the subdivision to the river. A 30-foot wide pedestrian easement is shown adjacent to Lot 1 along the Falmouth/Portland municipal line. This runs from Hope Avenue to the City 500-foot wide river buffer. Oatnuts Park connects into the acquired City land so access is also available from that location.

A 10-foot wide pedestrian easement is shown within the previous footprint of Pratt Road along lot 22. This connects Alice Street to Hope Avenue. This easement is consistent with the Portland Transportation Plan of connecting roadways together and is a direct link to Alice Street and other surrounding streets.

A stone dust trail with a gravel base and filter fabric should be installed within the easement along lot 22. The developer has not agreed to include this as a subdivision improvement. The City is considering what resources may be available to undertake this improvement.

Street Design

All of the roadways are proposed as public streets (Hope Avenue). Curtis Road extension will be 32 feet wide since it functions as a residential connector street and matches the existing street width. Hope Avenue will have a paved width of 24 feet. Granite curb will be installed along the streets. Sidewalks are proposed on both sides of Hope Avenue.

The applicant is requesting a sidewalk waiver along the westerly side of Curtis Road which will be extended into Hope Avenue (a distance of 188 feet). The easterly side of Curtis Road will have a sidewalk. The lower end of Curtis Road has sidewalks on both sides of the street where it dead-ends on the site. The applicant will need to demonstrate that the waiver request meets the provisions of sec. 506(b).

6/7. Sewer

All of the lots will be served by a public sewer in Hope Avenue. A private force main will no longer be necessary since The Brothers Road and the accompanying lower elevation lots have been eliminated.

The sanitary sewer in Hope Avenue will be connected into a proposed pump station on the westerly end of the street (in Falmouth). The pump station will then pump waste into the Alice Street sewer.

Most of the lots will have gravity service from the residence although some lots depending on the elevation of the house will require an on site privately owned pump station. Sheets 7, 8 and 9 indicate the likely sewer service method for each lot. To provide full disclosure of this to lot buyers, note #11 has been added to the recording plat.

Note #11: Lots within this subdivision may require installation of individual private pump stations to convey sanitary wastes to the municipal system. Refer to sheets 7, 8 and 14 of the plan set for additional information regarding pumping of individual lots. Each deed shall indicate that dependant on the elevation of the lowest plumbing fixture. A private pump station may be required. The perspective purchaser's will be provided with a copy of sheets 7, 8, 9 and 14 of the plan set prior to closing.

The proposed sewer pump station is described on the plan as a "Gorham-Rupp Station as preferred by the City of Portland, final design of the station shall be coordinated with the Public Works Department." The design has not been submitted, therefore the design and specifications of the pump station will need to be a condition of approval.

The pump station is located on a small piece of land (35 feet by 50 feet) with a turnaround that is shown on the recording plat as part of the right-of-way. Based on the final design of the pump station and its actual land area requirements, the City will need to reserve the right to make the pump station land reservation larger if necessary.

Public Works has previously determined that the existing city sewer system in the vicinity of the site has adequate capacity to transport the anticipated water flows from this subdivision. That letter also stated that the Portland Water District treatment facility (located off Marginal Way) had adequate capacity to treat the anticipated wastewater flows of this subdivision. See Green Book. An updated letter from Public Works for 30 lots need to be submitted.

8. Scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat, rare or irreplaceable natural areas.

The land form and natural features of this site are not typical of most subdivisions in Portland. It is adjacent to the Presumpscot River and a large flood plain of the river. It has sensitive natural features such as steep slopes and ravines. Since the original plan was submitted, there have been several modifications made to the plan that improves the protection of these features. The changes include a 500 foot buffer from the river, creating an undisturbed zone and shrinking the size of building windows.

The applicant has submitted an environmental report updating the earlier reports submitted for this project. See Green Book.

The report covers the following resources:

- forest resources
- streams
- rare, threatened or endangered species

Valuable wildlife habitats on the parcel identified by the report include the following:

- the riparian zone of the stream
- the riparian zone of the Presumpscot River
- two (2) vernal pools within the floodplain

The applicant indicates that the vernal pools and riparian area of the Presumpscot River will be protected because no development is proposed within the shoreland zone. The riparian zones of the streams will be protected by drainage easements and the "undisturbed zone."

See also section #4 of this report.

The subdivision plan indicates that river side lots (1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 16 and 30) have what is described as an "undisturbed zone." Note #6 on the recording plat reads as follows:

> "No tree cutting, grading, disturbance to vegetation or ground cover shall take place within the undisturbed zone. Storm damaged trees, unsafe or dead trees may be removed only if they represent a potential hazard to property or residence. No concentrated runoff shall be directed to this zrea. This note shall appear on the property deed o fall lots with undisturbed zones."

9. Land Development Plan

Green Spaces, Blue Edges and the Portland Trails Map envision a public access trail along the Presumpscot River. The City will be acquiring from the developer a 500 foot corridor along the Presumpscot as well as other adjacent land which fulfills this.

The Portland Transportation Plan, adopted as part of the City's Comprehensive Plan, recommends the interconnection of neighborhood streets. With the extension of Hope Avenue to Alice Street as part of this development, the concern of providing a second access further away from Curtis Road has been addressed.

The development meets all zoning minimum lot sizes.

10. Financial and Technical Capacity

A letter pertaining to financial capacity has been submitted (Attachment G).

As discussed previously, existing site conditions have significant limitations. To insure that the site is developed in accordance with the standards of the subdivision ordinance and the plan, the applicant has added note #10 on the recording plat. The note provides for periodic inspection of the subdivision infrastructure including erosion and sedimentation control measures by the project design engineer (Gorrill-Palmer.)

With regard to site construction activities on individual lots, note #5 has been added to the recording plat. This would also provide for a licensed engineer or landscape architect (who designed the lot site plan) to periodically inspect such construction elements as clearing and grubbing, grading, surface restoration and erosion control measures. This note applies to lots 1 through 15 (waterside lots), lots 16 and 30 which are the lots having steeper slopes or are adjacent to streams.

11. Water Quality

The street infrastructure includes water quality units to treat stormwater.

12. Groundwater

The development will be served by public water and sewer.

13. Flood Hazard Area

No development activities are proposed within the flood hazard area.

14. Wetlands

Wetlands have been identified on the plan. A wetland report and wetland permitting plan is included in the Green Book.

15. Fire Department

Three fire hydrants are proposed along the new roadways. They have been placed so that all building windows will be within 800 feet of a hydrant.

Lt. Gaylen McDougall of the Fire Department has reviewed the plan and finds it acceptable.

NOTE:

There have been a number of staff comments regarding this development. A summary of staff comments and developer's responses to those comments are shown on Attachment C. Some of these comments have been addressed, others have not. Staff, Steve Bushey (development review engineer) and Gorrill-Palmers Engineers will be meeting Tuesday morning to determine if the revised plan addresses those comments. We expect that a new set of conditions of approval will be drafted for Tuesday's meeting.

Although this subdivision is similar to the September application, the lots have been reconfigured, the road alignment changed and there is 1,300 linear feet of additional roadway (with the extension of Hope Avenue) to review.

IV. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #4-02:

1. The plan is in conformance with the subdivision ordinance of the Land Use Code.

   Potential Conditions of Approval

   i. That all easements (pedestrian walkways and drainage) shall be submitted to Corporation Counsel for review and approval.

   ii. Parking shall be prohibited on both sides of Hope Avenue between stations 10+00 and 13+00; and that parking shall be prohibited 100 feet on both sides of the street from the Curtis Road/Hope Street intersection. "No parking signs" shall be installed at these locations as directed by the City Traffic Engineer (see Attachment D).

   iii. That the applicant submit a street dedication by deed for Hope Avenue for review and approval by Corporation Counsel.

   iv. That the design and specifications for the sewer pump station shall be submitted for Public Works review and approval. Should the design require additional land for the sewer pump station reservation shown on the plan, the reservation shall be increased in size.

   v. This list of conditions will be supplemented by other conditions of approval for Tuesday's meeting.

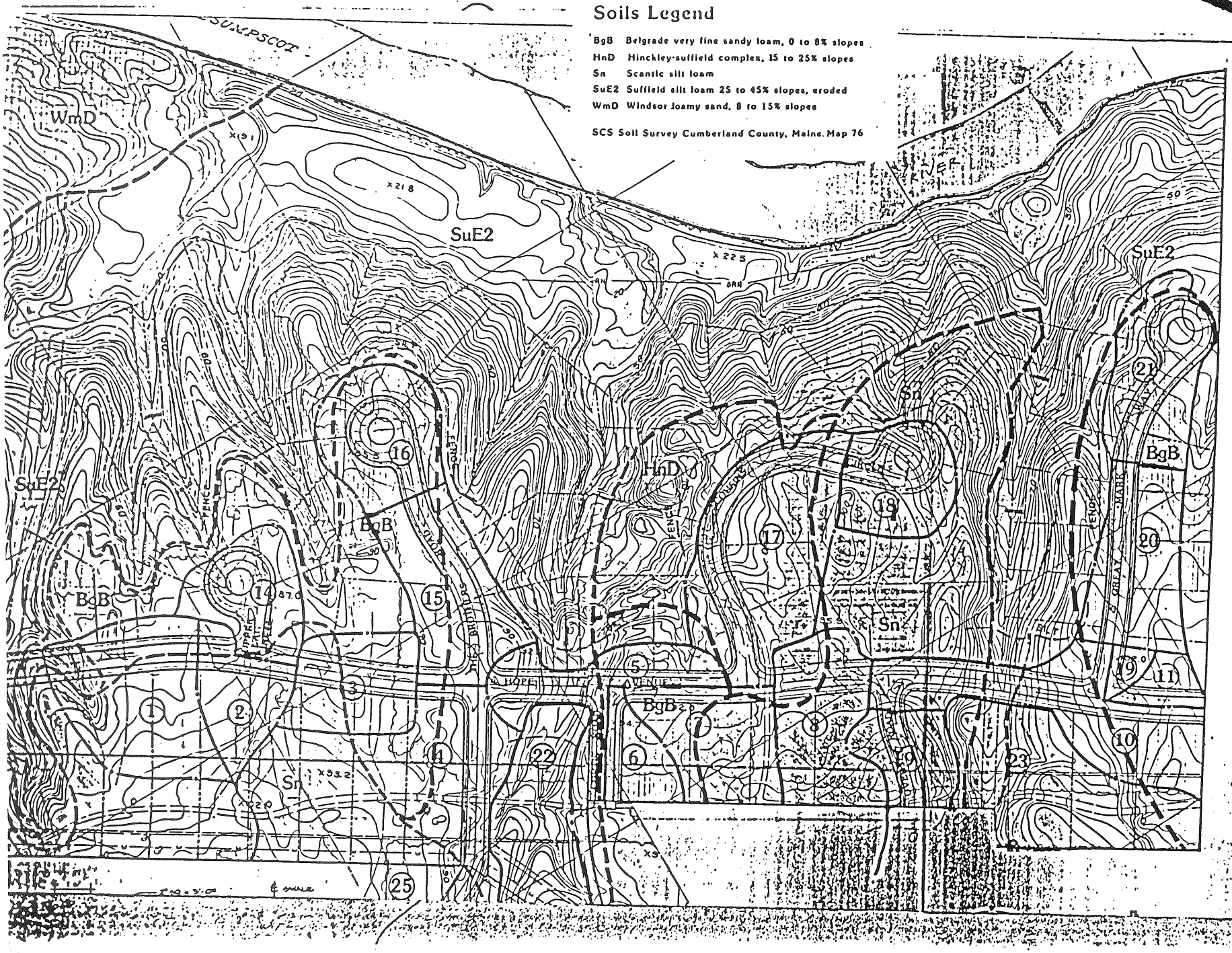
<u>Attachments</u>

A. New Subdivision Plan
B. September 2001 Subdivision Plan
C. Applicant Responses to City Staff Comments
D. Larry Ash, City Traffic Engineer
E. Penny Littell, Associate Corporation Counsel
F. Neighborhood Meeting
G. Financial Capacity Letter

Soils Legend

BgB Belgrade very fine sandy loam, 0 to 8% slopes
HnD Hinckley-suffield complex, 15 to 25% slopes
Sn Scantic silt loam
SuE2 Suffield silt loam 25 to 45% slopes, eroded
WmD Windsor loamy sand, 8 to 15% slopes

SCS Soil Survey Cumberland County, Maine. Map 76



Watershed

W/S NO.

Soils Legen

BgB Belgrade very
HnD Hinckley-suffi
Sn Scantic silt lo
SuE2 Suffield silt lo
WmD Windsor loamy

SCS Soil Surve

ATTACHMENT 3

ATTACHMENT 4

LAND USE CONSULTANTS

January 26, 1988

026 III

City of Portland Planning Board
City Hall
389 Congress Street
Portland, Maine 04101

Attention: Mr. David Klenk

Presumpscot River Place - Phase III

Dear Board Members:

On behalf of our client, The Teal Company, we forward herewith for municipal review Preliminary Subdivision plans for Presumpscot River Place - Phase III. The plans have been prepared in conformance with the City of Portland Zoning and Subdivision Ordinances and we request that this project be scheduled for workshop session with the Planning Board.

Presumpscot River Place - Phase III is a continuation of Phase I and II. It consists of 78 single family residential lots on 71.9± acres of land situated between Alice Street and the Presumpscot River. It is bounded on the east and west by the Town of Falmouth. The site is bisected by the R-1 and R-2 Zones which require minimum lot sizes of 15,000 s.f and 10,000 s.f. respectively. The lots in PRP III range in size from 12,500 s.f. to 90,400 s.f.

The site is predominantly wooded with mixed deciduous/evergreen growth. A somewhat open vegetative character exists near the CMP easement along the southerly side of the site. The land in this area is gently sloped with peninsulas or fingers of land reaching toward the river edge. The undulating fingers slope sharply to the Presumpscot River shoreline and its adjacent flats. Also, several deep drainage swales carrying surface drainage from upland areas toward Summit Street, cross the site to discharge into the river. It is our intent to confine dwelling sites to the upland and gently

Land Planners • Engineers • Surveyors 17 Commercial Street, Portland, Maine 04101 207-772-8392

sloping areas thereby minimizing adverse impacts on steep slopes and shoreline. In fact, the shoreline area along the entire river frontage is proposed for dedication as common open space.

Access to the subdivision will be from PRP II via Curtis and Overset Roads, and The Brothers Road from PRP-I. All these roads intersect Cushing Avenue which transects the entire width of the site and is proposed as a residential collector. It is anticipated Cushing Avenue might over time be extended into Falmouth to cross connect with Allen Avenue Extension and Auburn Street in Portland. A Total of 6700 l.f. of new road construction is proposed. Of this total Cushing Avenue which is to be built to residential collector road standards in a 60 ft. right of way accounts for 2120 l.f.

Water service will be provided by extension of 8" water mains from Phases I and II into Phase III. Hydrants are proposed to provide fire protection coverage within 500 ft. of each lot.

Sanitary sewage will be collected by gravity sewers to a central location at the base of the slope below the Brothers Road. From here a pump station, being the existing station located uphill in Phase I to be relocated and upgraded, will pump effluent uphill via a force main through Phase I into the Virginia-Carter interceptor system.

All electric, telephone, and CATV service will be installed underground. Street lighting is proposed as CMP "Town and Country" luminaires on metal poles.

This submission consists of the following narrative and plans:

1. Application fees: Subdivision - 1975. Site Plan 350.
2. Preliminary Subdivision Plans, Sheets 1-5 of 21.
3. Preliminary Road and Utility Plan/Profile Sheets and Details 6-16 of 21.
4. Preliminary Construction Details, Sheets 17-19 of 21.
5. Stormwater Management Report including technical supplement (1 copy).
6. Erosion control Plan prepared by David A. Kamila, P.E. 3197.
7. Portland Water District, letter dated June 18, 1987.
8. " " " letter regarding sewerage service, dated August 27, 1987.
9. Preliminary Resource Inventory Report by ECO-Analysis, dated August 20, 1987.
10. Traffic Impact Study prepared by TYLin/Hunter-Ballew Associates(to be submitted under separate cover).

ATTACHMENT 7

LAND USE CONSULTANTS

January 25, 1988

026III

EROSION CONTROL PLAN
PRESUMPSCOT RIVER PLACE III

This plan has been developed to provide controls for soil erosion and sedimentation during and after the construction of roadways, buildings, and utilities at Presumpscot River Place III. This plan is based on the standards and specifications for erosion prevention as contained in the Environmental Quality Handbook for Erosion and Sediment Control dated, March 1986, and the Greater Portland Council of Governments Stormwater Management Manual, 1981, and the USDA Soil Conservation Service.

CONSTRUCTION PHASE

To protect the natural resources of this development and adjacent lands, only those areas necessary to construct the buildings, roads and utility corridors will be disturbed.

The following actions will be taken:

1. Those areas undergoing actual construction will be left in an untreated or unvegetated condition for a minimum time.

2. Prior to the start of construction, sediment control fencing (filter fabric(and/or hay bales will be staked across the slope(s). On the contour, at/or just below the limits of clearing or grubbing, and/or just above any adjacent property line, wetland, or shoreline to protect against construction related erosion. Watercourse slopes with flows over one cfs or one-half acre of drainage area will have filter fabric barriers.

3. Hay bale barriers shall be inspected and repaired once a week, or immediately following any significant rainfall. Sediment trapped behind these hay bale barriers shall be excavated when it reaches a depth of 6" and regraded on to the site. If the hay bale barriers prove to be ineffective, the applicant shall substitute silt fencing.

4. If final seeding of the disturbed areas is not completed by September 15th of the year of construction then on that date these areas will be graded and smoothed, then seeded to a winter cover crop of Rye at the rate of 112 lbs/acre or 3 lbs/1000 sq. ft. The Rye seeding will be preceded by an application of 1,000 lbs of 10-10-10 fertilizer or its equivalent. If the Rye seeding cannot be completed by October 1st, then on that date hay mulch will be applied at the rate of 2 tons per acre to provide winter protection.

If Rye does not make adequate growth by December 1st, then on that date hay mulch at the above rates will be added.

POST CONSTRUCTION REVEGETATION

Revegetation measures will begin immediately upon completion of construction. All disturbed areas not otherwise stabilized will be graded, smoothed, and prepared for final seeding as follows:

1. Four inches of loam will be spread over disturbed areas and smoothed to a uniform surface.

2. Agricultural limestone will be spread at the rate of three tons per acre. 10-20-20 fertilizer will follow at the rate of 800 lbs. per acre. These two soil amendments will be incorporated into the soil prior to seeding.

3. Following seed bed preparation, ditches, fill areas, and slopes will be seeded to a mixture of 35% Creeping Red Fescue, 6% Red Top, 24% Kentucky Bluegrass, 10% Perennial Rye grass, 20% Annual Rye grass and 5% White Dutch Clover. The lawn areas will be seeded to a premium turf mixture of bluegrass and/or fescue.

4. Hay mulch at the rate of two tons per acre will be applied following seeding or a hydro-application of asphalt, wood, or paper fibre. A suitable binder will be used on hay mulch.

MONITORING SCHEDULE

Maintenance measures will be applied as needed during the entire construction cycle. After each rainfall, a visual inspection will be made of all installed erosion control measures and repairs will be made as needed to insure their continuing function as designed. Following the final seedings, the site will be inspected every thirty days until the seedings have been 80% established. Reseeding will be carried out, with follow-up inspections, in the event of any failures.

PLANS

Reference is made to the Erosion Control Plans Sheets 17 and 18 of 21 for details of erosion control practices and proposed locations throughout the project site.

Prepared By:

David A. Kamila, P.E.

STATE OF MAINE
DAVID A. KAMILA 3197
REGISTERED
PROFESSIONAL ENGINEER

ATTACHMENT 8

LAND USE CONSULTANTS

November 21, 1988

City of Portland
Planning Department
City Hall
389 Congress Street
Portland, ME 04101

Att: Mr. Rick Knowland

PRP III First Floor Elevations

Dear Rick,

The purpose of this letter is to address a request made by the Planning Board chairman Mr. Humeniuk at our last meeting on October 11, 1988. Mr. Humeniuk asked us to establish the first floor elevation for each proposed lot. I am requesting that this not be done for the following reason.

As you know the site is characterized by sloping terrain with several drainages located in steep sided ravines. The building windows on most lots are quite large with several alternate sites suitable for construction of a future dwelling. In order to establish a first floor elevation for any given lot the specific site for a house must be determined before an appropriate floor elevation is set. This would severely restrict a future lot owner from siting a house wherever he might choose. This arbitrary restriction would unfairly limit the individuals freedom to choose where their home should be located. It is also possible with the sloping terrain to construct a house with multiple levels stepping down hill and an established elevation would preclude this possibility.

The underlying issue here seems to be surface drainage, whereby one lot might fill against an abutter and cause water to pond on the lot. This is very unlikely on this particular site due to the many existing drainage ways and sloping terrain. Most lots back up to one of these drainage ways which are all protected by buffer zones and thereby have readily available opportunities for positive lot drainage without impacting neighbors.

Land Planners • Engineers • Surveyors 17 Commercial Street, Portland, Maine 04101 207-772-8392

Please review this request and let me know how to proceed on this issue.

Sincerely,

David A. Kamila, P.E.
Vice President

cc: Robert L. Adam, Dr. Lloyd B. Wolf

ATTACHMENT 9

LAND USE CONSULTANTS

January 25, 1988

026III

PRESUMPSCOT RIVER PLACE III
STORMWATER MANAGEMENT REPORT

INTRODUCTION

The Teal Company is proposing to develop Phase III of the Presumpscot River Place Subdivision in Portland, Maine. The project involves the creation of 78 new lots on two parcels. One parcel totals approximately 66.5± acres and is an extension of Phases I and II down to the Presumpscot River. The other parcel totals approximately 5± acres and is located off the westerly end of Alice Street. A total of approximately 7000± l.f. of new paved roadways will be constructed to serve these new lots.

METHODOLOGY

The site was analyzed for after development conditions only because all runoff goes directly to the Presumpscot River and no detention is proposed. The Soil Conservation Service Runoff Curve Number Method was used for the analysis and a Type III storm distribution with Antecedent Moisture Condition II was assumed. Peak flows were completed for each watershed by a TR-20 computer analysis for the 25 year recurrence interval storm. The peak flows were used to size storm drains and culverts.

SITE TOPOGRAPHY, SOILS AND COVER COMPLEX

The site is predominantly wooded with mostly mixed deciduous/evergreen growth. A somewhat open vegetative cover exists along the Central Maine Power Company transmission line near the southerly boundary.

The site is moderately sloping along its southerly edge with several fingers of land separated by deep swales leading to the river. Runoff generally flows northerly in the existing swales to the Presumpscot River. Development will be predominantly located on the upland areas away from the steep sided swales. The entire area fronting on the river will be preserved as common open space.

Site soils as identified by the SCS Medium Intensity Soil Survey for Cumberland County are identified as Suffield, Scantic,

Belgrade, Hinckley and Windsor. The predominant soils being Suffield and Scantic.

WATERSHED AREAS

For purposes of this study the site was broken down into 27 separate drainage sub areas. Included in these sub areas was off-site areas which drain to the site.

Existing drainage patterns will not be significantly altered by this project. Stormwater will be collected in piped drains and discharged in existing swales. Rip-rap aprons and plunge pools will be used to minimize erosion potential and to dissipate energy at outfalls.

SUMMARY AND CONCLUSIONS

The development of the Presumpscot River Place III Subdivision will result in increased runoff from the area.

Piped storm drains and culverts will direct this runoff to existing swales.

Rip-Rap aprons and plunge pools will minimize erosion potential.

No detention basins are proposed because flows discharge directly to the Presumpscot River.

Detailed calculations are included in the supplement to this report and the watershed and soils boundaries are detailed on the watershed maps included in the plan set.

Prepared by:

David A. Kamila, P.E.

STATE OF MAINE
DAVID A KAMILA
3197
REGISTERED
PROFESSIONAL ENGINEER

ATTACHMENT 10

T.Y. LIN HUNTER-BALLEW ASSOCIATES INTERNATIONAL

Job Number: 50927.15
Date Issued: 02/08/88

STATE OF MAINE
WILLIAM C. EATON
#3715
REGISTERED PROFESSIONAL ENGINEER

REPORT ON
TRAFFIC IMPACT STUDY

PRESUMPSCOT RIVER PLACE III
PORTLAND, MAINE

PREPARED FOR
LAND USE CONSULTANTS
17 COMMERCIAL STREET
PORTLAND, MAINE 04101

PREPARED BY
T. Y. LIN INTERNATIONAL/HUNTER-BALLEW ASSOCIATES
CONSULTING ENGINEERS
FALMOUTH, MAINE

FEBRUARY 1988

T.Y. LIN INTERNATIONAL
HUNTER - BALLEW ASSOCIATES

5 FUNDY ROAD, FALMOUTH, MAINE 04105 TELEPHONE (207) 781-4721

February 9, 1988

Land Use Consultants
17 Commercial Street
Portland, Maine 04101

Subject: Traffic Impact Study - Presumpscot River Place III

Gentlemen:

We are pleased to present herewith the Traffic Impact Study prepared in conjunction with the proposed residential development, Presumpscot River Place III.

If you have any questions regarding the Traffic Impact Study, please contact me.

Yours truly,

T. Y. LIN INTERNATIONAL/
HUNTER-BALLEW ASSOCIATES

Debbie A. Niemeier

Debbie A. Niemeier, P.E.

DAN/dcs
Enc.
JN: 50927.15

T.Y. LIN HUNTER-BALLEW ASSOCIATES INTERNATIONAL

SECTION I - INTRODUCTION AND PURPOSE OF STUDY

In September 1986, Land Use Consultants retained T. Y. Lin International/ Hunter-Ballew Associates (TYLI/HBAO to prepare a Traffic Impact Study providing a general and conceptual traffic assessment of access alternatives for the Presumpscot River Place III (PRP III), a 78 unit residential development located in the North Deering area. The boundaries for this study are defined by Allen Avenue Extension, Auburn Street and the Presumpscot River. The location of the proposed site is shown on Figure 1.

The purpose of the study is to evaluate PRP III's access routes and the impact the additional traffic will have on the existing street system. Within the vicinity of the site the general traffic circulation patterns will be examined and a summary of conclusions and recommendations will be presented.

SECTION II - EXISTING AND PROPOSED TRAFFIC

In order to determine the impact of the PRP III residential development on the existing street system, the existing traffic circulation patterns were analyzed. The analysis consisted of four basic steps:

A. Determination of Study Area.
B. Determination of Zones by Residential Area
C. Trip Generation and Assignment per Zone
D. Capacity Analysis

Each of the steps is summarized in the following text.

A. Determination of Study Area

The study area is bounded by the Allen Avenue Extension, Auburn Street and the Presumpscot River (see Figure 2). The limits of the study area were determined by various access routes available to the Presumpscot River Place III site-generated traffic. Each of the streets likely to feel any direct or immediate impact from the residential development were included in the analysis. In order to present a more conservative study, all present or committed developments within the study area are included in the analysis.

B. Determination of Zones by Residential Area

An aerial photograph was obtained through the Greater Portland Council of Governments. This photograph was used to determined existing residential areas and those tracts which were committed for development. This resulted in a total of 35 zones within the study area (see Figure 3).

C. Trip Generation and Assignment per Zone

As can be seen from Figure 3, each zone was configured so that the entry/exit access was clearly defined. Each zone was also oriented so that the probable primary access route would be Summit Street. For undeveloped tracts, traffic was routed to the most likely access point. Once the definition of zonal areas was completed, an analysis of traffic volumes was undertaken.

Examination of existing traffic counts taken in 1983 and 1986 yield two important results. The first establishes the growth rates being experienced by the North Deering area. PM peak hour traffic, generated from within the North Deering area and using Allen Avenue, has not grown appreciably in the 1983-86 period. However, traffic generated from outside the North Deering area and utilizing Allen Avenue has been growing at a rate of 13% annually. This rate represents a significant growth in traffic volumes moving through the North Deering area.

The second result deals with the available access routes and directional flow of traffic. The primary access route into and out of the North Deering area is Summit Street. Jackson, Clayton and Alpine Streets are major secondary access routes. At the north end of the study area it appears that Longview is also used as a secondary access route to a limited extent. Lastly, within the North Deering area, traffic flow is oriented 75% south and east, and 25% north and west. At Allen Avenue, Summit Street traffic splits 2-1, west to east.

Utilizing these results, the generated traffic volumes were determined along with the probable access routes. The trip generation rates used to estimate peak hour volumes are from the Institute of Traffic Engineers publication, Trip Generation (3rd Edition). A generation rate of 1.012 PM peak hour trips per dwelling unit was used to estimate the existing PM peak hour volumes. In addition, an exit rate of 37% and entry rate of 63% was used to estimate the directional splits, again from the ITE Trip Generation publication. The estimated base volumes are displayed for Summit Street/Allen Avenue, Summit Street/Jackson, and Summit Street/Curtis on Figure 4. The Summit Street/Allen Avenue intersection is expected to have the highest degree of local impact from the Presumpscot River Place III development, based on existing travel patterns.

Effectively, all new units (78±) of the Presumpscot River Place III layout, provided by Land Use Consultants, will use Curtis Street for access outside the development. Based upon the number of dwelling units proposed (78), the peak hour volumes will increase by 79 vehicles and daily traffic will increase by 781 vehicles per day. Utilizing existing peak hour volumes (Fall 1986) and applying the appropriate growth rates for two years, the number of 1989 existing PM

peak hour vehicle trips were estimated, including the following developments; Woodmere, Pinelock, Ray Street and Kasprzak (see Figure 5) for the Summit Street/Allen Avenue intersection. The 1989 PM peak hour Build volumes were estimated as the total of 1989 Base volumes plus site generated volumes from the Presumpscot River Place III residential development (see Figure 6).

D. Capacity Analysis

A capacity analysis was performed on the intersection of Allen Avenue and Summit Street to evaluate the impact of the traffic generated by the Presumpscot River Place III development. The intersection is unsignalized and the procedures from Chapter 10 of the Highway Capacity Manual (Special Report 209, Transportation Research Board, 1985) were utilized for the analysis.

For unsignalized intersections the level of service for movement in conflict with major street flow (left turn entry, all minor street exit movements) is related to the reserve capacity available for such movements. The relationship between level of service and reserve capacity is shown below:

Level of Service	Reserve Capacity
A - Little or No Delay	400+
B - Short Delays	300 - 399
C - Average Delays	200 - 299
D - Long Delays	100 - 199
E - Very Long Delays	0 - 99

Capacity analysis of the Summit Street and Allen Avenue intersection for the 1989 Base and Build conditions are shown below:

1989 Base Condition PM

Intersection	Level of Service	Reserve Capacity
- Left from Allen	A	480
- Left from Summit	D	108
- Right from Summit	A	1,028

1989 Build Condition PM

Intersection	Level of Service	Reserve Capacity
- Left from Allen	A	480
- Left from Summit	D	60
- Right from Summit	A	992

From the analysis, it is expected that traffic turning left from Summit Street will experience additional delay due to increased volumes.

SECTION III - WARRANT ANALYSIS

A warrant analysis was performed for the PM peak hour periods based on estimated 1989 traffic volumes. Warrants, 1, 2, 8, 9, 10 and 11 were evaluated and none of the required volumes were present. Therefore, a traffic signal is not warranted at this location.

SECTION IV - SAFETY

Accident data for the period of 1983-85 was obtained from the Maine Department of Transportation (MDOT) for roadways in the study area. A summary of the data is presented below:

Location	1983-85 Accidents	Yearly Average	Critical Rate Factor
Curtis St. - from Summit to end	1	0.33	0.38
Summit St. - from Curtis to Jackson	0	0.00	0.00
Summit St. - from Allen to Curtis	3	1.00	0.21

MDOT considers a Critical Rate Factor (CRF) of over 1.0, or 8 accidents over 3 years as a general guideline to identify potential safety deficiencies. Each of the links noted above meets this criteria.

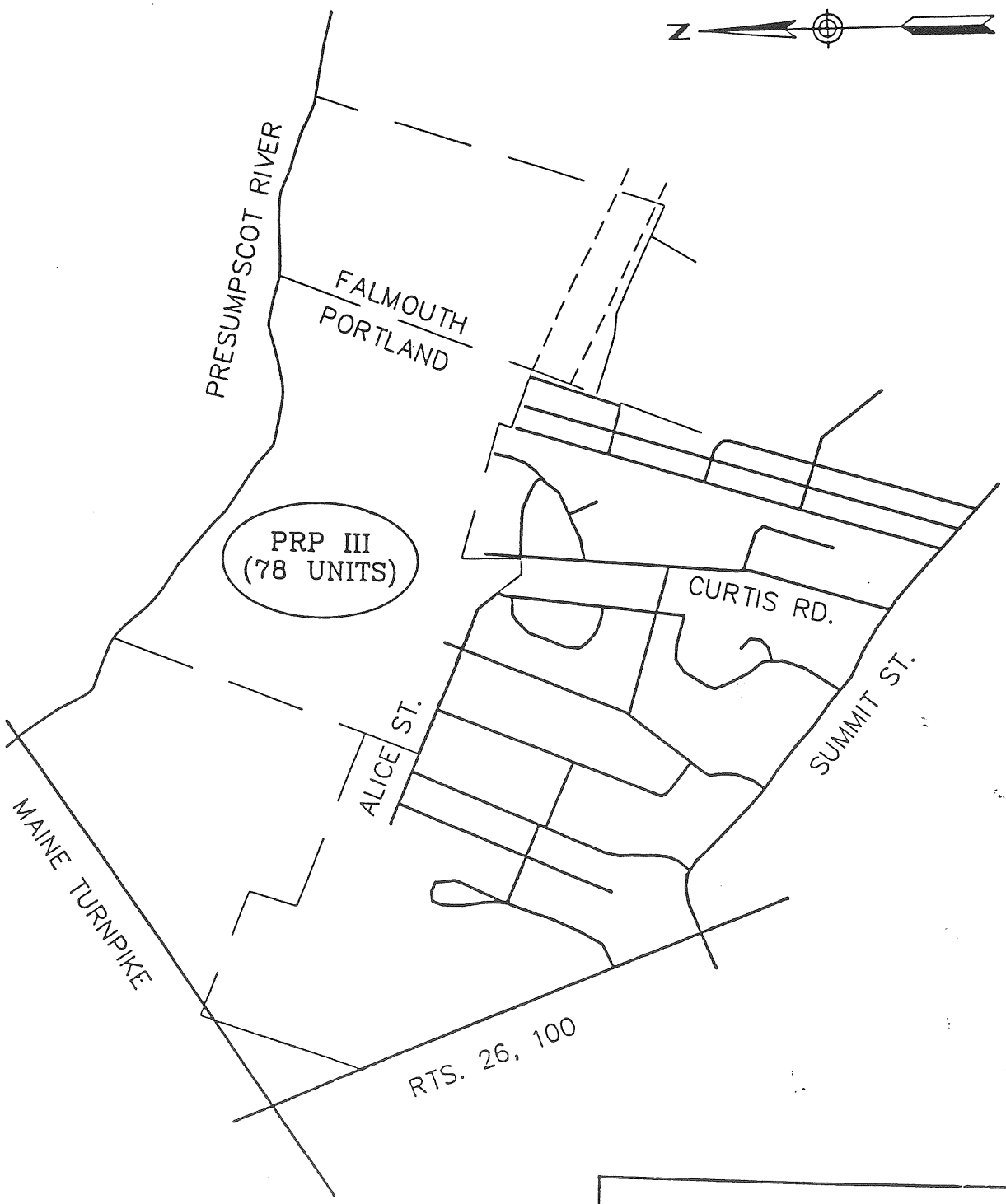
SECTION V - CONCLUSION

Based on the analysis presented thus far, the impact that the Presumpscot River Place III will have on traffic volumes will be seen in decreased reserve capacities and a longer delay for left turning movements entering Allen Avenue. Although there are possible alternative access routes, the Summit Street/Allen Avenue intersection represents the logical choice for both developer and driver.

A capacity analysis was performed on the Summit Street/Allen Avenue intersection. Left turning movements from Summit Street onto Allen Avenue will experience increased delays. However, with the recent improvements on Summit Street, from Allen Avenue to just before Curtis Street, the intersection is better able to handle increased traffic volumes than others in the vicinity.

Traffic signal warrants were examined and the estimated volumes did not meet the criteria required by the Manual on Uniform Traffic Control Devices.

DAN/dcs

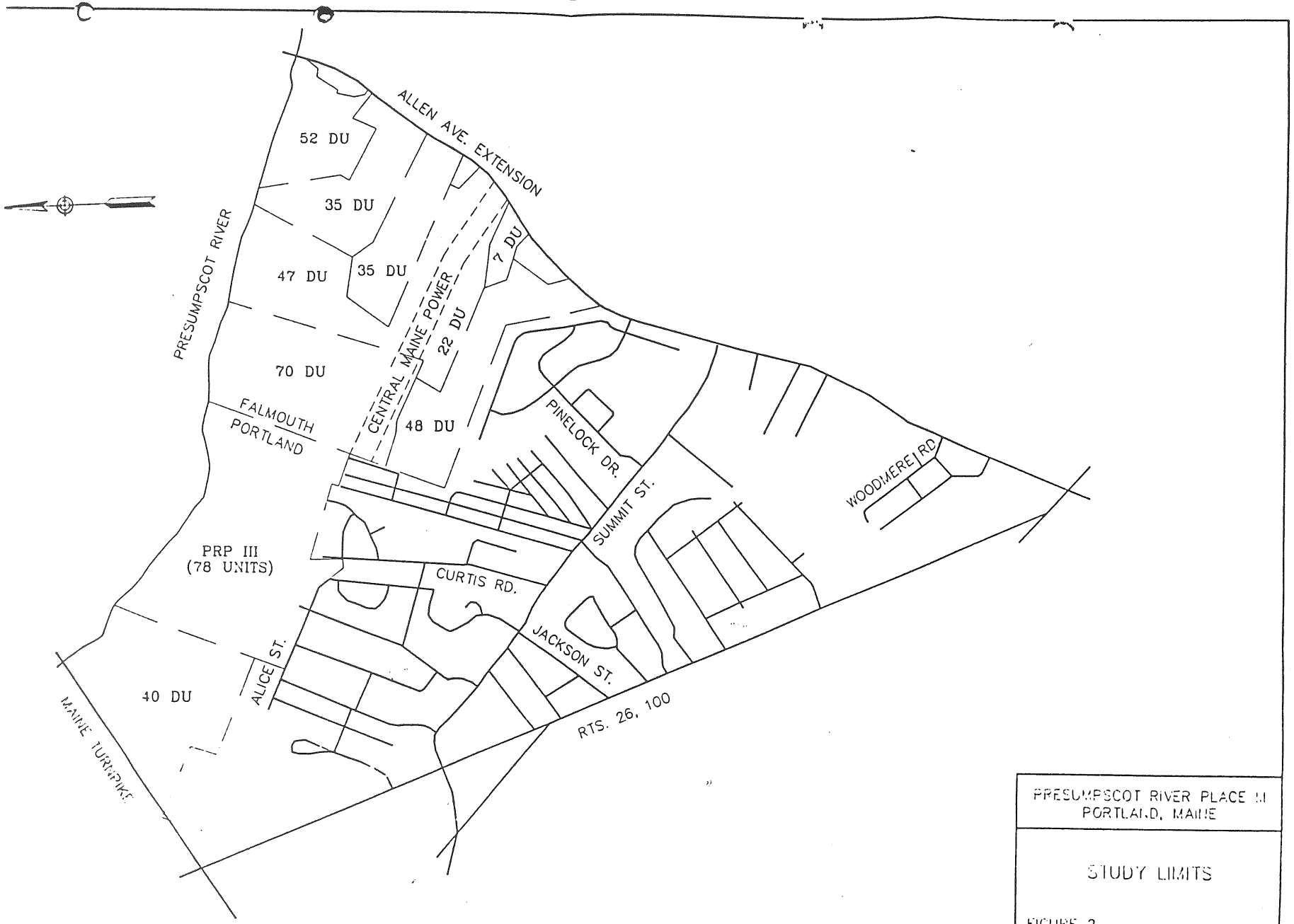


PRESUMPSCOT RIVER PLACE II
PORTLAND, MAINE

PROJECT SITE

FIGURE 1

T.Y. LIN INTERNATIONAL/HUNTER-BALLEW ASSOCIATES

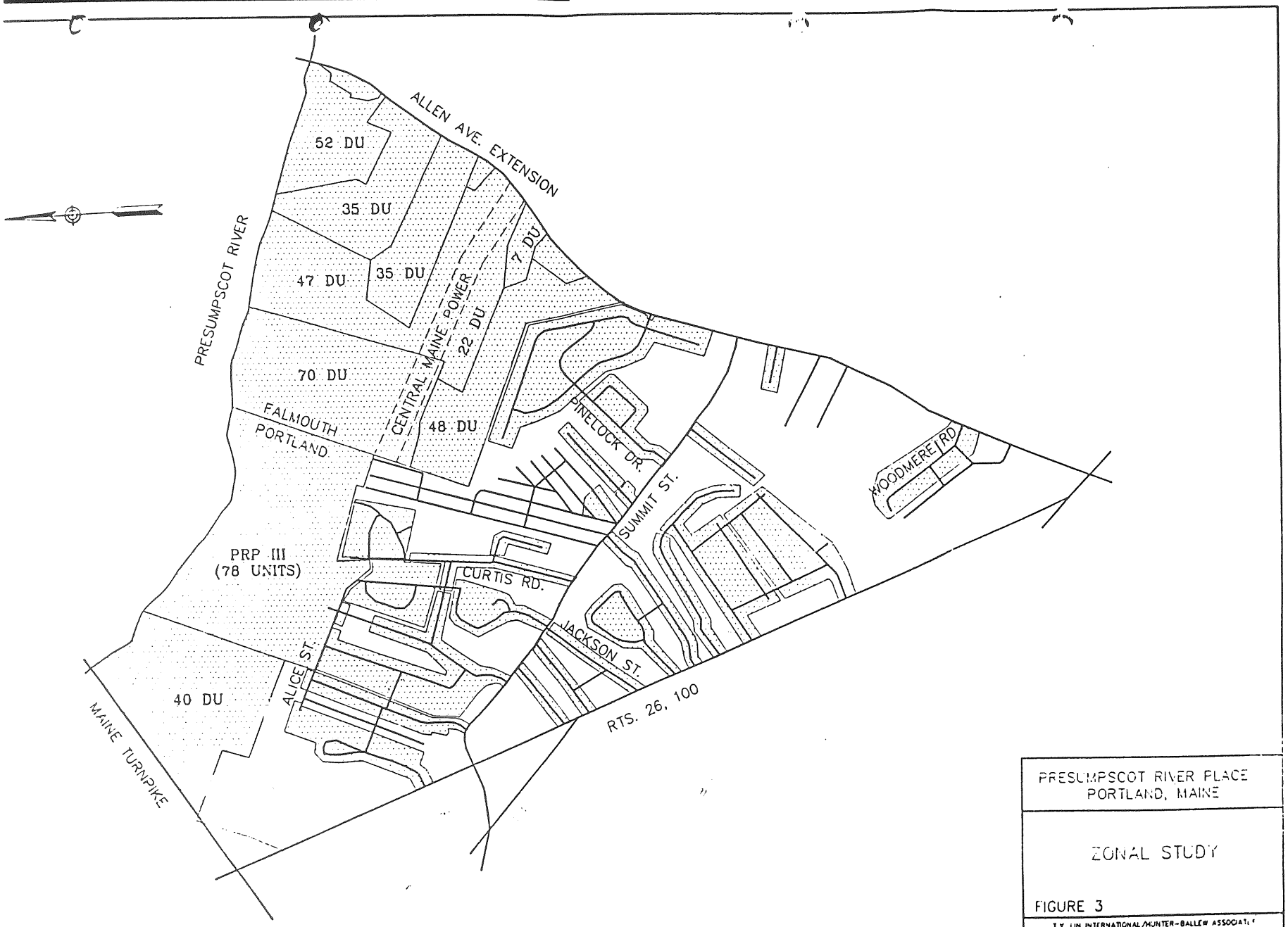


PRESUMPSCOT RIVER PLACE III
PORTLAND, MAINE

STUDY LIMITS

FIGURE 2

T.Y. LIN INTERNATIONAL/HUNTER-BALLEW ASSOCIATES

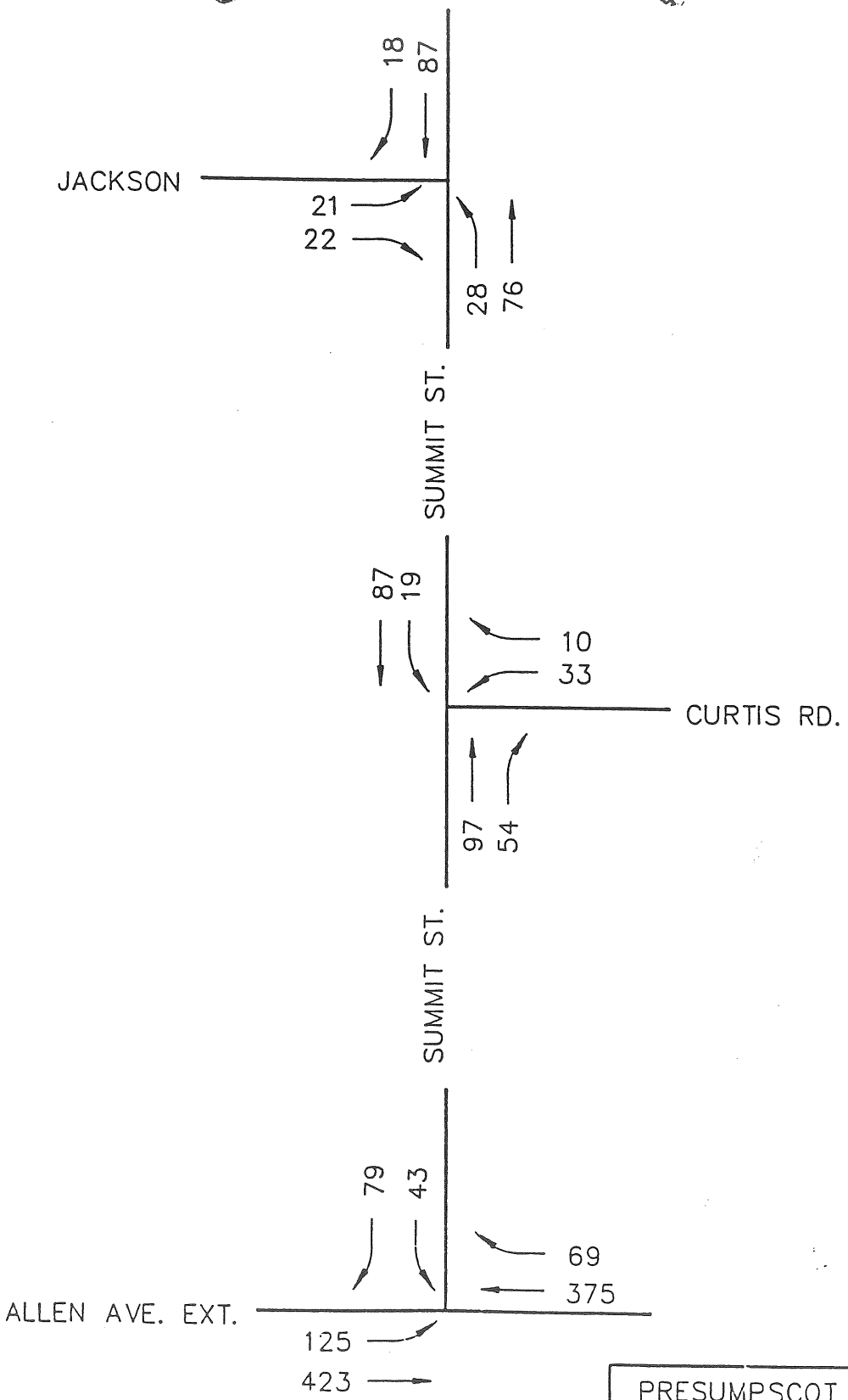


PRESUMPSCOT RIVER PLACE
PORTLAND, MAINE

ZONAL STUDY

FIGURE 3

T.Y. LIN INTERNATIONAL/HUNTER-BALLEW ASSOCIATES



PRESUMPSCOT RIVER PLACE III
PORTLAND, MAINE

1989 BASE
TRAFFIC VOLUMES
P.M. PEAK HOUR

FIGURE 4

T.Y. LIN INTERNATIONAL/HUNTER-BALLEW ASSOCIATES

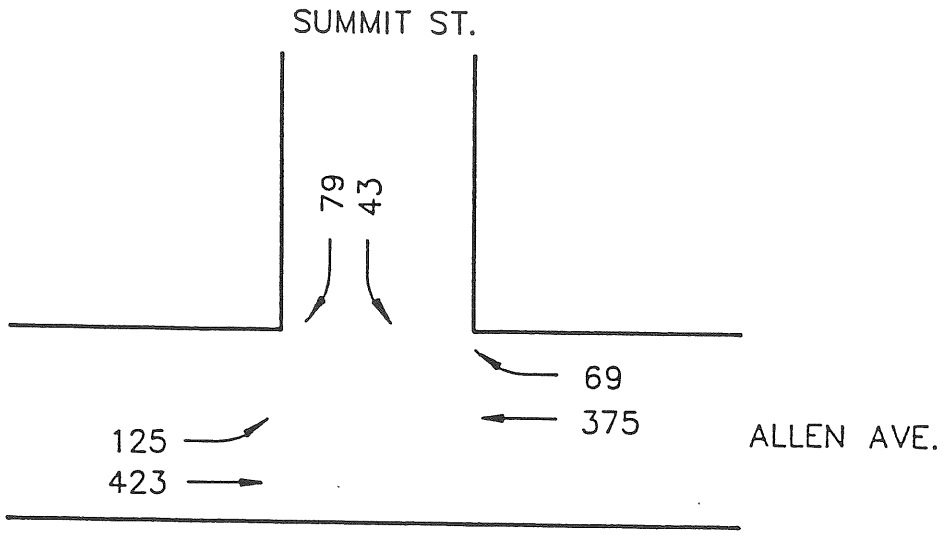


FIGURE 5

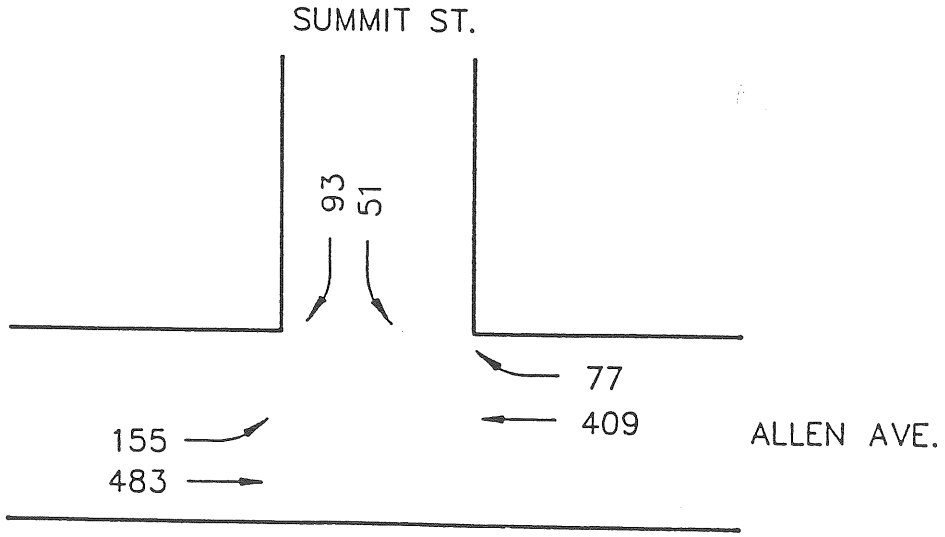


FIGURE 6

* INCLUDES PRP III, PINELOCH, RAY STREET, WOODMERE, AND KASPRZAK RESIDENTIAL DEVELOPMENTS

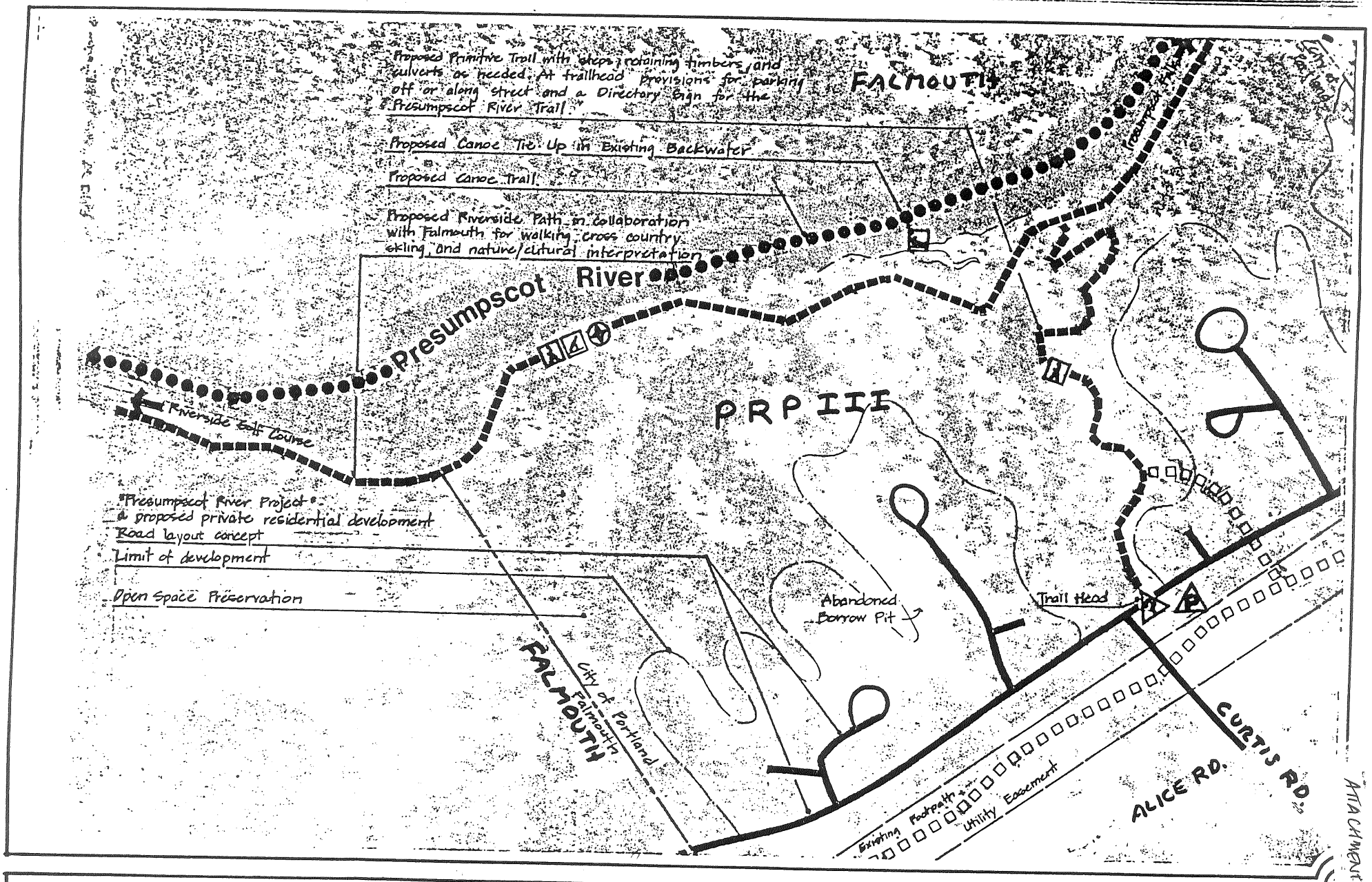
PRESUMPSCOT RIVER PLACE III
PORTLAND, MAINE

FIGURE 5: 1989 BASE TRAFFIC VOLUMES P.M. PEAK HOUR

FIGURE 6: 1989 BUILD * TRAFFIC VOLUMES P.M. PEAK HOUR

T.Y. LIN INTERNATIONAL/HUNTER-BAILEY ASSOCIATES

EXCERPT FROM "PORTLAND SHORELINE ACCESS PLAN"



LOWER PRESUMPSCOT RIVER TRAIL

ATTACHMENT 11

LOWER PRESUMPSCOT RIVER TRAIL

LOCATION: The southern bank of the Presumpscot River, adjacent to the Falmouth town line on the east and west, north of Summit Street and southeast of where the Maine Turnpike crosses the river.

CURRENT LAND USE: Undeveloped property: currently under consideration by its owners is a single family subdivision: Presumpscot River Place.

OWNERSHIP: Private.

CULTURAL FEATURES:

- Possible Indian history: (Note: if the proposed subdivision is required to submit an application for a Site Location of Development Permit from the Maine Department of Environmental Protection they may be required to have an archaeological study done for the area; if sites are of any significance the developers may further be required to show how the proposed development will be planned to avoid disturbance.)

- Existing footpath at the top of the embankment

- Utility easement

- Borrow pit

- Rehabilitation of the Presumpscot River

NATURAL FEATURES:

- Upland: primarily deciduous trees and understory vegetation; some disturbed areas

- Riverfront: Mixed forest land (birch, oak, hemlock, ferns); small backwater inlet along the river with a shady bottom and a shoreline covered with dense fern growth; banks change from gravel and sandy soil to ledge at or near the surface

CURRENT LEVEL OF ACCESS:

- From the Presumpscot River, via canoe or light boat

- Bushwack in from the utility easement off Curtis Street

DEVELOPMENT PRESSURE: High. City of Portland has received plans for a residential mixed-use development incorporating 234 multiplex units and 40 single family homes. This same development also extends 1050 feet to the east and 1000 feet to the west along the Falmouth riverfront, showing an additional 246 units of multiplex housing. As presently configured the development would be set back 200 to 400 feet from the edge of the river, due to steep slopes and the many ravines.

VISUAL QUALITIES:

- Within upland environment: Low. Lack of reclamation efforts in local borrow pits; periodic clear cutting along the utility easement

- Along the river corridor: High. Exhibits high levels of diversity in vegetative cover and landform. Topography shows considerable undulation. Location of existing path varies from water's edge to the top of the embankment, affording a good variety of vantage points.

CURRENT ZONING: R-2: Low Density Residential (Single family homes on individual lots)

RECOMMENDATIONS:

- The city should actively continue its discussions with town officials in Falmouth to coordinate the development of the waterfront trail concept. Issues to be jointly addressed should include trail locations, optimum sites for canoe launching site, appropriate legal means to acquire access rights, management responsibilities, maintenance planning, etc.

- The City should at least require that the developer reserve land for a public access easement along the riverfront, even if the joint decisions with Falmouth have not been completed

-A designated trail system, with a 100-200 foot buffer zone, should be included as part of the open space component of the development

- The City should restrict view corridor cutting within this area to protect the watershed, maintain wildlife travel corridors paralleling the river, and preserve the visual integrity of the riverfront

- At the present time the trail development should remain relatively primitive, with blaze marking on trees and a dirt surface

- Provide culverts and small foortbridges as required to minimize disturbances to ravines and streams

- The small backwater may provide a suitable opportunity for a canoe tie-up; final decision on its location should be coordinated with the joint overall plan and further study of the riparian environment

- A master plan sign should be installed at the point of closest contact with the new development to show how the trail system has been coordinated with Falmouth, and where the points of interest are located

INTERPRETIVE THEMES:

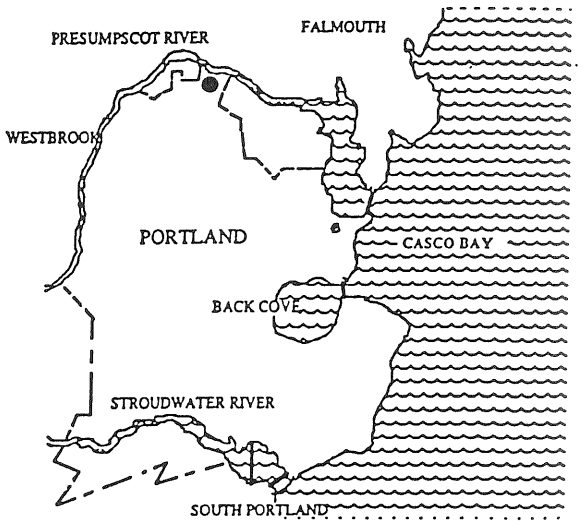
- Riparian ecology
- Fresh water invertebrates
- Fish in river
- S.D. Warren and paper mill
- Clean-up of river/pollution
- Westbrook/Falmouth/Portland relationships
- Walking trail information (if recommended)
- Historical uses of river
- Riverton Park/Role of the Trolley Companies
- Role in inland waterway canal and transportation

MEANS OF INTERPRETATION:

- Canoe Interpretive Trail along river
- Signage

ANTICIPATED USERS:

- Residents of the proposed neighborhood
- Falmouth walkers
- Cross country skiers and snowshoers travelling from the Golf Course
- Canoeists looking for an extension of their day on the river



KEY PLAN

INTERCONNECTIONS: Falmouth River Trail

PHASING:

- Access Agreement: High. With development along the river so imminent it is critical to acquire public access rights as soon as possible

- Development: Mod. Additional time will be necessary to continue with the joint planning effort described above.

COMMENTS: Only a small portion of a continuous trail along the southern bank of the Presumpscot River proposed jointly by the Portland and Falmouth Water Access Studies. Most of the land involved in the trail would be located in Falmouth. However, acquiring public access agreements across this relatively short segment in Portland is critical in making the trail continuous.

LEGEND

PARKING

DIRECTORY SIGN

HANDICAP ACCESSIBLE

RESTROOMS

POINT OF INTEREST

OVERLOOK

CANOE ROUTE

CANOE LAUNCH/TIE-UP

PICNIC AREA

PEDESTRIAN TRAIL

FITNESS TRAIL

WINTER SPORT TRAIL

BICYCLE ROUTE

FISHING PIER

PROPOSED TRAIL

EXISTING TRAIL

ALTERNATIVE ACCESS POINTS

0' 50' 100' 200' 300' 400' 500' FEET

NORTH

ATTACHMENT 12

Portland Water District
225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553
(207) 774-5961

OCT 10 1988
RECEIVED

October 7, 1988

Mr. William Walsh
LAND USE CONSULTANTS
17 Commercial Street
Portland, ME 04101

Re: Presumpscot River Place III

Dear Mr. Walsh:

The Portland Water District has received the preliminary plans of the above-named proposed subdivision addition, located off Curtis Road and next to the Presumpscot River in Portland.

The District has adequate water available in Curtis Road and Overset Road, backed up by connections into the District's 24" transmission main, that parallels this project to supply this project, and meet all normal fire protection and domestic water service demands.

We have forwarded the plans to our Engineering Department for their review and approval, as to the actual piping layout and design. It will be necessary to receive their approval prior to construction. We have also updated our cost estimates of this project, and are enclosing a copy.

With certification by the developer that all required permits have been received, and satisfactory arrangements with the District completed, we look forward to serving this project.

Very truly yours,

Donald E. Wyman
Director of Marketing/Customer Relations

DEW/d

Enclosure

ATTACHMENT 13

Central Maine Power, Southern Division
P.O. Box 1801, Portland, Maine 04104
(207) 772-7411

October 5, 1988

Mr. Bill Walsh
Land Use Consultants
17 Commercial Street
Portland, ME 04101

Dear Bill:

Subject: Presumpscot River Place Housing, Portland

This letter is to advise you that Central Maine Power Company has adequate electrical capacity in the area to serve the subject project. We will, however, have to extend extra primaries from Washington Avenue to supply three phase for the development's pumping stations. Our Line Department is working on getting an estimate for this extension.

If you have any questions, please call.

Very truly yours,

Mark Kreider

MARK A. KREIDER
Energy Services Advisor

MAK/dl

ATTACHMENT 14

ONE®
Maine Savings Bank

October 5, 1988

City of Portland
Attn: Alex Jaegerman
Portland, ME 04101

RE: Presumpscot River Phase III
Portland, Maine

Dear Mr. Jaegerman:

We have reviewed the project in question, Presumpscot River Phase III subdivision in Portland, Maine.

We feel comfortable with the concept of the entire project as explained to us by Mr. Robert Adam, the developer.

We have reviewed the financing need on this subdivision and feel that $2,000,000. would be sufficient to fully develop the 79-lot subdivision as proposed.

Although this letter is not a formal commitment letter, we have discussed with Mr. Adam our intent to fund the total project when all DEP, City and other regulatory items have been obtained, as well as other pertinent criteria associated with the land development.

Maine Savings Bank has known Robert Adam and Lloyd Wolf for many years. During that period of time, we have lent them substantial sums of money on several projects throughout the state. I have knowledge of this project about which you are concerned and would like to assure you that Mr. Adam has both the financial capability and development ability to complete the project in a reliable fashion.

We hope this letter will aid Mr. Adam in his request for DEP and City approval. If I can be oif further assistance, please don't hesitate to contact me directly.

Very truly yours,

Paul J. Watts

Paul J. Watts
Vice President
Commercial Real Estate

PJW/vf

ATTACHMENT 19

Robert L. Adam
286 Falmouth Road
Falmouth, Maine 04105

July 18, 1989

Ms. Sara Green, Planner
City of Portland Planning Staff
389 Congress Street
Portland, Maine

Dear Ms. Green,

Presumpscott River Place III

Mr. Fred Panico, substituting for David Kamila who is on vacation, has informed me that the Portland Planning Staff has made new verbal requests for information, documentation and additions to the plan of PRP III on Monday the 17th, six working days prior to the most recent final hearing on this subdivision permit. I instructed him to request these staff comments in writing so that we may consider, determine the work effort and respond to the requests.

While I am not sure of the date of the receipt of these written requests, there are four working days left in which we can respond and you evaluate our responses. Last January we were faced with a similar situation which gave rise to a six month delay in obtaining another final hearing.

While we are attempting to respond to these additional comments, I observe that some of these comments from which you expect prompt response are without adequate notice for response preparation by July 25, 1989.

Very truly yours,

Bob Adam

Bob Adam

ATTACHMENT 16

CITY OF PORTLAND, MAINE
389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 775-5451

PLANNING & URBAN DEVELOPMENT

JOSEPH E. GRAY, JR.
DIRECTOR

July 19, 1989

Robert Adam
286 Falmouth Road
Falmouth, ME 04103

Dear Mr. Adam:

I have received your letter dated July 18, 1989 requesting staff comments in writing.

I spoke with Fred Panico and Dave Kamila on July 11, 1989. During these phone conversations we discussed several issues regarding the PRP III recording plat; issues which have been raised on several occasions within the past few months. These concerns include:

- The submittal of deed descriptions, drainage maintenance agreements, drainage easement language, and utility easements.

- The incorporation of specific referencing of the forestry management report to the subdivision plat.

- A clarification of building envelope limitations.

- Language requiring sedimentation and erosion control for lots with river frontage and steep slopes.

At the same time, I requested a minor change in the rewording of notes 4 and 18, a clarification of the referencing method for easements, and a resolution of street frontage for lots 53, 54, 1, and 79.

Finally, after not being able to reach Dave Kamila on Friday, July 14, I spoke with Fred Panico on Monday, July 17 to discuss the remainder of comments raised at the last staff meeting. These comments included the following additional comments in addition to reiterating the issues described above:

a prior issue, raised previously

- Verification of pumphouse detail (an issue prior, previously to the October 11, 1988 public hearing).

- The planting of trees in the cul-de-sac, as outlined in the manual of Technical Standard.

- A resolution of details and typicals for the cul-de-sac curbing, as outlined in the manual of Technical Standards.

- An additional note stating that all disturbed areas will be regraded and restabilized to sustain the existing drainage flow.

As I understand it, the issues raised by staff regarding PRP III are hardly new with the exception of minor note rewordings and requests for details and landscaping information on the cul-de-sacs. If, however, there are problems in preparing the submission for review by the City staff and Planning Board, a request of tabling of review by the Planning Board is a viable option.

Sincerely,

Sarah Greene, Planner

cc: Alexander Jaegerman, Chief Planner
Steve Harris, Planning Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Fred Panico

/jy

8. SCENIC OR NATURAL BEAUTY

The applicant has submitted a report prepared by Eco-Analyst Inc. dated 8-20-87, regarding an evaluation of the sites wildlife rare or endangered species and other unusual features. This report is included as Attachment 5. A summary of the report is shown below:

> "Three small streams pass through the site and empty into the Presumpscot River. These streams have considerable value, bot as wildlife habit and a scenic amenity. All the streams and their tributaries are in deep ravines. . . .and should be protected.
> "The most important requirement to protect the streams is maintenance of the existing riparian vegetation. The vegetation serves two primary functions - the provision of shading to prevent heating of the water and stabilization of the steep slopes to prevent erosion and subsequent sedimentation of the streams. I recommend a prohibition on all cutting within 15 feet of the steep slopes to the streambed with an additional 20 foot buffer where a shelterwood cut will be allowed."
>
> "Several specimens of downy rattlesnake plantain (Goodyera pubescens), a plant formerly on teh Maine rare plant list, were found within the ravnes on the drier sites. The buffers would afford protection to this species."
>
> "A probable deer wintering area was found in the northern portion of the property near the Presumpscot River. I observed typical habitat of thick hemlock understory with a dense overstory. Many piles of very old droppings were seen. Although not definitive, the evidence strongly suggests that a late winter site visit would find deer in the area."
>
> "The area in question is primarily on steeper slopes and within the open space zone along the river. It should not be developed. Prohibition of cutting in the area will afford the necessary protection."
>
> "No other unusual flora or fauna were found."

The subdivision plan indicated that trees shall not be cleared within 75 feet of the Presumpscot River except for removing dead and diseased trees. The proposed lots adjacent to the river are very long with a depth ranging from 340 feet (lot 45) to 820 feet (lot 5). The topography of these lots is generally very steep although segments of the lots are somewhat flat. The steepness of the site particularly in relation to those lots on the river side of the parcel is evident on Attachment 3. Attachment 3 indicates the type of soil found on a portion of the site. For example, suffield silt loam soil has slope characteristics of between 25 to 45%.

Given the rather exceptional topographic and natural features of the property, additional site developmet planning requirements should be considered for those lots that have particularly steep slopes (25% or greater) near the river. The concern is that excessive tree clearing, grade changes and site development could adversely affect the steep slopes of the natural ravines and drainage courses near the river and the natural qualities of the site. To address this issue, the applicant has designed building envelopes for those lots having steep slopes. The applicant would like to locate river frontage lot building envelopes in pockets of flat areas downhill from the upper portion of the site. It has been suggested that the appropriate location for the river lot envelopes is in the relatively flat upland areas of the site, near the public streets. There is an agreement with the applicant regarding the location of building envelopes for those sites having steep slopes and adjacent to natural drainage swales, but not for the lots fronting the Presumpscot River.

The plan depicts two trees on each lot in the subdivision and two trees in each cul-de-sac.

Tree Clearance

Since the last public hearing the applicant has submitted a forestry management plan (see Attachment 6). The report includes an inventory of forestry stands on the site, streams, drainage areas, wildlife, habitat and other environmental factors were evaluated. This information was used to write a forestry management plan for the site. The management recommendations are summarized on pages 14-26. The applicant has indicated that these recommendations will be implemented, yet no reference to the forestry management plan appears on the recording plat. A potential condition of approval may be that the applicant incorporate the recommendations of the forestry management plan in their recording plat. The City Arborist has reviewed for forestry management plan and finds it acceptable.

The City Arborist's comments are included as Attachment 17b. Utilities will be underground. Street lighting will be of a town and country design.

9. FINANCIAL AND TECHNICAL CAPABILITY

The applicant has submitted a letter from Maine Savings Bank regarding the applicants financial capability to undertake the project (see Attachment 14).

10. SHORELAND

A portion of the project is located within 250 feet of the Presumpscot River.

11. FIRE DEPARTMENT REVIEW

The Fire Department has reviewed and approved the subdivision plan.

Shoreland Regulations (land use standards)

(1) BEACH CONSTRUCTION

No beach construction is proposed.

(2) TREE CLEARANCE AND OTHER LANDSCAPING

The plan indicated that no trees shall be cleared except for removal of dead and diseased trees within 75 feet of the Presumpscot River.

(3) EROSION AND SEDIMENTATION CONTROL

Erosion and sedimentation information is described on Attachment 7. As discussed eralier, soil erosion and sedimentation could be minimized by more limited building envelopes.

(4) PIER, DOCKS, MARINAS

No structure is proposed into the Presumpscot River.

(5) ROAD CONSTRUCTION

The roads will be constructed in accordance with city standards. Erosion and sedimentation issues are addressed (see Attachment 7).

(6) STRUCTURES

No structures are proposed within flood hazard areas.

(7) WATER QUALITY PROTECTION

There are no known adverse impacts from this project regarding water quality, other than potential for erosion and sedimentation arising from development on steep slopes.

(8) GENERAL SITE PLAN FEATURES

A. Damage to wildlife and wildlife habitat. Attachment indicates the sites wildlife and wildlife habit that should be conserved.

B. Conservation of visual points of access to waters as viewed from public facilities. There are no existing public facilities on land on this property. The applicant is proposing to construct a sewer pump station on Lot 80 which would be deeded to the City. The plan for the sewer pump station plan includes a 4 space parking lot that could be used by the public to park their cars and visit the river.

Lot 80 has about 120 feet of river frontage. The Presumpscot River Place III subdivision within the City of Portland has above 2,400 linear feet of river frontage. As the river frontage lots are very deep (340 to 820 feet) there is an opportunity to plan a pedestrian trail system along the river that would have a significant buffer from any proposed residences of the subdivision.

Attached (see Attachment 11) is an excerpt from the "Portland Shoreway Access Plan" outlining a possible pedestrian trail system along this subdivision. With the sewer pump station lot, the applicant has provided the opportunity for public access at that specific lot. However the applicant has not indicated interest in providing a pedestrian public access easement along the remaining river frontage of the subdivision.

C. Conservation of actual points of public access to waters.

See B above.

D. Conservation of natural beauty.

See section 8 of subdivision review.

Flood Plain Management Regulations

There are no improvements proposed within the 100 year special flood hazard area except for the new sanitary sewer line.

V. Issues for Consideration

Throughout staff and Planning Board review of the proposed Presumpscot River Place III Subdivision, there have been two recurring issues raised concerning building envelopes and public access to the Presumpscot River. A brief discussion of these concerns are included below.

Public Access

The applicant is proposing to construct a sewer pump station on Lot 80 which would be deeded to the City. The plan for the sewer pump station includes a 4 space parking lot that could be used by the public to park their car and visit the river.

Lot 80 has about 120 feet of river frontage. The Presumpscot River Place III Subdivision within the City of Portland has about 2,400 linear feet of river frontage. One of the recommendations of the "Portland Shoreway Access Plan" is that a pedestrian trail system be located along this riverfrontage. As the river frontage lots are very deep (340 to 820 feet) there is an opportunity to plan a pedestrian trail system along the river that would have a significant buffer from any proposed residences of the subdivision.

The applicant objects however to providing public access beyond Lot 80. Ironically there is an existing pedestrian pathway along the river frontage of the subdivision. The applicant is proposing to construct a public sewer near the river that will be connected to the pump station. The sewer line would extend about 820 feet along the shore. This represents a new utility easement (30 feet wide) but no provision is being made for public pedestrian access across it. It should be noted that residential develpment has provided public access in other locations including such projects as Fort McKinley, Breakwater Condo's, and a single family development in Ogunquit, to name a few.

Included in Section 14-497 (a) (8) Review Criteria, of the General Requirements of the Subdivision Ordinance, is the review criteria requiring that the proposed subdivision

> "will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas; any public rights for physical or visual access to the shoreline. . . ."

Presently, a well established pedestrian trail exists along the Presumpscot riverbank through proposed lots 2, 5, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 44, 45, and 46. The trail is a means for the public to gain both physical and visual access to the Presumpscot shoreline. The subdivision plan, as proposed, would severely limit this natural area from visual and physical access by the public. It is acknowledged that participation in implementing the shoreway access plan is voluntary in this case.

Section 14-498 (i)(1) Public Open space of the Design Standards of the Subdivision Ordinance, includes the following requirement:

> "In all subdivisions open space may be provided for parks, recreational and other public areas. Where no public open space or recreational areas exist in close proximity to the subdivision, or where a lack of such areas in the subdivision would require its disapproval under section 14-497(a), general requirements, the Planning Board may require provision of land for park or recreational purposes. Such lands may be designated for public or private ownership in accordance with the conditions stated in this section, subject to the approval of the Planning Board."

Building Envelopes

Concern has been raised regarding the size and extent of building envelopes with respect to the possible soil erosion and sedimentation which may result in the construction of residences in the downhill areas of the site, near the Presumpscot river bank. Any construction, no matter where on the lots, will disturb the drainage capacities of the soil. There is concern about the amount of disruption and disturbance to lots in the midst of complex and sensitive drainage areas. A more extensive or lengthy building envelope, as depicted on the plat, would necessitate a longer driveway leading to a residence located in one of the lower flatland areas. Any driveways constructed to the downhill flat areas would have to extend through steep slopes and adjacent to natural drainage areas.

The applicant has agreed to place a note on the plat requiring that lots in the sensitive upland drainage areas, lots adjacent to natural drainage swales, lots with steep slopes, and those lots with river frontage shall be reviewed by the Public Works Department for grading, erosion and sedimentation control prior to the issuance of building permits for construction. Despite the assurances of engineering to mitigate the effects that construction in the low areas may have on drainage and soil erosion, an adverse impact in site drainage might well occur.

A possible method to limit the adverse effects of construction in the lowland areas of the sites would be to limit the proposed building envelopes. By bringing the envelopes further upland, away from the shoreland, the anticipated adverse impacts of construction in these areas could be avoided and/or lessened. See Attachment 17.

Included in section 14-496 of the Subdivision Ordinance, under "General Requirements", is the requirement that the subdivision under review

> "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."

Section 14-449(3) states:

> "Filling, grading, lagooning, dredging, earth-moving activities and other site alterations shall be conducted in such a manner as to prevent to the maximum extent possible, soil erosion and sedimentation of surface waters..."

not

That the applicant shall develop individual owner to submit site plan by PW for sill prior to MP Septic tape.

Given the sensitive drainage areas of the site, the steep ravines, slopes, swales, and construction in these lower areas, may adversely impact the sites soils and drainage. While construction and disruption of these areas may be engineered, a sensitive drainage zone left in its natural state is more stable than one engineered.

That the app. reqd. to submit elevation and drainage

That the app reqd. lot owners to submit

VI. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant, and the findings of this board reflected in the information provided in Planning Report #56-89 relevant to standards for Subdivision, Shoreland and Flood Plain Management Regulation Review, and/or other findings as follows:

The Board finds:

That the plan is in conformance with the Subdivision/Shoreland Zone Ordinance standards of the Land Use Code.

A. Potential Conditions of Approval

NO

i. That the applicant furnish a description ~~of a "Building~~ Envelope" for review and approval by staff. see page 4

Steve Harris' Cuts too.

see note

attach to recording plat 1, 2, 3, 4,

ii. That the applicant ~~submit, for staff review and approval,~~ a specific referencing of the Forestry Management Report recommendations to the subdivision recording plat.

see note

Submit an amended recording plat referencing p14, 15

iii. That the applicant submit for staff review and approval public utility easements, public and private drainage easements, and a drainage maintenance agreement. [The applicant has submitted legal descriptions of these easements.]

YES

Subdivision approval

appears as notes 4, 6, 15, 16, 17,

Building Envelope 2, 4, 5, 6, 12-17 20-27

That the applicant limit the length and extent of the building envelopes of Lots 22, 23, 24, 25, 26, 45, 2, 5, 12, 13, and 14 to more adequately address concerns regarding the possible degradation of natural drainage patterns and soil erosion in the lowland areas based on Section 14-496(a)(4).

Subject to approval by staff.

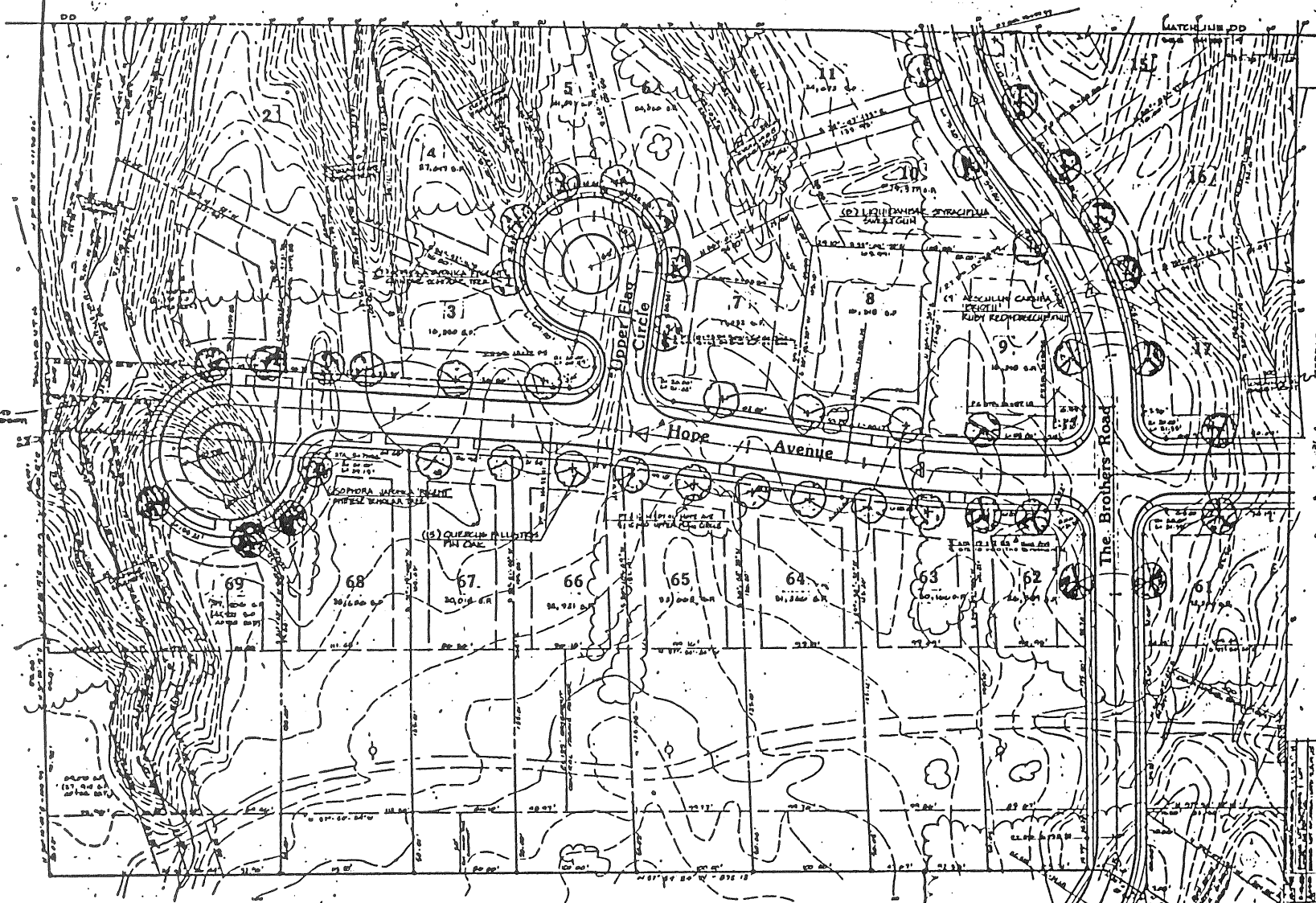
Public Access

That the applicant provide an easement to the city for legal public access to the Presumpscot River across the river frontage lots 2, 5, 12, 13, 14, 15, 22, 23, 24, 25, 26, 44, 45, and 46, in order to preserve the system of pedestrian trails existing at the site based on the "Shoreway Access Plan", Section 14-498(i)(1), and Section 14-497(a)(8).

Attachments

1. Location Map
2. Subdivision Plans
3. Soil Map
4. Project Narrative
5. Environmental Assessment by Eco-Analysts, Inc.
6. Forest Management Plan
7. Erosion Control Plan
8. Letter from Applicant Regarding First Floor Elevations
9. Stormwater Management Report
10. Traffic Impact Study
11. Exerpt from "Portland Shoreway Access"
12. Letter from Portland Water District
13. Letter from Central Maine Power
14. Letter of Financial and Technical Capability from Maine Savings Bank
15. Letter from the Applicant
16. Letter to Applicant from Staff
17. Alternate Building Envelopes
18. Staff Memos

    a. City Traffic Engineer
    b. City Arborist
    c. Planning Engineer



Surveyor's Certification

[illegible]

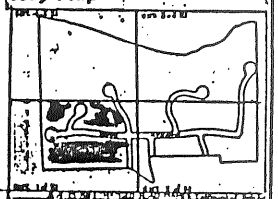
General Notes

1. Record owner of property is Robert L. Adam recorded in the Cumberland County Registry of Deeds in Book 3336, Page 277.
2. Project area is located in the , B-3 Zoning District.
3. Perimeter bounds from a survey for Robert L. Adam by Land Use Consultants, Inc., recorded in the Cumberland County Registry of Deeds Plan Book 123, Page 65.
4. Topographic information prepared by Land Use Consultants from on-site field survey and by James W. Sewall Co. from controlled aerial photogrammetry.
5. Granite right-of-way monuments shall be set 3' inside the right-of-way as per City of Portland Standards.
6. All telephone, electric, and cable TV service lines shall be installed underground.
7. A minimum of two (2) trees shall be conserved or planted according to City Arborist's specifications in the front yard of each lot. Locations and specifications as detailed on plan are suggested and may change subject to Arborist's approval.
8. All disturbed areas shall be loamed and seeded. Filter fabric fence or continuous hay bales shall be installed at toe of all fill slopes. Temporary hay bale check dams shall be installed in swales, around structures, and system outfalls. Remove sediment periodically.

Project Data

LOTS 1-70	47.00 AC
PUBLIC OPEN (LOT 71)	.00 AC
OPEN SPACE (LOT 80)	15.06 AC
ROAD RIGHT OF WAY	9.86 AC
TOTAL PROJECT AREA	71.95 AC

Key Map



DATE	REVISION
[illegible]	[illegible]

Presumpscot River Place III

Subdivision Plan

THE TEAL COMPANY
296 Falmouth Road
Falmouth, Maine 04105

DATE: Jan. 26, 1988		JOB NO: [illegible]
DRN: [illegible]	CHK: [illegible]	FIELD BK. 202
SCALE: 1"=40'		SHEET 1 OF 21

Scale 1" = 40'

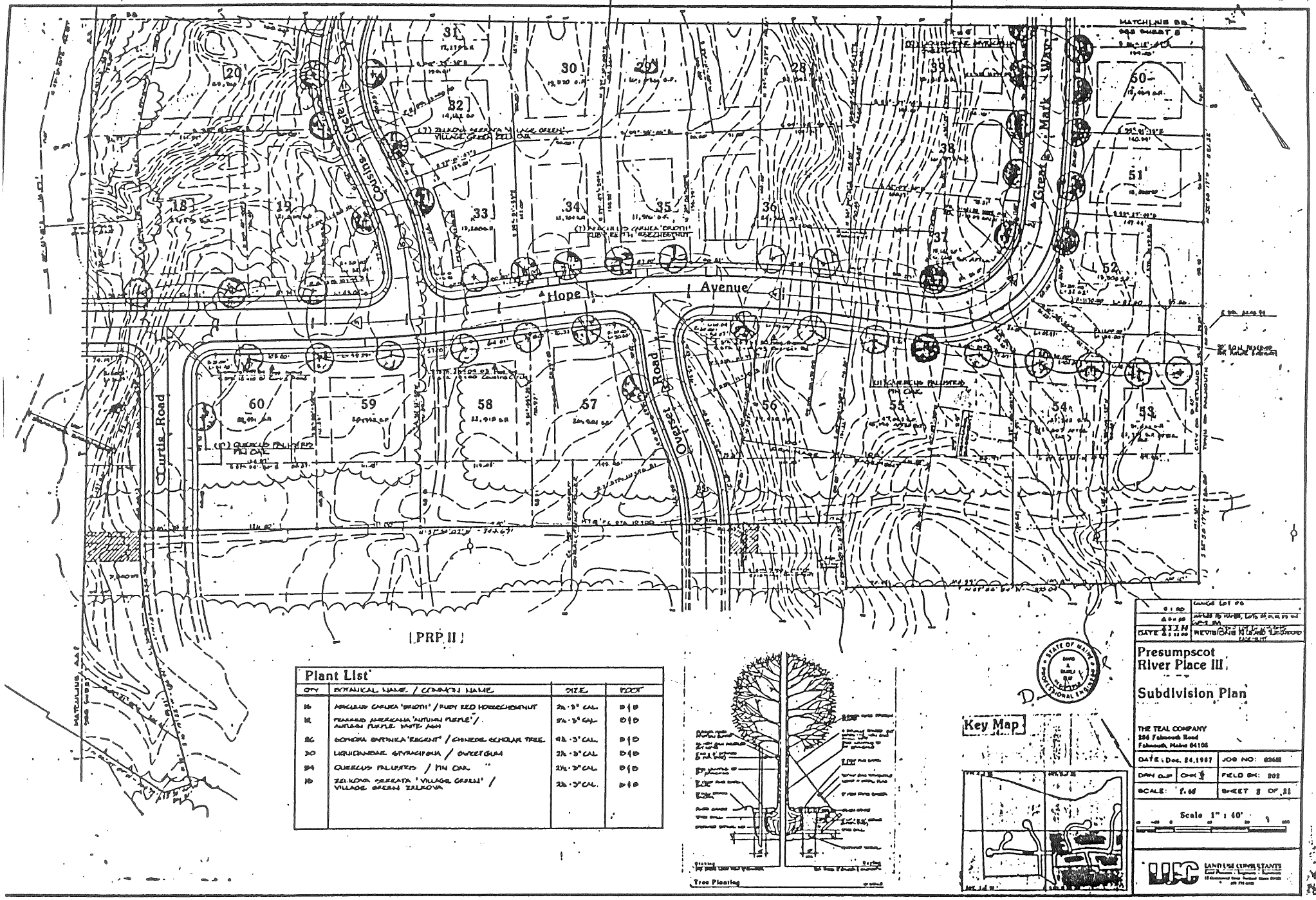
LANDUM CONSULTANTS

Curve Data

	Δ	R	T	L	CH		Δ	R	T	L	CH		Δ	R	T	L	CH
1	90° 00' 00"	120.00	120.00	188.50	169.70	7	90° 00' 00"	270.00	270.00	424.26	381.83	13	21° 01' 45"	300.00	55.65	110.04	109.41
2	90° 00' 00"	120.00	120.00	188.50	169.70	8	90° 00' 00"	270.00	270.00	424.26	381.83	14	14° 24' 56"	300.00	38.10	75.47	75.26
3	90° 00' 00"	120.00	120.00	188.50	169.70	9	270° 00' 00"	40.00	40.00	188.50	169.70	15	57° 14' 29"	120.00	70.00	119.93	115.00
4	90° 00' 00"	120.00	120.00	188.50	169.70	10	90° 00' 00"	270.00	270.00	424.26	381.83		97° 57' 31"	10.00	10.00	17.09	15.09
5	90° 00' 00"	120.00	120.00	188.50	169.70	11	126° 00' 00"	160.00	232.00	352.00	284.00	16	44° 50' 05"	300.00	123.00	239.70	233.67
6	90° 00' 00"		40.00	188.50	169.70	12	270° 00' 00"	40.00	40.00	188.50	169.70	17	170° 00' 00"	40.00	40.00	188.50	169.70
												18	55° 00' 00"	110.00	62.75	105.63	101.74

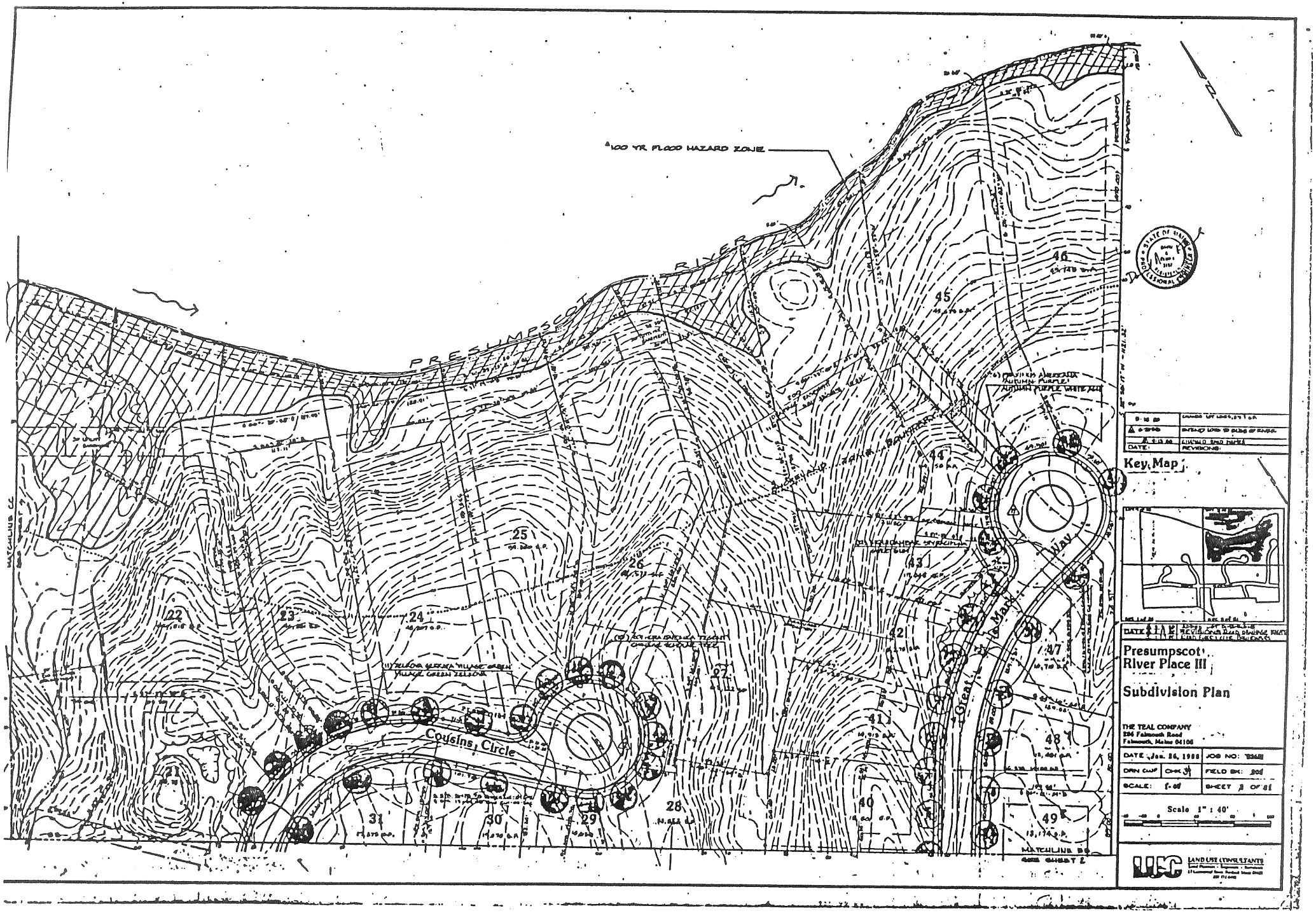
Legend

- Iron Pipe Found
- Drill Hole Found
- Granite Monument Found
- Property Line
- Boundary Line
- Ex. Tree Line
- Curve Number
- Zone Line

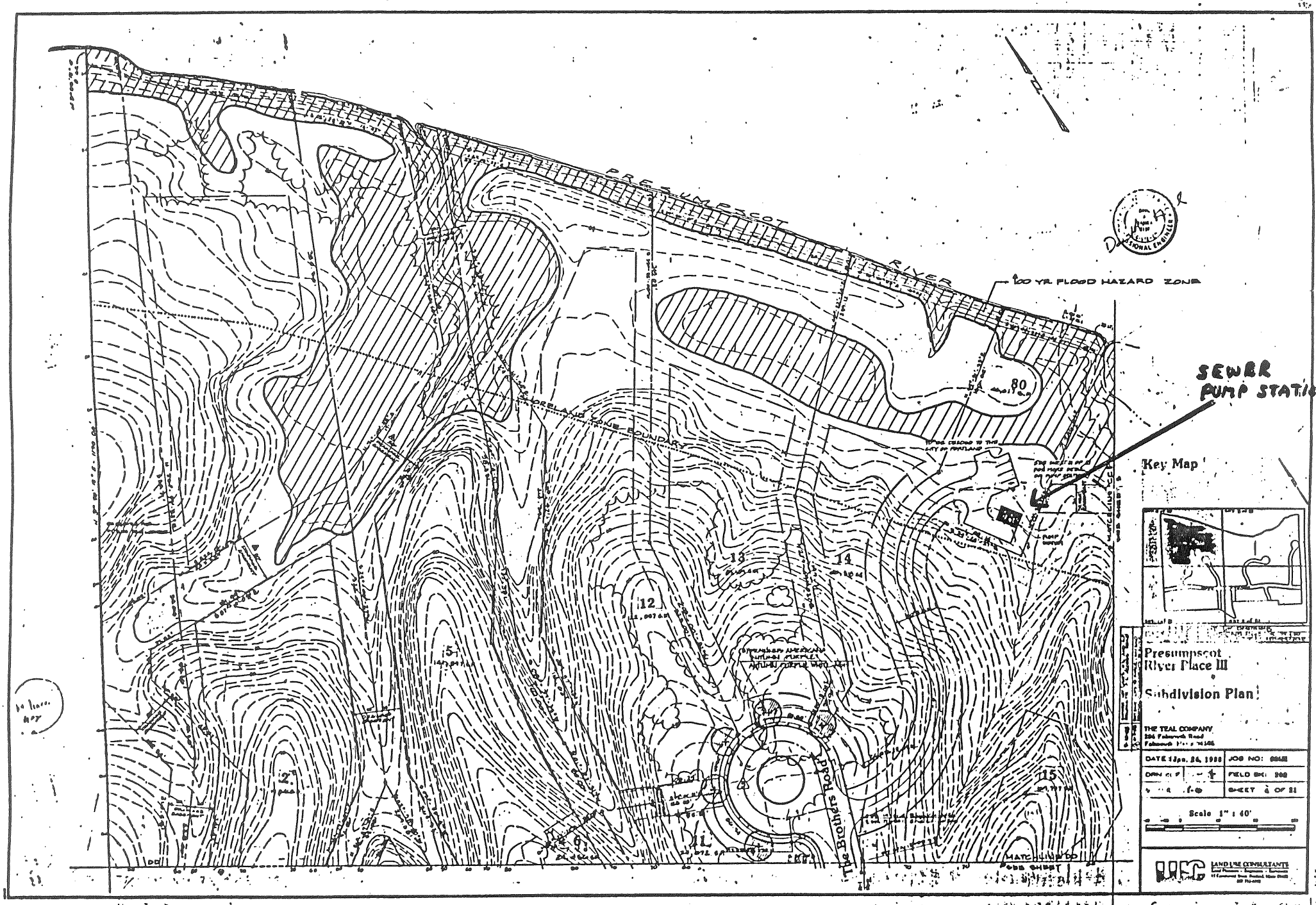


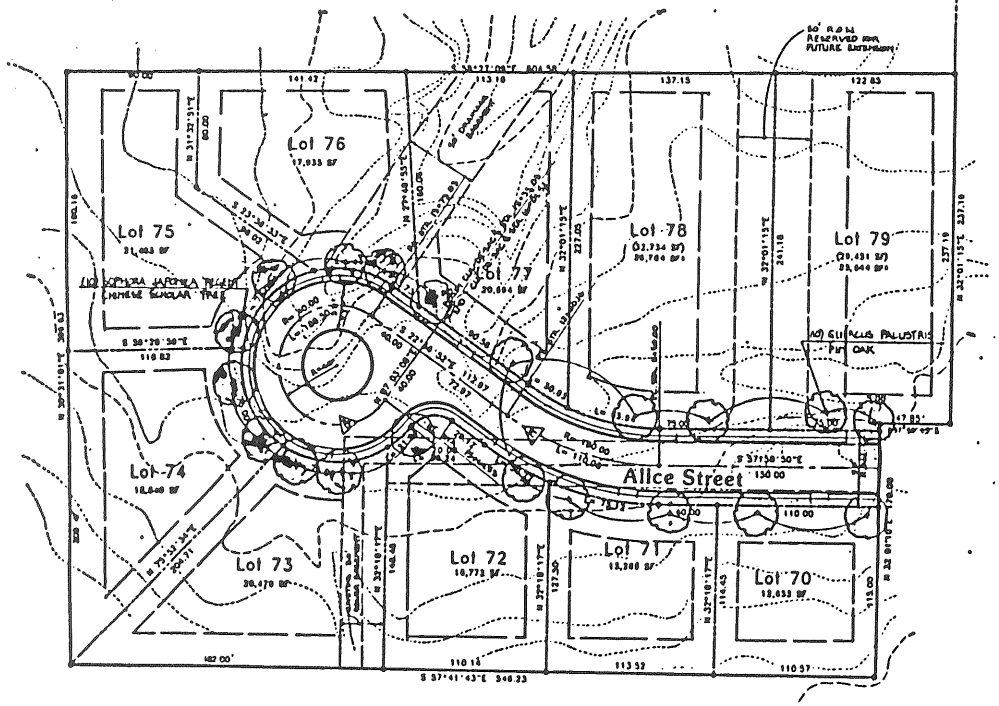
Plant List

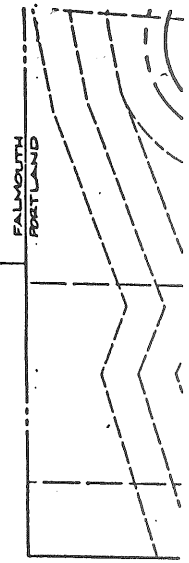
QTY	BOTANICAL NAME / COMMON NAME	SIZE	ROOT
16	AESCULUS CARNEA 'BRIOTII' / RUBY RED HORSECHESTNUT	2½-3" CAL	B&B
12	FRAXINUS AMERICANA 'AUTUMN PURPLE' / AUTUMN PURPLE WHITE ASH	2½-3" CAL	B&B
26	GONOCRA SINENSIS 'REGENT' / CHINESE SCHOLAR TREE	2½-3" CAL	B&B
30	LIQUIDAMBAR STYRACIFLUA / SWEETGUM	2½-3" CAL	B&B
24	QUERCUS PALUSTRIS / PIN OAK "	2½-3" CAL	B&B
10	ZELKOVA SERRATA 'VILLAGE GREEN' / VILLAGE GREEN ZELKOVA	2½-3" CAL	B&B


100 YR FLOOD HAZARD ZONE
PRESUMPSCOT RIVER
Cousins Circle
Great Marsh Way
MATCHLINE BD
SEE SHEET 2
Key Map
Presumpscot River Place III
Subdivision Plan
THE TEAL COMPANY
284 Falmouth Road
Falmouth, Maine 04105
DATE: Jan. 26, 1988
JOB NO:
DRN CHP
CHK
FIELD BK:
SCALE:
SHEET 8 OF 8
Scale 1" : 40'
LAND USE CONSULTANTS

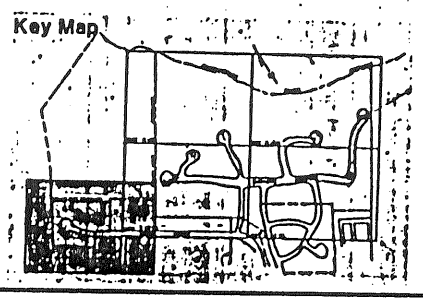
2d


PRESUMPSCOT RIVER
100 YR. FLOOD HAZARD ZONE
SEWER PUMP STATION
SHORELAND ZONE BOUNDARY
80
12
13
14
15
5
7
6
11
The Brothers Road
MATCHLINE SEE SHEET
Key Map
Presumpscot River Place III
Subdivision Plan
THE TEAL COMPANY
DATE
JOB NO:
FIELD BK:
SHEET 2 OF 21
Scale 1" = 40'
LAND USE CONSULTANTS





Curve Data					
	Δ	R	T	L	CH
A	36°01'00"	190.00'	59.01'	110.06	108.18
B	210°00'00"	60.00'	60.00'	109.96'	90.07'



DATE:	REVISIONS

Presumpscot River Place III

Subdivision Plan

THE TEAL COMPANY
[illegible] Road
[illegible], Maine 04105

DATE [illegible]	JOB NO: [illegible]
DRN [illegible] CHK:	FIELD BK. [illegible]
SCALE: 1"=40'	SHEET 5 OF 21

0 20 40 80 120

LANDUSE CONSULTANTS

ATTACHMENT 18b

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Sarah Greene, Planner

FROM: Jeff Tarling, City Arborist

DATE: July 18, 1989

SUBJECT: Presumpscot River III, Subdivision

Presumpscot River III is a proposed subdivision on 72 acres off Summit Street at the end of Curtis Road, Crestview, and Carter Road in North Deering. It also borders the Presumpscot River to the north and the Town of Falmouth on the east and west.

It is a very scenic, wooded site with a diverse stand of mature trees, small intermitent streams, and contains steep slopes towards the river in some areas.

In review of the Presumpscot River III subdivision plan, notes on sheet 1, numbers 10, 15, 18, detail proposed tree cutting, preservation and planting.

10. "No construction shall be allowed within the stream setback buffers and within 75' or the Presumpscot River. Tree clearing shall be prohibited except for removing dead and diseased trees."

15. A minimum of two trees shall be conserved or planted by thedeveloer according to the City Arborists specifications, in the front of each lot. Location and species may vary. Developer may contract for the placement of landscaping, but shall remain ultimately liable to the City for the financial obligation for compliance with City ordinances and approvals. Such financial obligation shall be neither transferable nor waivable by the developer.

18. Tree clearing, construction of buildngs or filling shall be prohibited within the Private Drainage Easements. Drainage courses within the Private Drainage Easements shall not be obstructed. Such easements are subject to a Drainage Maintenance Agreement required as a condition of subdivision approval."

In addition to the notes on sheet 1, the developer has forwarded a Forestry Report for the area.

In addition to the above, I would like to address the following:

1. <u>Tree Preservation Areas</u>

That any areas of "Tree-Preservation" as addressed in notes #10, 15, 18 (and any additional notes) be <u>clearly</u> marked on both final site plans and "In-The-Field" prior to construction. This should include:

a. Sewer Construction/Easements, especially along the Presumpscot River, hopefully note #10 "that no construction, tree clearing within 75′ of the river will apply.

b. Protected drainageways, as shown on plan.

c. That final building envelopes be marked in the field as shown, on final plan. In addition all "riverfront", lots that fall within the shoreland zone, should be reviewed.

2. Public Access

Both the Town of Falmouth and the City of Portland have long recognized the Presumpscot River corridor as a natural, scenic, and recreational resource. Both communities have worked on plans to address this issue. The Portland Shoreway Access Plan, Mitchell-Dewan Associates, 1987; clearly recognizes this area and its importance to the citizens of Portland. Presently small existing pathways allow the public to walk along the Presumpscot River in Portland from the Falmouth Border to Falmouth Border. The subject of public access along the Presumpscot River and along the brook that runs from the end of Curtis Road, shown as a "private" 100′ wide drainage easement should be reviewed, perhaps in conjunction with the Town of Falmouth. The brook at the end of Curtis Road contains rock lodges, many small pools and waterfalls making it a unique natural area within the City of Portland.

PLANNING BOARD REPORT #56-89

PRESUMPSCOT RIVER PLACE III

SUBDIVISION AND SHORELAND ZONING REVIEW

TEAL COMPANY, APPLICANT

Submitted to:

Portland Planning Board
Portland, Maine

July 25, 1989

I. Introduction

The Teal Company is requesting review of an 80 lot subdivision located in the vicinity of Curtis Road and Alice Street near the Portland-Falmouth municipal line. The subdivision, Presumpscot River Place III, is located entirely within Portland. The site is 72 acres and zoned R-2 Residential. The plan will be reviewed for conformance with the Subdivision Ordinance, Shoreland Zoning, and Flood Plain Management Regulation of the Land Use Code. A vicinity map, site plan, and narrative description of the project are included as Attachment 1, 2, and 4.

116 notices have been mailed to area residents and property owners. In addition, a legal advertisement was published in both of the July 17, 1989 editions of the Guy Gannett Newspapers.

II. Summary of Findings

Zoning	R-2, Shoreland, Flood Hazard
Land Area	72.01 Acres
Number of Lots	80
Lot Sizes	12,500 to 90,400 sq. ft.
Land Uses	Single Family; Vacant Land

III. Background

On October 11, 1988, the Board held a public hearing for Phase Three of the Presumpscot River Place Subdivision located in the vicinity of Curtis Road and Alice Street. The proposed 80 lot subdivision was tabled by the Board because of a number of outstanding issues raised at the public hearing. Since the October 11 public hearing, the applicant has added several notes to the recording plat, made drafting changes, and has attempted to resolve and mitigate the concerns raised by both the staff and Planning Board.

The applicant has previously developed the earlier phases (I and II) of the Presumpscot River Place development. The applicants own 40 acres of land in Falmouth abutting on the east and west side of Presumpscot River Place III and contemplates developing these parcels at a later date. The westerly parcel is landlocked from Falmouth by the Presumpscot River and the Turnpike.

Logistically, municipal services could more easily be served by Portland than Falmouth. The applicant has initiated contacts with the City of Portland and the Town of Falmouth regarding annexation of these parcels to the City. Annexation will require approval of Portland, Falmouth and the State Legislature. As the Presumpscot River Place III is located exclusively in Portland, the servicing of these parcels is not an issue during the Board's current review. The Presumpscot River Place III plan does show potential access ways to the Falmouth parcels should it be found appropriate to develop such road connections at a later date.

IV. Staff Review

The proposal has been reviewed for compliance with the Subdivision, Shoreland, and Flood Plain Mangement Regulations of the Land Use Code. The plan has been reviewed by the Planning, Fire, and Public Works departments. The comments of these departments are included in this report.

Subdivision Review

1. WATER AND AIR POLLUTION

The proposal will not cause undue air pollution. As a residential development utilizing public sanitary and water facilities, it is anticipated that the subdivision will have adequate waste disposal. Lots along the Presumpscot River include area within the 100 year flood plain, however, all of the designated building envelopes are outside the flood zone. The site is characterized by steep slopes, ravines, and river banks. Generally the building envelopes avoid the steepest slopes however 12 lots include building envelopes on or over steep slopes, and close to the river bank. See discussion starting on page 9 as to the building envelope issue.effect on the environment.

2/3. WATER

The project will be served by 8 inch water mains that would be extended from Phases I and II of the Presumpscot River Place development into Phase III. A letter from the Portland Water District attesting to adequate capacity to serve the development is included as Attachment 12.

4. SOIL EROSION

An erosion and sedimentation control plan has been submitted. The plan calls for the use of hay bales, silt fencing, and seeding of disturbed areas. A copy of the soil erosion control plan is included as Attachment 7. Mr. Stephen Harris, Planning Engineer, has reviewed the plans. His comments will be available at the hearing. The plans generally avoid disturbing steep slopes exept for the 12 lots noted previously which would require at least driveway construction across steep slopes if a home is built close to the river. While site review will be required for these lots as per a note on the plan, it might be preferable not to disturb the slopes if possible. See discussion on beginning of page 9.

5. TRAFFIC

Access into the development is proposed by extending Curtis Road, Overset Road (Presumpscot River Place II), Brothers Road, (an unnamed turnaround from Presumpscot River Place I) and Alice Street. In addition, the subdivision plan also includes the creation of 4 new streets (Upper Flag Circle, Hoper Avenue, Cousing Circle, Great Mark Way) to address interior circulation needs of the development.

A traffic impact study on the subdivision was submitted by the applicant and included as Attachment 10. The study was prepared by T.Y. Lin International/Hunter-Ballew Associates. A summary of the study's conclusions is shown below.

> "Based on the analysis presented thus far, the impact that the Presumpscot River Place III will have on traffic volumes will be seen in decreased resreve capacities and a longer delay for left turning movements entering Allen avenue. Although there are possible alternative access routes, the Summit Street/Allen Avenue intersection represents the logical choice for both developer and driver.
>
> A capacity analysis was performed on the Summit Street/Allen Avenue intersection. Left turning movements from Summit Street onto Allen Avenue will experience increased delays. However, with the recent improvements on Summit Street, from Allen Avenue to just before Curtis Street, the intersection is better able to handle increased traffic volumes than others in the vicinity.
>
> Traffic signal warrants were examined and the estimated volumes did not meet the criteria required by the Manual on Uniform Traffic Control Devices."

The subdivision's roads will be developed to City specification with granite curbing and sidewalks on both sides of the streets. Hope Avenue, which runs east to west and abuts both sides of the applicant's Falmouth property, has been designed with a sixty foot right-of-way (collector street) in the event it is deemed appropriate in the future that access should be provided to the Falmouth property.

William Bray, City Traffic Engineer, has reviewed the plan. His comments are included as Attachment 17a. Mr. Bray indicated that the developer has agreed to contribute $70,000 toward the reconstruction costs of Summit Street. It is recommended that as a condition of approval, these funds be received prior to the issuance of a building permit. This would allow the City to construct the roadway improvements in a timely manner.

The subdivision plan indicated two possible access easements that potentially could connect to the applicant's property in Falmouth. These easements are located between lots 78 and 79 and 53 and 52. Any alterations to approved streets or proposed right-of-ways shall require Planning Board approval, as noted on the recording plat.

6. SANITARY/STORMWATER

The applicant is proposing to relocate and replace an existing sewage pumping station in Presumpscot River Place II to a new location in Phase III (lot 80). Lot 80 is located adjacent to the Presumpscot River and would be deeded to the City. Sanitary sewage from the development will be collected by proposed 8 inch gravity sewer lines that will flow to the sewage pumping station.

The pump station will pump sanitary waste uphill via a force main through Phase I into the Virginia-Carter Interceptor System.

Mr. Stephen Harris, Planning Engineer has reviewed and approved the plan. His comments will be available at the public hearing.

The proposed drainage plan retains much of the existing drainage patterns of the site. The site is characterized by several large ravines and existing drainge swales that direct stormwater into the Presumpscot River. In order to preserve these drainage courses, a number of public and private drainage easements are proposed. The drainge plan consists of a series of stormdrains (with catchbasins in the streets) that capture stormwater for dispersal into these draingae courses. A stormwater management report, prepared by Land Use Consultants, is included as Attachment 9.

Protection of the natural drainage course has been an important element of staff review. The proposed plan includes a number of private drainage easements that are intended to protect these water courses including adjacent steep slopes. These easements include one 100 ft. and several 50 ft. wide private drainage easements which protect an existing ravine andnatural drainage courses.

A note has been added to the recording plat prohibiting the clearing of trees, construction of buildings or filling within the private drainage easements. In addition, drainage courses will not be obstructed.

Legal descriptions of drainage areas has been received by staff, yet specific language of the drainage easements has not been submitted for review. A possible condition of approval of the development would be submission of and staff review and approval of these easements including a drainage maintenance agreement for private drainage easements.

Public drainage easements are proposed adjacent to street right-of-ways. These easements typically include a stormdrain which is connected into the street storm drain system. The easement includes a riprapped outfall that brings water into the open swale system (private easement) for eventual dispersal into the Presumpscot River.

The applicant has included building envelopes in the subdivision plat. These envelopes have been calculated according to setback requirements, topography, drainage easements and utility easements. Staff recommends that a note added to the plan stating that construction of principal structures shall be limited to the building envelopes as depicted on the recording plat.

7. SOLID WASTE

Solid waste would be served by Municipal trash collection. No adverse affects are anticipated as a result of this development.

Planning Report #24-92

Joe Gray

PRESUMPSCOT RIVER PLACE III

SECTIONAL RECORDING REVIEW

TEAL COMPANY, APPLICANT

Amendment To Approved Subdivision
Application For Sectional Recording

Submitted to:

Portland Planning Board
Portland, Maine

July 28, 1992

I. Introduction

The Teal Company is requesting an amendment to an approved 80 lot single family subdivision, Presumpscot River Place III, in the vicinity of Curtis Road and Alice Street near the Portland-Falmouth municipal line. The subdivision is located entirely within Portland. The site is 72 acres and zoned R-2 Residential. Subdivision approval was received on August 8, 1989 and will expire on August 8, 1992. In order to preserve and extend the approved subdivision plans and to proceed with a small portion of the project in the near future, the applicant is requesting sectional recording of a portion per Section 14-495 (h) Sectional Recordings of the Subdivision Ordinance. Please see the letter from David A. Kamila, PE, Land Use Consultants which is included as Attachment A. A copy of the proposed Section 1 is included as Attachment B.

The applicant is also requesting a waiver of the requirement for each section to comprise a minimum of 20 percent of the total number of lots in the subdivision.

139 notices were mailed to area property owners.

II. Summary of Findings

Zoning	R-2, Shoreland, Flood Hazard
Land Area	72.01 acres
Section 1	5.26 acres
Number of Lots	80
Section 1	10
Lot Sizes	12,500 to 90,400 sq. ft.
Land Uses	Single Family, Vacant Land

III. Background

Presumpscot River Place III received Planning Board approval on August 8, 1989. A copy of the approval letter is included as Attachment C and a copy of Planning Board Report #56-89 is included as Attachment D. The original recording plats (5 sheets) were never signed by the Planning Board. The subdivision also requires DEP review and approval under the Site Location of Development Act. The applicant has not submitted an application to DEP.

The project received extensive review prior to receiving Planning Board approval. A Forest Management Plan was prepared for the development. As part of the original conditions of approval, recommendations in the Forest Management Plan were included as part of the original conditions of approval. The conditions of approval were:

1. That the applicant submit, for the City Arborist's and Corporation Counsel's review, an amended recording plat that reflects the intent of the recommendations #1, 2, 3, 4 found on pages 14 and 15 of the Forest Management Plan.

2. That the applicant shall require each individual lot owner to receive review by the Department of Public Works for sill elevation and drainage for compliance with the approved subdivision plan, prior to issuance of a building permit.

3. That the applicant submit for staff review and approval public utility easements, and a drainage maintenance agreement.

The recommendations from the Forest Management Plan are included on the recording plat as notes 22, 23, 24, and 25. The notes have been reviewed by Natalie Burns, Associate Corporation Counsel and Jeff Tarling, City Arborist. Ms. Burns and Mr. Tarling are satisfied that the notes reflect the intent of the Forest Management Plan with the inclusion of the following condition (please see Attachment F):

- that the applicant shall mark all areas to be cut and shall review with the City Arborist those areas subject to notes 22-25 on the subdivision plan prior to cutting in those areas.

Legal descriptions of the easements have been received and relayed to Mr. William Boothby, Director of Engineering, for review and approval. There is no record in the file as to whether or not the descriptions are acceptable. There is also no record of a drainage maintenance agreement.

In addition, the applicant agreed at the time of the original subdivision approval to contribute $70,000 toward the Summit Street reconstruction project, which was undertaken by the City over the past several years.

IV. Staff Review

The applicant made the request to be placed upon the Planning Board agenda for the public hearing less than two weeks prior to the date of the meeting. The board is under no obligation to grant an eleventh hour approval of the sectional recording. Staff has researched the file in the limited time available in order to give the Board sufficient information to make a decision. The alternatives are:

1. Approve the application for sectional recording with conditions and grant the waiver.

2. Table the application. This would have the same effect as denying the application.

3. Deny the application for sectional recording.

There are a number of issues that the Board should consider prior to approving a sectional recording of this subdivision. In previous decisions, the Board has stated that any such action by the Board results in a new "clock" for the approval. In this case, an additional 5 years could be granted - 3 years to record the first section and 2 years for the remaining sections. There is an error in the letter from Land Use Consultants. Dr. Wolf has informed us that if the sectional recording is not approved that obtaining a performance guarantee for the entire development is not a viable option.

A second issue is with regards to evidence of financial capability. The applicant had submitted a letter from Maine Savings Bank regarding the applicant's financial capability to undertake the project. This is shown in Planning Board Report #56-89, Attachment 14. Since Maine Savings Bank is no longer in existence, alternate evidence of financial capability should be provided. If the Board approves the sectional recording, a potential condition of approval could be that the applicant shall submit evidence of financial capability for staff review and approval. The applicant has indicated that this would be acceptable.

Note 14 on the recording plat states that lot 80 shall be deeded to the City for the new pump station and public access to the Presumpscott River. Lot 80 is located in the proposed section 2 off the cul-de-sac at the end of Brothers Road. There are no other areas reserved for public access to the river.

Waiver Request

The applicant is requesting a waiver of Section 14-495 (h) Sectional Recordings. Copy of the ordinance is included as Attachment E. This requires that the minimum allowable land area for sectional recording is twenty (20) percent of the total land area. As stated in the letter from Land Use Consultants, twenty percent of the total land area is equivalent to 16 lots. Section 1 consists of the ten (10) lots on 5.26 acres off the end of Alice Street. These lots are essentially self-contained and physically separate from the remainder of the subdivision. The new pump station would not be required for this section. Lot 80 is not contiguous with any of the existing infrastructure, therefore public access would not be available until Section 2 receives approvals from DEP, Army Corps of Engineers, and the City. If Section 2 is never constructed, no public access would be provided.

V. Motions for the Board to Consider

A. If the Board is comfortable with the level of review for the sectional recording, and materials presented in Planning Board Report #56-89; the Board could consider making the following motion:

- On the basis of plans and materials submitted by the applicant, information contained in Planning Board Report #56-89, and information contained in Planning Board Report #24-92, the Planning Board finds:

  1. That the following waiver of the City of Portland Subdivision Ordinance is granted:

     i. That Section 1 is allowed to consist of less than twenty (20) percent of the total number of lots in the subdivision as required in Section 14-495(h) of the City of Portland Subdivision Ordinance.

Potential Conditions of Approval:

i. That the applicant shall submit for staff review and approval evidence of financial capability.

ii. That the applicant shall require each individual lot owner to receive review by the Development Review Coordinator for sill elevation and drainage for compliance with approved subdivision plan, prior to issuance of a building permit.

iii. That the applicant shall submit for staff review and approval public utility easements, and a drainage maintenance agreement.

iv. That the applicant shall submit for staff review and approval an amended recording plat that a waiver was obtained for the sectional recording.

v. That the applicant shall mark all areas to be cut and shall review with the City Arborist those areas subject to notes 22-25 on the subdivision plan prior to cutting in those areas.

2. That the plan is in conformance with the Subdivison/Shoreland Zone Ordinance Standards of the Land Use Code.

B. Since three members of the Planning Board were not on the Board when the project received approval in 1989, the Board may not feel comfortable with approving the Sectional Recording of the subdivision at this time. If the Board does not feel adequately prepared to approve or deny this application, the Board may table the application to a date to be determined.

Attachments:

A. Letter from David A. Kanila, PE Land Use Consultants
B. Subdivision Plan for Section 1
C. Approval Letter dated August 15, 1989
D. Planning Board Report #56-89
E. Section 14-495(h) of the Subdivision Ordinance
F. Memo from Natalie Burns & Jeff Tarling

ATTACHMENT A

LAND USE CONSULTANTS INC

J. David Haynes, R.L.A.
David A. Kamila, P.E.

Bradley H. Hare, R.L.A.
Frederic Licht, Jr., P.E.
John D. Roberts, P.L.S.

July 20, 1992

026.3

City of Portland Planning Board
City Hall
389 Congress Street
Portland, Maine 04101

Attention: Mr. Alex Yagerman

Presumpscot River Place - Phase III - Sectional Recording

Dear Board Members:

On behalf of my client, The Teal Company, I am requesting approval of a sectional recording of a portion of the Presumpscot River Phase III Subdivision which was originally approved by the Board on August 8, 1989. This request is pursuant to the Land Use Code, Article IV, Section 14-495 (h) Sectional Recordings.

The project in total consists of eighty (80) single family lots on 72.01 acres in the R-2 Zone off Curtis Road and Alice Street. We are requesting approval to record Section 1 which consists of ten (10) lots on 5.26 acres on a cul-de-sac which is an extension of Alice Street, an existing dead-end street. We understand the normal requirement for a sectional recording is 20% of the total lots in the subdivision which in this case would be 16 lots. We are asking for a waiver of that requirement due to the unique characteristics of this proposal. The 10 lots are essentially self-contained and physically separate from the rest of the project and will use a separate access road, and utilities from the rest of the project.

The developers are faced with the costly alternative of posting a bond for the entire project and filing all 5 record plans in the Registry of Deeds before August 8, 1992 when their 3 year approval expires.

We are respectfully requesting this matter be placed on the agenda for the July 28th regular meeting. We will be present to discuss our request and if the Board grants our request we will have a mylar plan for signature with the Section 1 recording data added. I am attaching seven (7) copies of the Section 1 Plan for staff review with this letter. Should the Board deny our request we will present the original 5 sheet mylar set for signatures and attempt to secure sufficient bonding to make a filing prior to August 8.

We very much appreciate any consideration you may grant us on this request and look forward to meeting with you on July 28th.

Please call with any questions or comments.

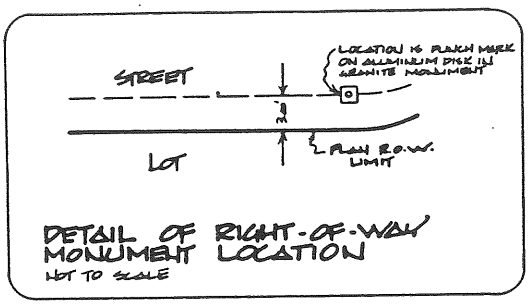
Sincerely,

David A. Kamila, P.E.
Vice President

DAK/b

Enc.

c.c.: Robert Adam
Lloyd Wolf



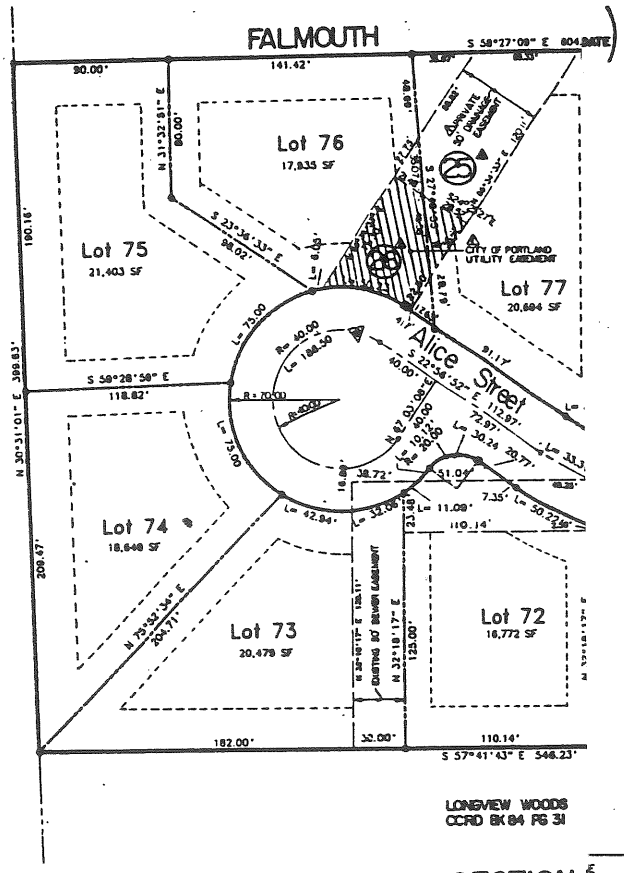
DETAIL OF RIGHT-OF-WAY MONUMENT LOCATION
NOT TO SCALE

GENERAL NOTES

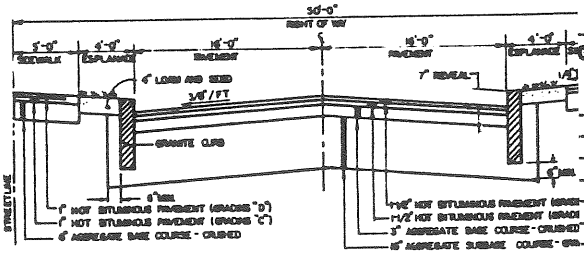
1. Recorded owner is Robert L. Adam as recorded in the Cumberland County Registry of Deeds in Plan Book 3338, Page 277.
2. Project area located in the R-2 Zoning District.
3. Project Area:

			SECTION 1
Lots	64.36 Ac		4.41 Ac
Road ROW	7.65 Ac		0.55 Ac
Total Acres	72.01 Ac		4.96 Ac

4. Any alterations to approved streets and ROW's shall require approval by the Portland Planning Board.
5. Perimeter bounds from a survey for Robert L. Adam by Land Use Consultants, James L. Egger, R.L.S., recorded in Cumberland County Registry of Deeds in Plan Book 125, Page 43.
6. Granite right-of-way monuments to be set 3' inside the right-of-way as per City of Portland Standards.
7. All telephone, electric, and cable TV service lines shall be installed underground.
8. The construction of a future street extension over the easement on lots 78 and 79 shall require approval by the Portland Planning Board.
9. All areas disturbed by construction shall be loamed and seeded, filter fabric fence or cont. haybales shall be installed at the toe of all fill slopes. Temporary haybale checkdams to be installed in swales and around structures and system outlets. Periodically remove sediment.
10. No construction shall be allowed within the stream setback buffers and within 75' of the Presumpscot River. Tree clearing shall be prohibited except for removing dead and diseased trees.
11. Lots 33 and 34 shall share a common driveway and shall be conveyed subject to a 60' easement for the purpose of future road extension to the abutting parcel.
12. Areas on lots 37, 68 and 69 being used for temporary corner radius and cul-de-sac shall revert back to respective lots if and when road is extended onto abutting parcel.
13. Lots 1, 33, 34 35 and 69 shall be conveyed subject to a 60' easement to the benefit of the Teal Co. for future potential access to serve abutting properties.
14. Lot No. 80 shall be conveyed to the City of Portland to serve as a pump station and public access to the Presumpscot River.
15. A minimum of two trees shall be conserved or planted by the developer according to the City arborists specifications, in the front of each lot. Location and species may vary. Developer may contract for the placement of landscaping, but shall remain ultimately liable to the City for the financial obligation for compliance with City ordinances and approvals. Such financial obligation shall be neither transferable nor waivable by the developer.
16. Topographic information prepared by Land Use Consultants from on site field survey and by James W. Sewall Co. from controlled aerial photogrammetry. Bench mark is USGS bronze tablet JS-981, line 101, Quad 430701, Elev. 67.982' located in the NW end of the NE stone abutment of the B.C.R.R. Bridge, crossing the Presumpscot River.
17. Lots 78 and 79 shall be conveyed subject to a 50' easement for the benefit of the Teal Co. for future potential access to serve abutting properties.
18. Tree clearing, construction of buildings or filling shall be prohibited within the Private Drainage Easements. Drainage courses within the Private Drainage Easements shall not be obstructed. Such easements are subject to a Drainage maintenance Agreement required as a condition of subdivision approval.
19. Lots 2, 3, 12, 13, 14, 15, 22, 23, 24, 25, 26, 44, 45 and 46 shall be reviewed by Public Works for grading, erosion and sediment control prior to issuance of building permit for construction on these lots.
20. Disturbed easement areas are to be regraded and revegetated, loamed and reseeded to retain existing drainage patterns.



SECTION



Typical Road Section - 50' R.O.W.
Not to Scale

Curve Data

	R	T	L	CH
26°	150.00'	34.91'	110.05'	109.35'
60°	40.00'	40.00'	69.90'	59.97'

SEPT. 7, 1989	DRAFTING REVISIONS
AUG. 29, 1989	ADDED NOTES 21-25
JULY 14, 1989	REVISED GEN NOTES, ADDED NOTE 26
MARCH 22, 1989	ADDED PVEC EASEMENT, EASEMENT NUMBERS RELOCATED TOWN LINE, EASEMENT NOTES & SQUARE
DEC 8, 1988	REPLACED NOTE 13, ADDED NOTES 17-19
OCT 31, 1988	REVISED AND ADDED TO GENERAL NOTES
DATE	REVISIONS

ADDED LEGEND, CERTIFICATION AND APPROVAL BLOCK
ADDED SECTION 1 TO TITLE BLOCK
ADDED SECTION LENGTHS AND REGISTRY PLACE
7/20/88

Presumpscot River Place III
Portland, Maine

Section 1
Subdivision
Recording Plat
Sheet 1 of 5

THE TEAL COMPANY
286 Falmouth Road
Falmouth, Maine 04105

DATE SEPT. 30, 1988	JOB NO. 025III
DRN DAS HASP CHK:	FIELD BK. 202
SCALE: 1"=50'	SHEET 1 OF 5

Scale 1" : 50'

LAND USE CONSULTANTS

Planning Board
DATE

ATTACHMENT C

CITY OF PORTLAND, MAINE

PLANNING BOARD

Barbara A. Vestal, Chair
Joseph R. DeCourcey, Vice Chair
John L. Barker
Jadine R. O'Brien
Kenneth M. Cole III
Jack D. Humeniuk
Irving Fisher

August 15, 1989

Dave Kamila
Land Use Consultants
17 Commercial Street
Portland, ME 04103

RE: Presumpscot River Place III

Dear Mr. Kamila:

On August 8, 1989 the Portland Planning Board voted 5-0 (O'Brien abstained) on the following motions regarding the PRP III subdivision:

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

   - That the applicant submit, for the City Arborist's and Corporation Counsel's review, an amended recording plat that reflects the intent of recommendations #1, 2, 3, 4 found on pages 14 and 15 of the Forest Management Plan.

   - That the applicant shall require each individual lot owner to receive review by the Department of Public Works for sill elevation and drainage for complaince with the approved subdivision plan, prior to issuance of a building permit.

   - That the applicant submit for staff review and approval public utility easements, public and private drainage easements, and a drainage maintenance agreement.

The approval is based on the submitted plan and the findings related to site plan review standards as contained in Planning Report #56-89, which is attached. Mylar copies of the construction drawings for the subdivision must be submitted to the Public Works Department prior to the release of the plat. In addition, a performance guarantee covering the public improvements as well as an inspection fee payment of 1.7% of the guarantee amount must be submitted to and approved by the Planning Division and Public Works prior to the recording of the subdivision plat. The subdivision approval is valid for three (3) years.

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

Sincerely,

Barbara A. Vestal

Barbara A. Vestal, Chair
Portland Planning Board

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
Sarah Greene, Planner
P. Samuel Hoffses, Chief of Building Inspections
Warren Turner, Administrative Assistant
William Giroux, Zoning Codes Enforcement Officer
George Flaherty, Director of Parks and Public Works
William Boothby, Principal Engineer
Steve Harris, Planning Engineer
William Bray, Traffic Engineer
Jeff Tarling, City Arborist
Paul Niehoff, Materials Engineer
Natalie Burns, Associate Corporation Counsel
Michael Baillargeon, Supervisor of Delivery and Collection,
125 Forest Avenue, Portland, Maine 04101
Approval Letter File

ATTACHMENT E

the building authority, one (1) copy on mylar sent to the public works authority, one (1) to the assessor's office and one (1) to the subdivider.

(4) Unless the subdivider shall record his or her approved recording plat within three (3) years after the planning board has approved the subdivision plat, the recording plat approval shall become null and void. The preceding sentence notwithstanding, if the planning board's initial approval of a subdivision is based in part upon the granting of a variance from any of the applicable subdivision approval standards, no such variance shall be valid unless that fact shall be expressly noted on the face of the recording plat and shall be noted in a certificate, each of which shall conform to 30-A M.R.S.A. Section 4406, and such recording plat or such certificate or both of them are recorded in the Cumberland County Registry of Deeds within ninety (90) days of final subdivision approval.

(h) *Sectional recordings:* Following subdivision plat approval, the planning board may permit the subdivision to be divided into two (2) or more sections for recording purposes subject to any conditions that the board deems necessary in order to insure the orderly development of the plan. The applicant may seek approval of and record a sectional recording plat with the county registry of deeds only if the section constitutes at least twenty (20) percent of the total number of lots contained in the approval plat and, in addition, shows the entire tract or parcel. In these circumstances, if the first section of the plat has been recorded within three (3) years after planning board approval, subdivision plat approval of the remaining sections of the plat shall remain in effect for five (5) years after planning board approval. (Code 1968, § 603.6; Ord. No. 158-68, § 10, 5-6-68; Ord. No. 149-79, 6-6-79; Ord. No. 692-81, 5-18-81; Ord. No. 123-85, 10-7-85; Ord. No. 127-87, §§ 2—4, 2-18-87; Ord. No. 94-88, 7-19-88; Ord. No. 155-89, §§ 3, 4, 11-20-89)

Editor's note—Ord. No. 94-88, adopted July 19, 1988, amended § 14-495(g)(4) 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. 94-88.

Sec. 14-496. Plat requirements.

Each and every modification of the information required to be shown on the plat in this section shall be applied for in writing by the subdivider. The decision of the planning board on such request shall be final.

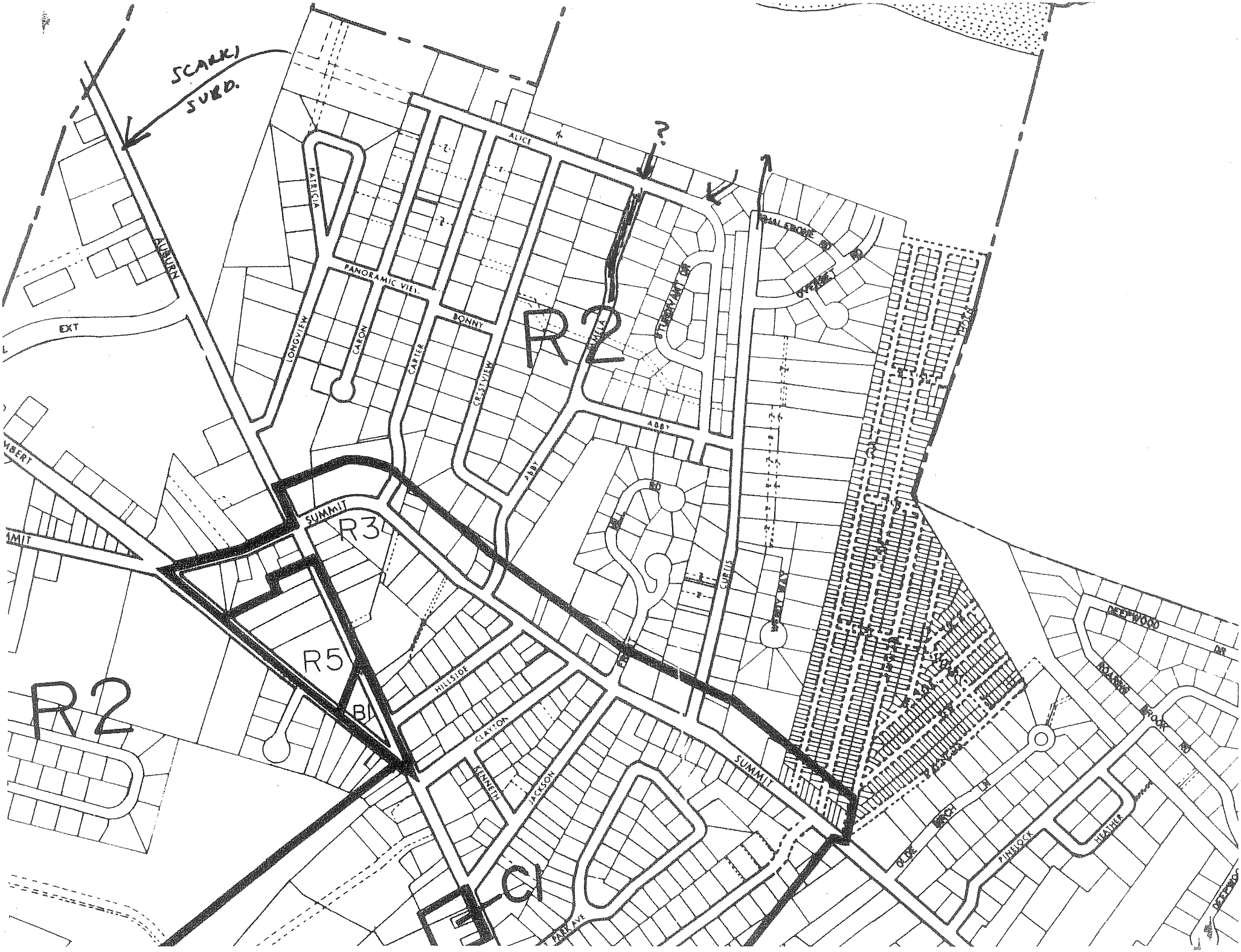
(1) *Information on subdivision plat.* The following information shall be shown on one (1) subdivision plat unless otherwise indicated:

a. Date, north point, title and graphic scale. Scale shall not be more than sixty (60) feet to the inch unless lots are more than an acre, but in no event more than one hundred (100) feet to the inch;

b. Based on a recent survey by the subdivider, existing contours at two (2) feet intervals or as otherwise required by the public works authority. Existing structures which are to remain will be delineated;

c. Names of proposed streets, width of rights-of-way, and typical cross section reservation, and depth of construction materials;

C1
R2
R3
RPZ
SUMMIT
SUMMIT PARK AVE
JACKSON
KENNETH
CLAYTON
HILLSIDE
PINE
PINELOCK
HEATHER
BROOK
ROLLING
DEER WOOD
ABBY
ALICE
CASTLEW
BONNY
CARTER
CARON
PANORAMIC VIEW
PATRICIA
STRATHMORE
SUMMIT
PARK


SCARKI
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R3
R5
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B1
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CLAYTON
KENNETH
JACKSON
CURTIS
SUMMIT
PARK AVE
DEEPWOOD
PINELOCK
HEATHER

(EXCERPT)

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Caron and Members of the Planning Board

FROM: Richard Knowland, Senior Planner

DATE: February 8, 2000

SUBJECT: Presumpscot River Place III Subdivision

At Tuesday's workshop, we will discuss the Presumpscot River Place III Subdivision located north of Curtis Road. As the Board will recall, we did a field visit to the site at the November 23rd workshop.

The applicant (Bob Adam and Lloyd Wolf) are proposing a 27 lot residential subdivision on a 29 acre parcel north of Curtis Road. Please refer to the staff memo previously distributed.

Since the last workshop the plan has been revised in several ways.

- Minor adjustment to the location of Brothers Road at its intersection with Cushing Avenue;
- Adjustment in area for the lots adjacent to Brothers Road to account for the shift in the roadway;
- Further reduction in the structure envelopes; and
- Addition of a 20' utility easement from Cushing Avenue towards Clapboard Road.

At Tuesday's workshop we will continue discussion of this proposal. Topics that will be emphasized include building envelopes and circulation.

Building envelopes

As the Board will recall from the site visit, there are a number of lots adjacent to steep ravines that send surface water down to the Presumpscot River. While the plan has been adjusted to reduce the building envelope size of the lots, the plan needs further revisions.

The building envelope concept in this plan offers little or no protection since it involves only the placement of buildings. The real issue is the total area of disturbance within the lot which includes house construction, regrading and tree clearance activities in relation to steep slopes (ravines.)

We are recommending that a maximum disturbance line for the affected lots be established limiting the extent of regrading and tree clearance near the ravine slopes. A buffer of upland area needs to be created to protect the slopes and ravines. Each lot should be individually planned reflecting the specific conditions found on the lot. If appropriate disturbance lines are not developed, this has implications on slope stability, drainage, erosion, sedimentation, and the scenic and natural beauty of the area.

We have asked the applicant to code the slopes of the building envelopes as well as the surrounding area (0 to 8%; 8% or greater to 15%; greater than 15%.)

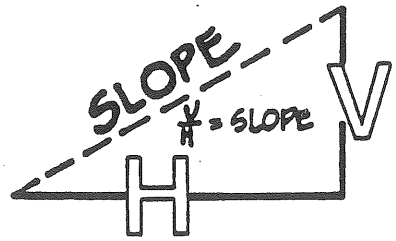
ATTACHMENT C-1

Chapter 4

SLOPE

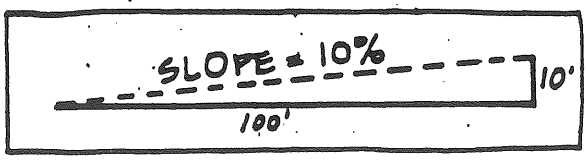
Slope refers to the gradient or steepness of the land. The slope of land influences the economic and physical feasibility of various land uses; it is harder to farm steep land than flat land, and it is harder to build on a steep slope than a gentle one. The slope of land generally is a very localized condition; in New Hampshire, where much of the land is hilly to mountainous, slope can change significantly within short distances. A study of slope conditions in a community is an important part of the land planning process.

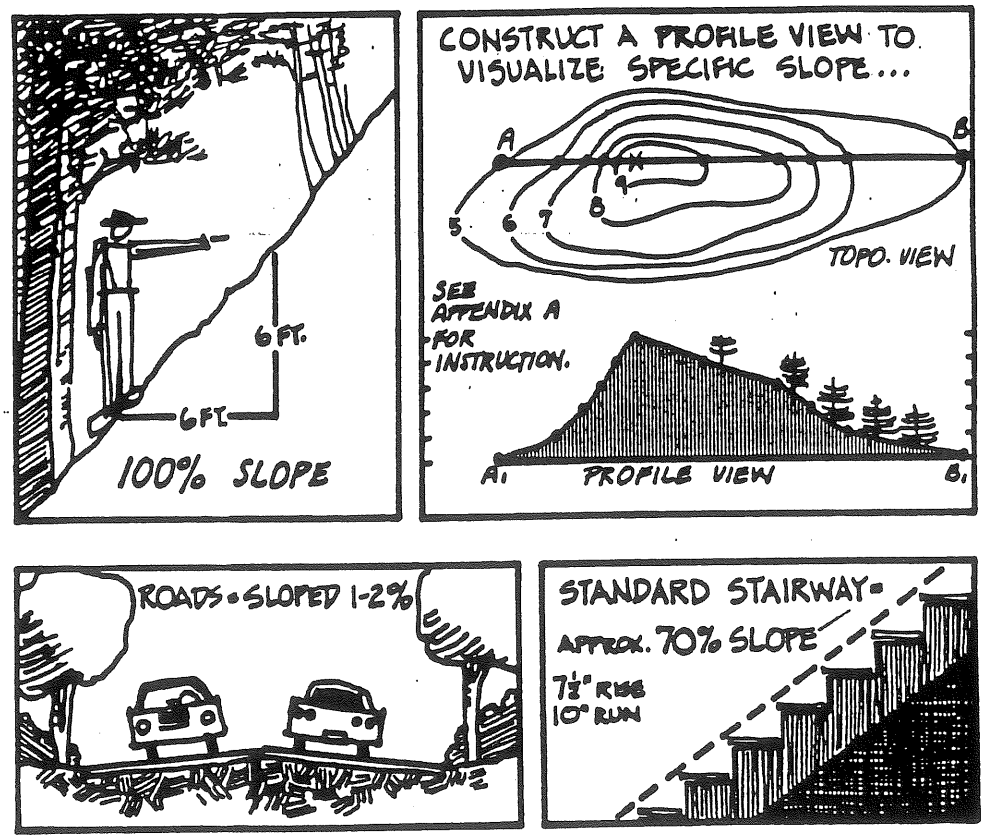
The slope of land is defined as the change in elevation (vertical distance) over horizontal distance:



$$\frac{\text{VERTICAL DISTANCE}}{\text{HORIZONTAL DISTANCE}} = \frac{V}{H} = \text{SLOPE (\%)}$$

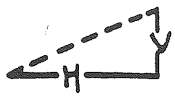
the more abrupt the change in elevation, the steeper the slope. Slope is measured and expressed as a percentage that represents this relationship between elevation and horizontal distance; for example, if the land rises 10 feet in elevation over a horizontal distance of 100 feet, the slope of the land is 10/100, or 10 percent.





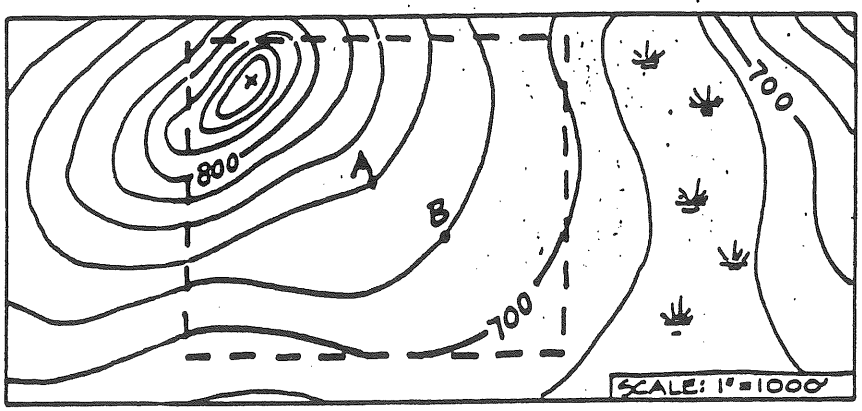
Knowing the percentage of slope between two points is useful when one is concerned with a specific alignment across the terrain (see Appendix A). For general planning purposes, however, it is more helpful to know the slope conditions for broader areas of land. It is useful to know, for example, the location of areas characterized by steeper slopes and those characterized by more gradual slopes; this information can be derived from the community slope map.

✱ CALCULATION OF SLOPE PERCENTAGE

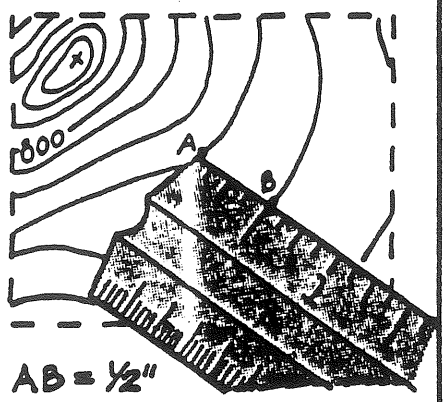


$$= \frac{\text{VERTICAL DISTANCE}}{\text{HORIZONTAL DISTANCE}} = \frac{V}{H} = \text{SLOPE (\%)}$$

PROBLEM ▶ TO FIND SLOPE OF AB



1 STEP 1: ESTABLISH HORIZONTAL DISTANCE



AB = ½"

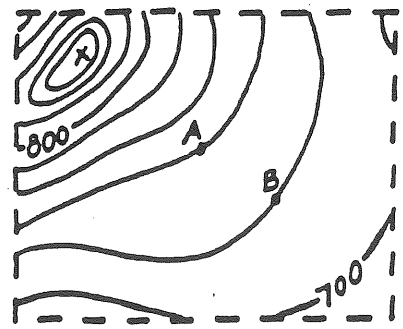
SINCE SCALE IS 1" = 1000', THEN:

½ × 1000 = 500

AB = 500'

H = 500'

2 STEP 2: ESTABLISH VERTICAL DISTANCE



SINCE VERTICAL DISTANCE EQUALS THE DIFFERENCE BETWEEN CONTOURS, AND SINCE CONTOUR INTERVAL ON THIS MAP IS 20 FEET, THEN:

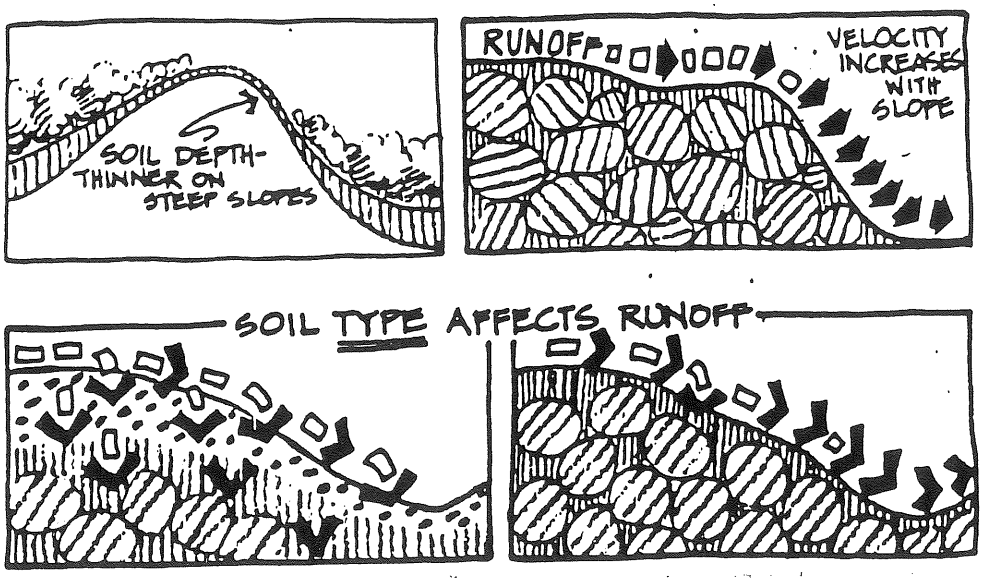
A - B = 740' - 720' = 20'

V = 20'

3 $$\frac{V}{H} = \frac{20'}{500'} = .04$$

SOLUTION ▶ SLOPE AB = 4%

of soil is often very limited. Though erosion potential tends to increase with steepness, soil type also has a direct influence on the erodibility of sloped areas and can lessen or magnify erosion potential.



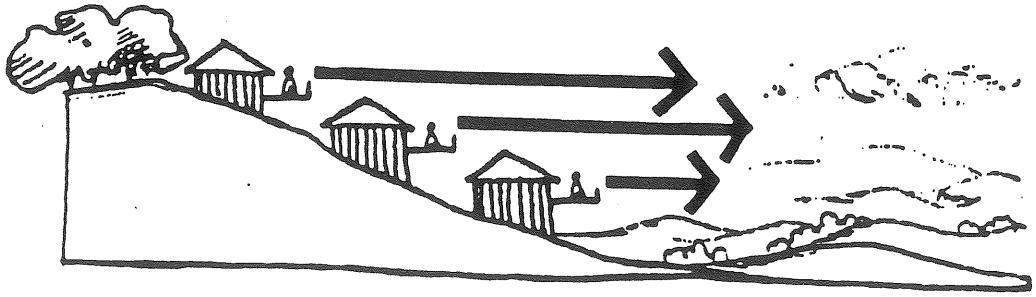
Because of complicating factors on steep slopes, active land uses should be planned and undertaken with caution in such areas. In areas of greater than 25 percent slope, the erosion potential is severe, and adequate and safe septic effluent disposal is extremely difficult and costly; active use of these areas often poses problems to the developer, to the purchaser, to landowners down the slope, and ultimately to the community; the same problems are likely to be encountered in areas of 15-25 percent slope. For these reasons The Land Book recommends that areas of greater than 25 percent slope be designated as preferred for open space and that areas of 15-25 percent slope be designated problematic.

Slope analysis is relatively straightforward, and the results can be shown graphically by coloring a topographic map to differentiate categories of slope conditions. The planning team can use this slope map to identify critical slope areas, to help identify areas preferred for growth, to evaluate proposed road alignments, and to review specific land use proposals.

The Influence of Slope on Land Use

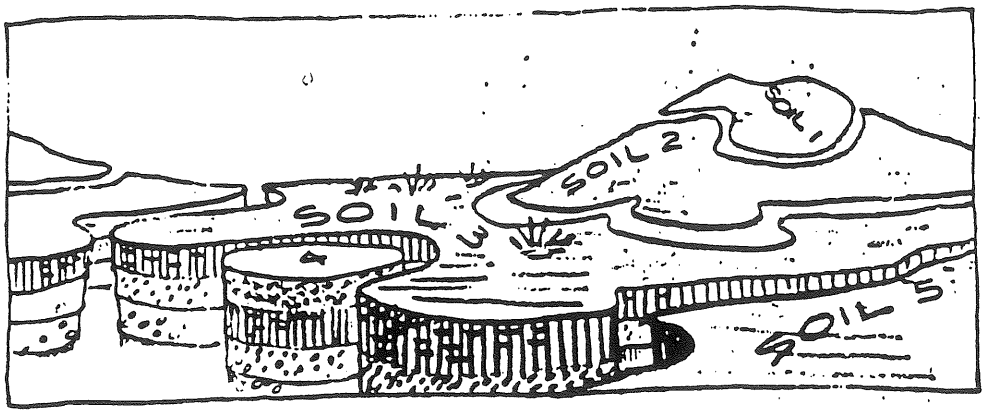
The influence of slope on land use depends on its steepness and on its relationship to soil, water and vegetation conditions.

Variations in steepness affect such things as the amount of cutting and filling necessary to build roads or to prepare building sites, road maintenance and snow removal, and utility construction and service. Whereas moderate slope conditions present few inherent limitations to most uses, the cost and difficulty of many development activities are likely to increase in steeper areas. Opportunities that steeper areas present for unique recreational or residential use, however, may override basic cost considerations.

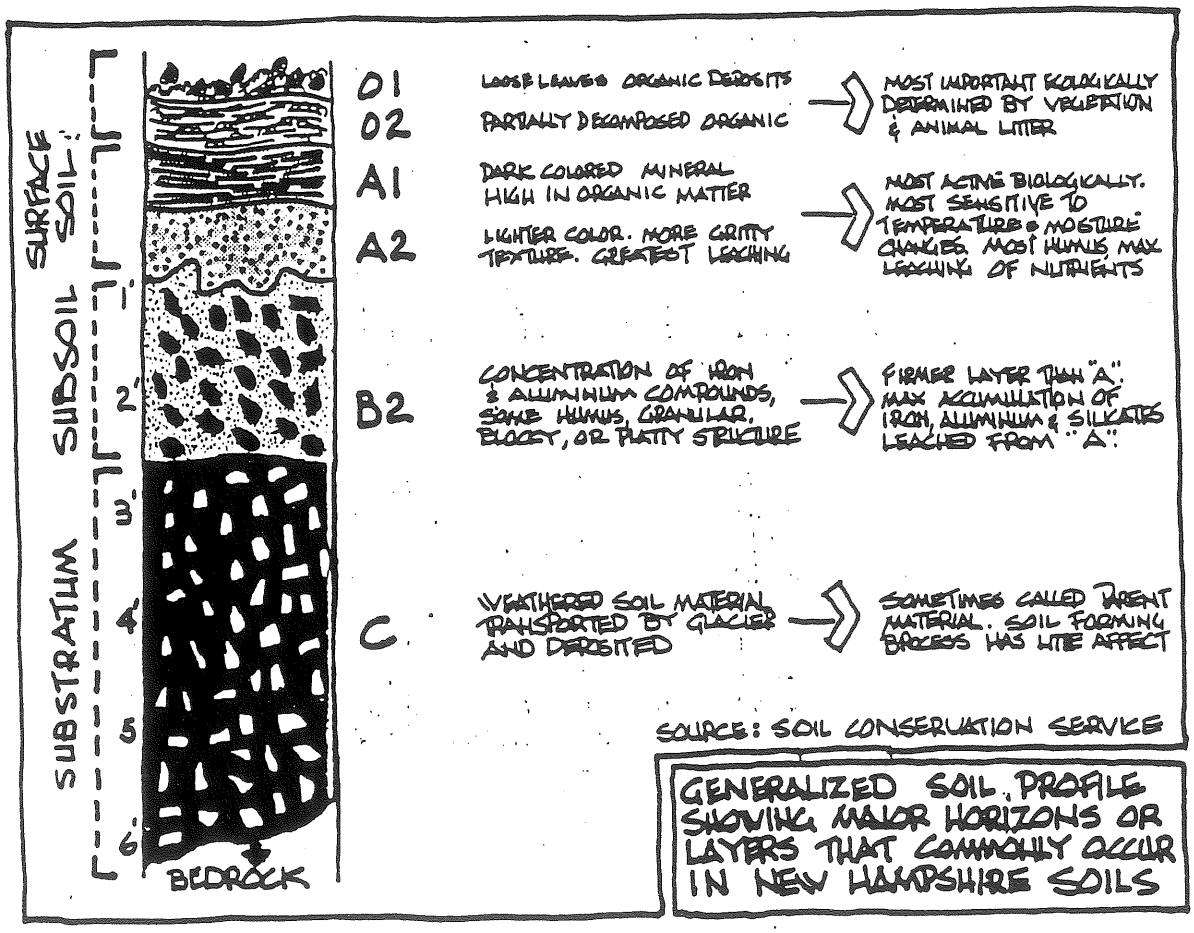


Soil drainage characteristics are important under any slope condition. In steep areas, however, soils usually are shallower, the volume and velocity of surface water runoff is higher, and the absorption capacity

A soil scientist is concerned primarily with the condition of the soil within four feet of the surface. According to SCS soil scientists, "soil is a dynamic three dimensional body. Its upper surface is the surface of the land; its lower boundary is parent

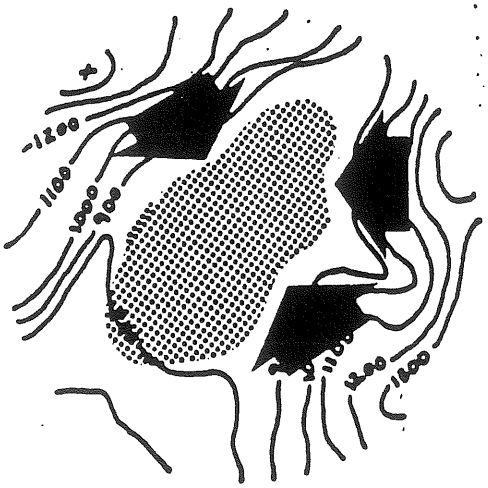


material or bedrock; and it is bounded on its sides by other soils. The properties of a soil represent the integrated effect of climate and living matter on the parent material, as conditioned by relief and time."

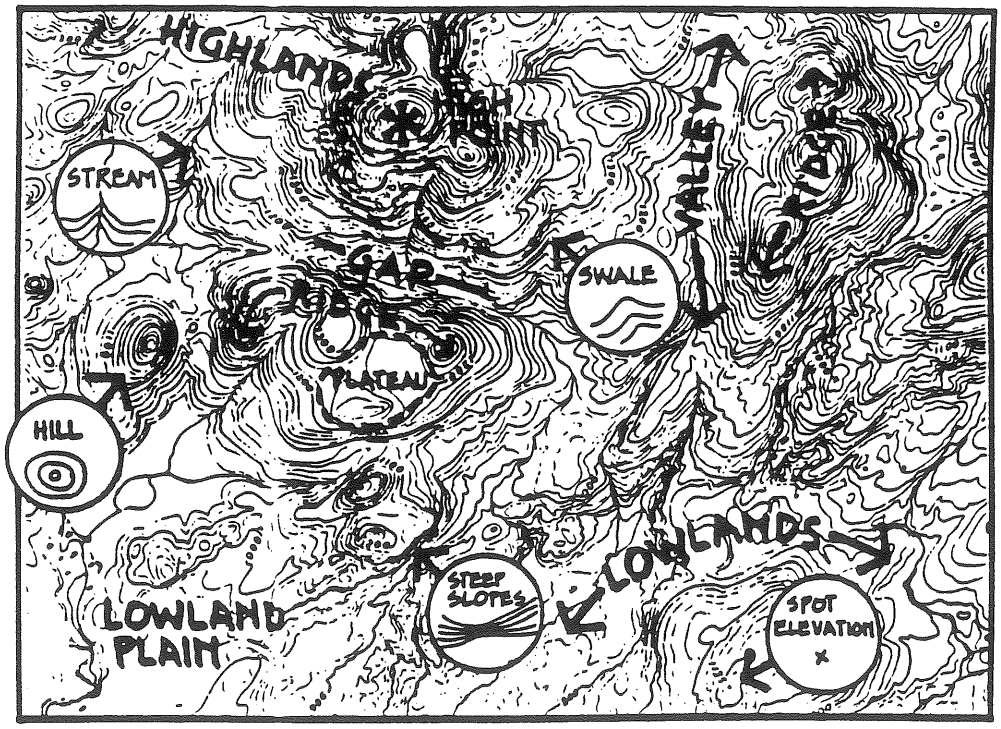


GENERALIZED SOIL PROFILE SHOWING MAJOR HORIZONS OR LAYERS THAT COMMONLY OCCUR IN NEW HAMPSHIRE SOILS

laid out to take advantage of gravity flow, and roads can be built more economically and efficiently. Thus, a planning team should use topography to help locate areas for future growth; the shape of the land is the structural framework of the plan.



The logic of topography becomes self evident in the course of preparing and studying a topographic map. Once a planning team is able to visualize the overall shape of the land in its community, common sense will suggest how topography influences land use and how it can be used to evaluate future land use patterns.



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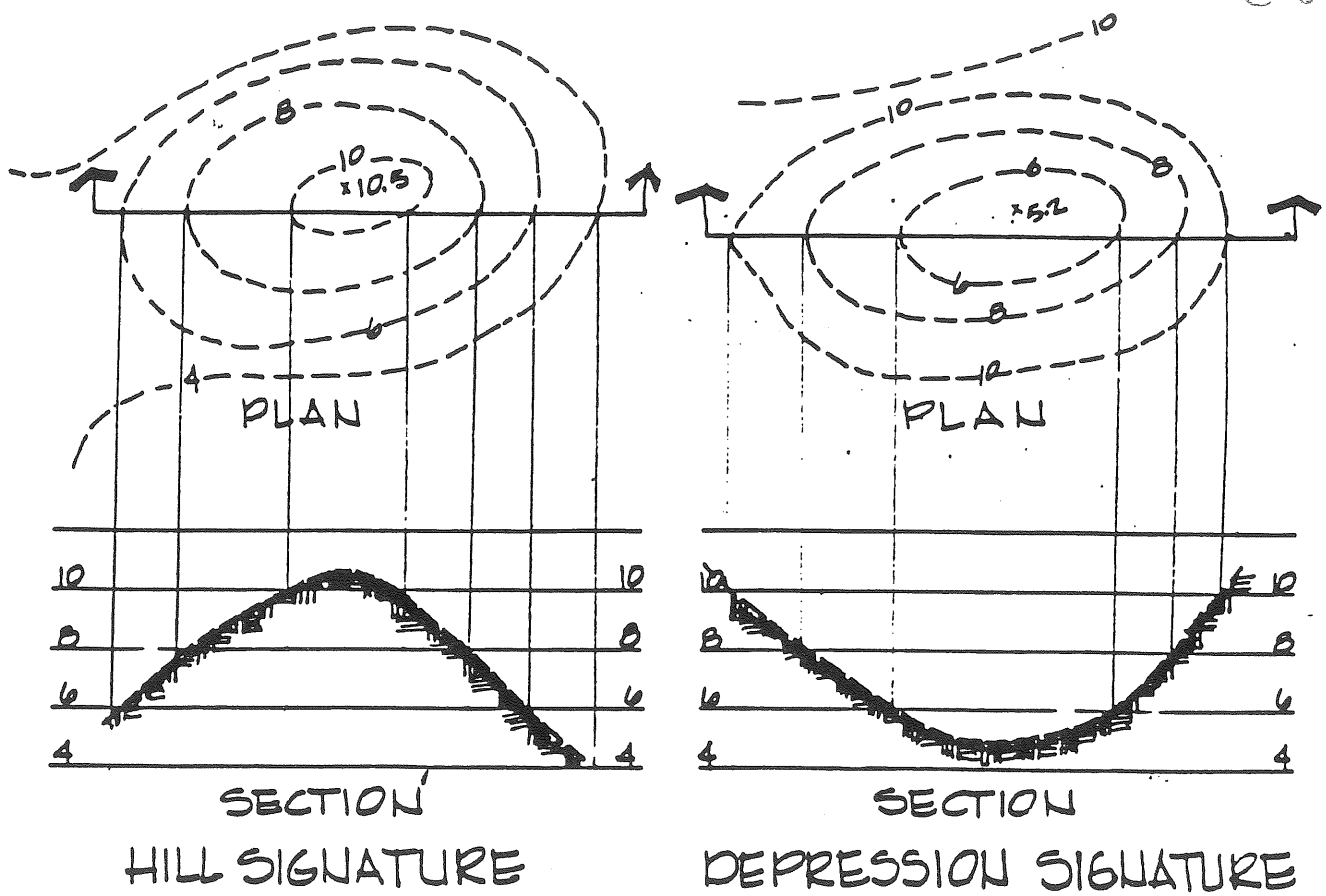

FIGURE 1-14

some reason they seem to have been lost to our more contemporary engineering conditioned vocabularies.

CLASSIFYING THE LAND FORM

In this step we think about the contour pattern in terms of the visual image it presents. What follows is a vocabulary that describes and characterizes the various shapes.

Terms Associated with Land Areas Bounded by Ridge Lines—Valleys

Glen or dale A small narrow valley usually bounded by gently sloped concave sides (Figure 1-15).

Ravine A deep valley bounded by steep slopes with little flat land at the base, usually only a stream bed (Figure 1-16).

Flood plain A broad, flat to gently rolling land area bounded by distant distinct ridge lines (Figure 1-17).

Types of Hills and Ridge Lines

Hogs back A long distinct ridge line, characterized by concave slopes at the sides (Figure 1-18).

Knoll A hill usually round to oval-shaped with convex slopes (Figure 1-19).

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Camel back ridge Paired knolls of near equal size that occur along a ridgeline (Figure 1-21).

Butte A steep sided formation with a nearly flat top. These are usually igneous rock intrusions that have been exposed by the forces of erosion (Figure 1-22).

General Terms

These general terms describe topographic features that occur as points or as complete landscape units.

Bay and promontory A bay is shaped by a ridge line, and the promontory is the dominant upland feature that shapes the bay (Figure 1-23).

Once the ridge and valley lines have been identified, consider what we know about the site at this point. Notice that if you move away from the ridge line in any direction you will be going to a point of lower elevation. Likewise, if you move away from a valley line you are moving to a higher elevation. This all seems elementary, but it is important. A valley channel carries all the runoff from the land area up stream from any point between the ridge lines. What we have accomplished in this step is an identification of the natural drainage pattern as well as the high and low elevation points.

These ridge and valley associations are commonly called *watersheds*. More specifically, a watershed is the total land area that contributes runoff to a stream or group of streams.

Examining the Character of the Land Form

Observe the spacing of the contours in Figure 1-10. Contours that are closely spaced indicate steep slopes while widely spaced contours indicate flat, gently sloped land.

Steep slopes should generally be avoided for development since extensive grading will probably be required. In addition, any modification of the surface vegetation will accelerate erosion and markedly increase runoff. Likewise, be suspicious of very flat terrain. Too little slope is just as bad as too much, because drainage will be sluggish and flooding becomes a distinct possibility.

Now observe how the contours are arranged in terms of spacing over a distance. This tells a lot about the overall character of the land itself. Contours closely spaced at the top of a slope and more widely spaced at the bottom are the signature of a concave slope, as can be seen in Figure 1-11. Contours spaced closely at the bottom of a slope and spread at the higher elevations, as in Figure 1-12, are the signature of a convex slope. Contours that are evenly spaced throughout are the signature of a uniform slope (see Figure 1-13). Contours that completely close within the limits of the map are the signatures of hills or depressions, as shown in Figure 1-14.

Now we can take this basic information a step further and begin to develop a catalog of land forms that will place these groups of contour signatures in a more meaningful vocabulary. None of these terms is new; in fact they are rather old-fashioned, and for

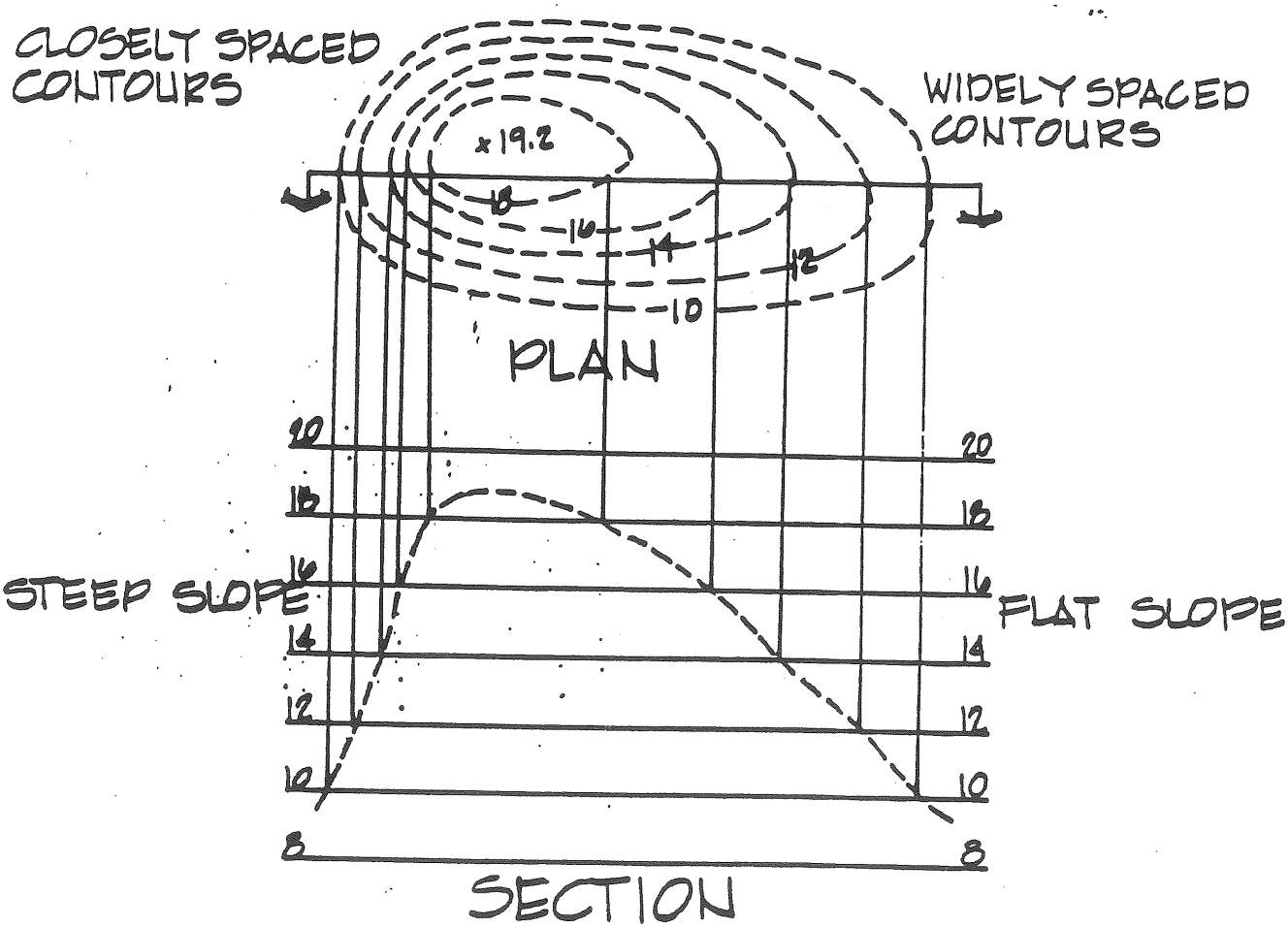
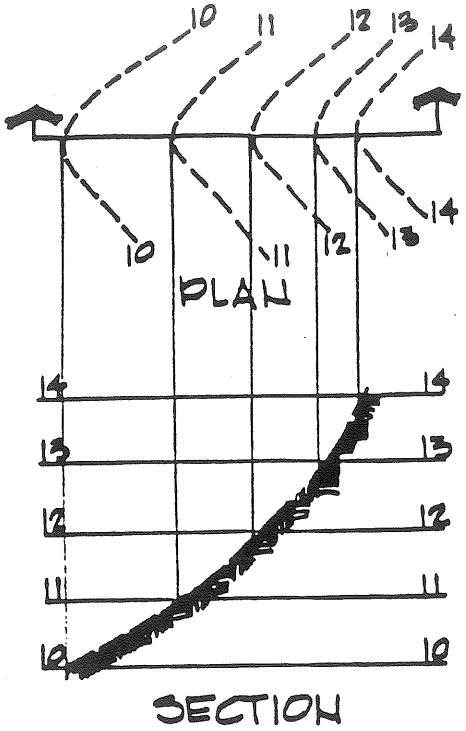
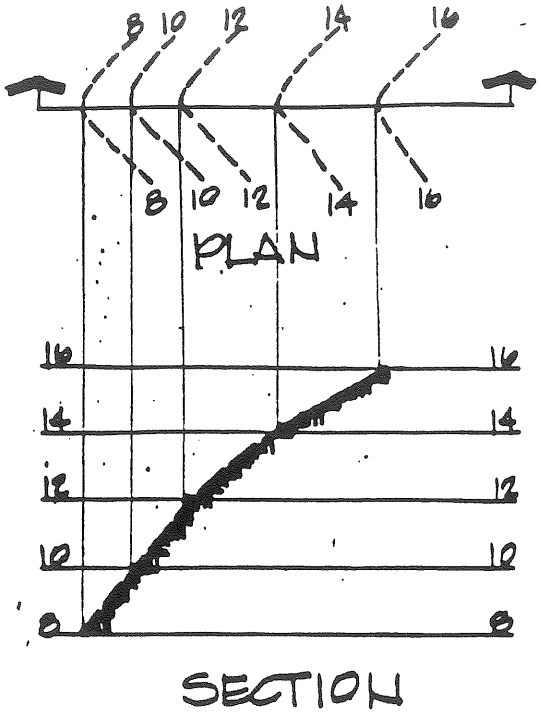


FIGURE 1-10



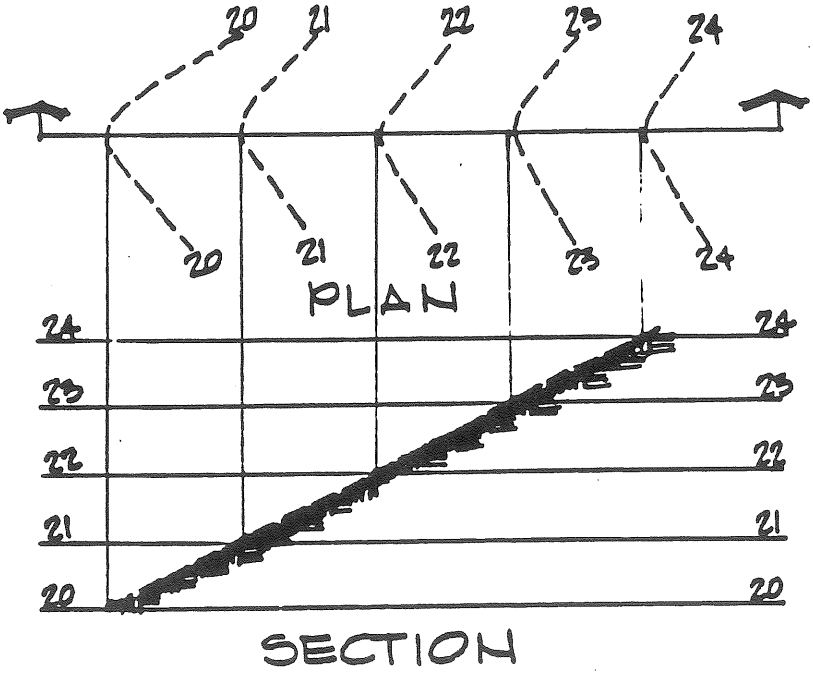
CONCAVE SLOPE

FIGURE 1-11



CONVEX SLOPE

FIGURE 1-12



UNIFORM SLOPE

FIGURE 1-13

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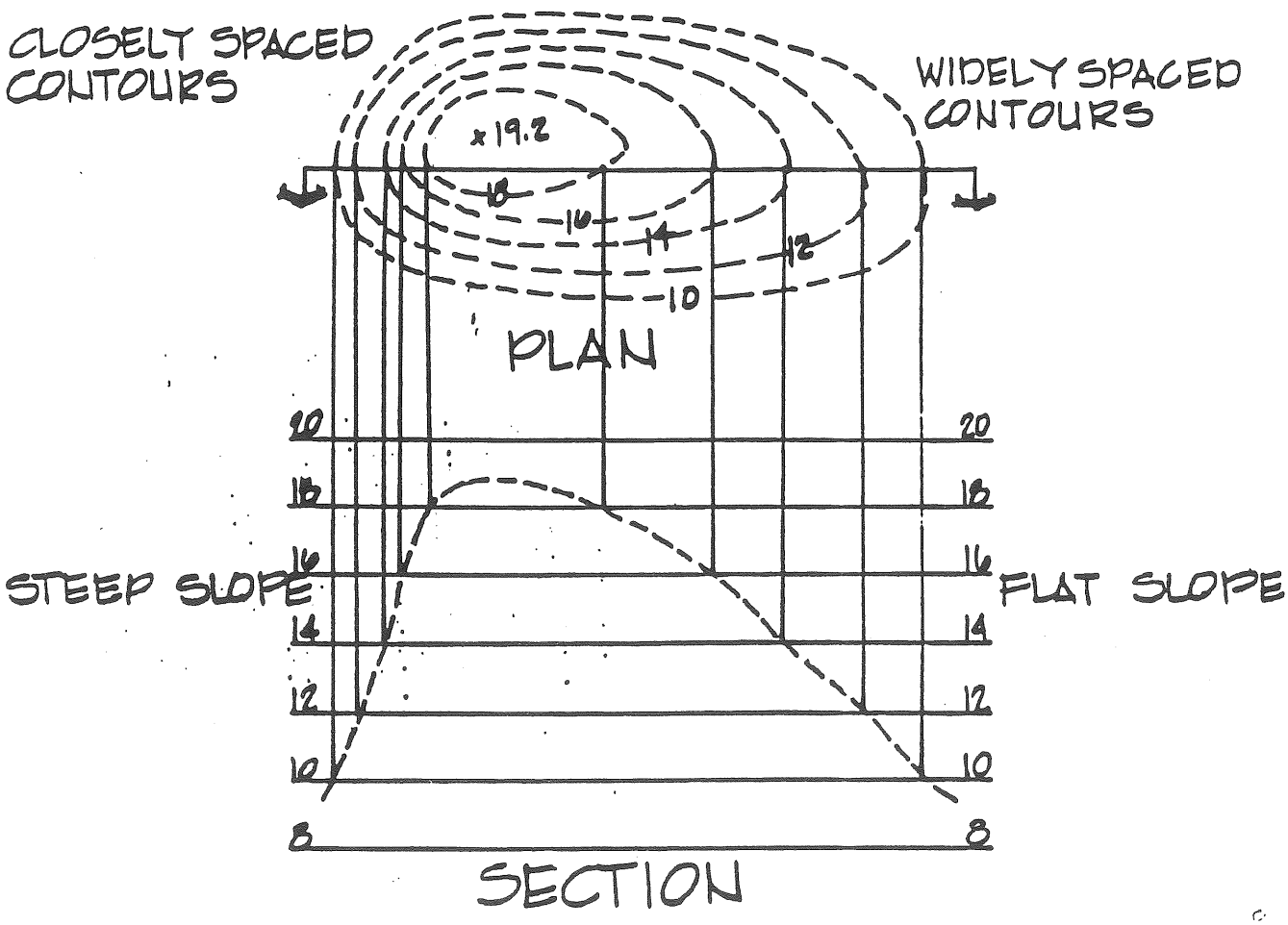


FIGURE 1-10

C-10

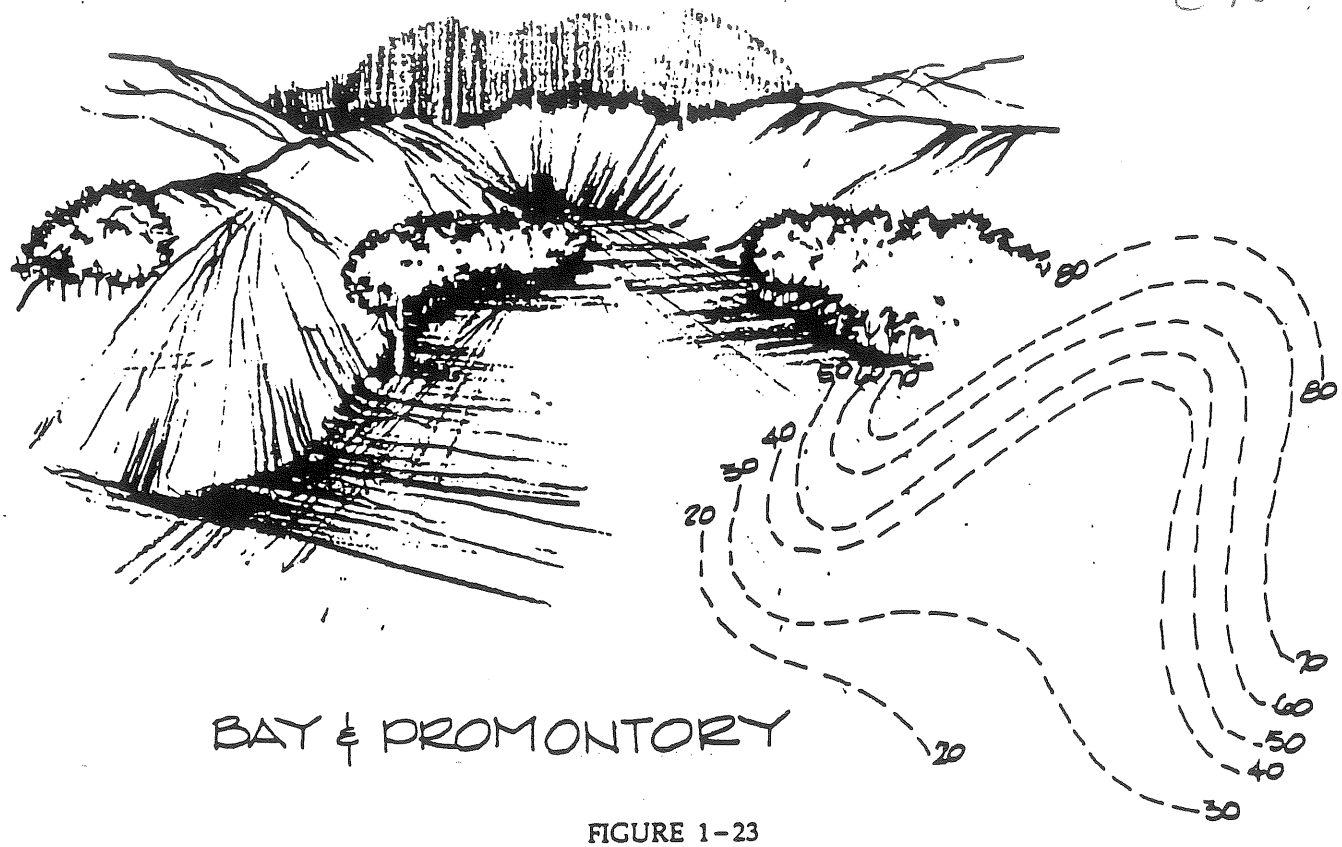


FIGURE 1-23

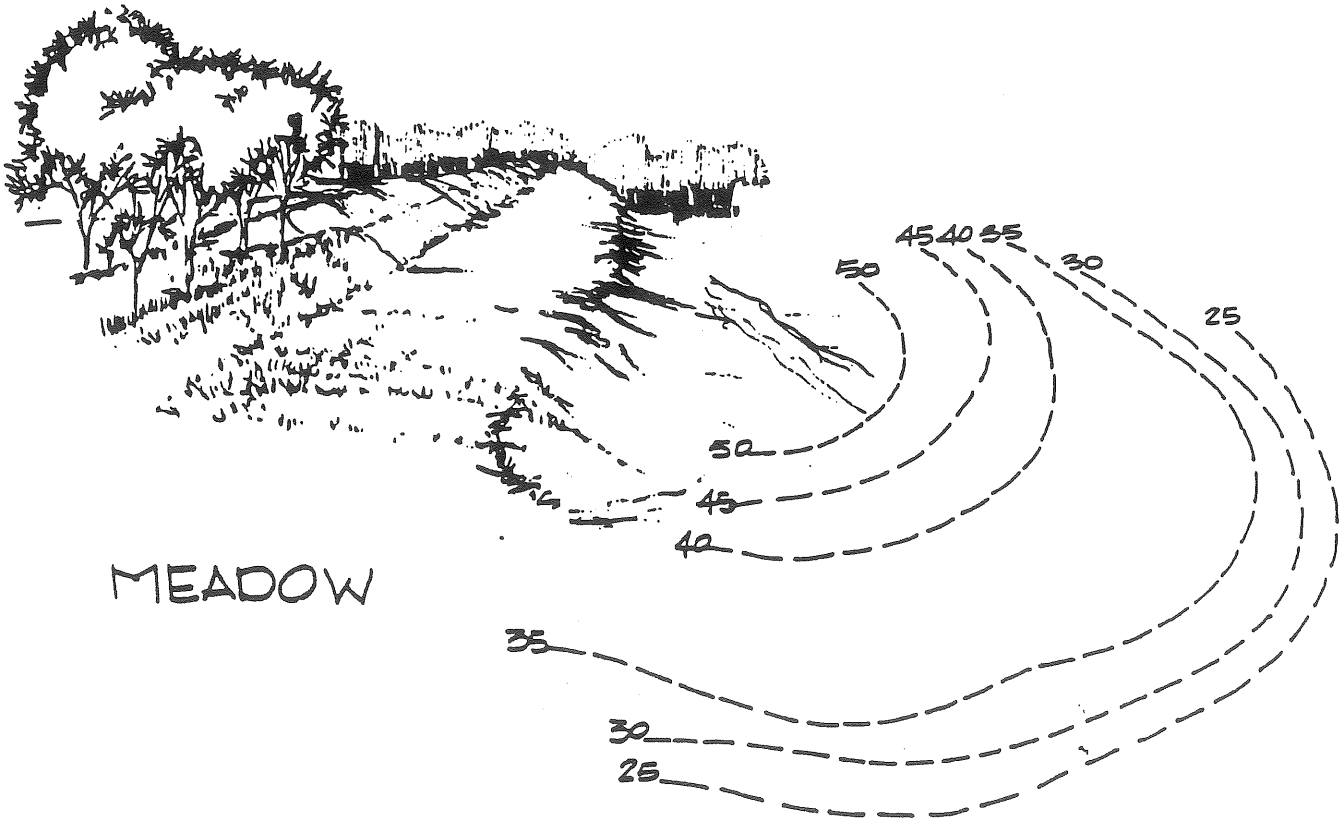
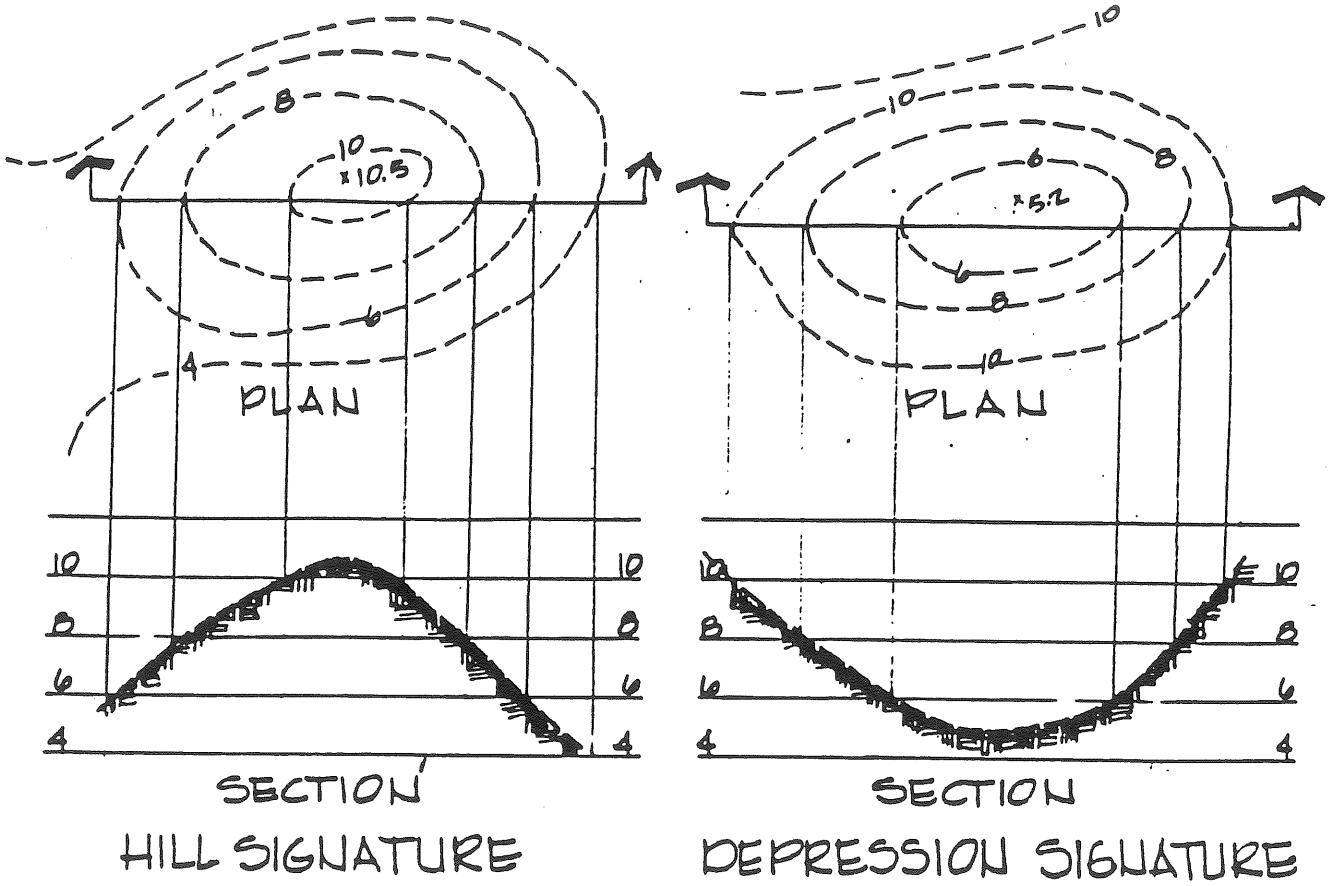


FIGURE 1-24

C-12



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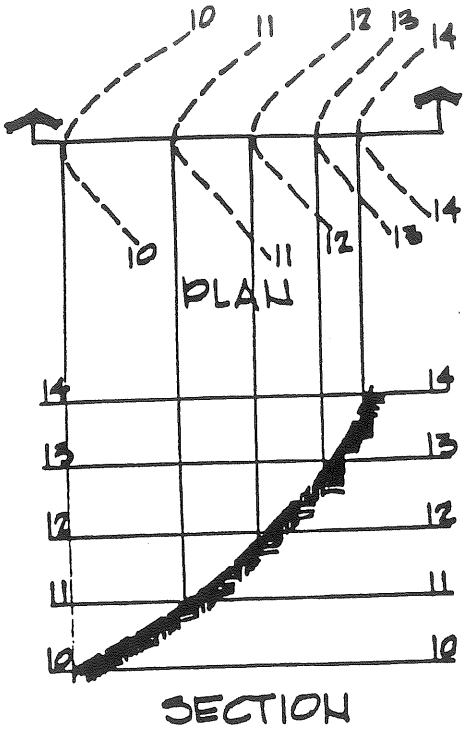
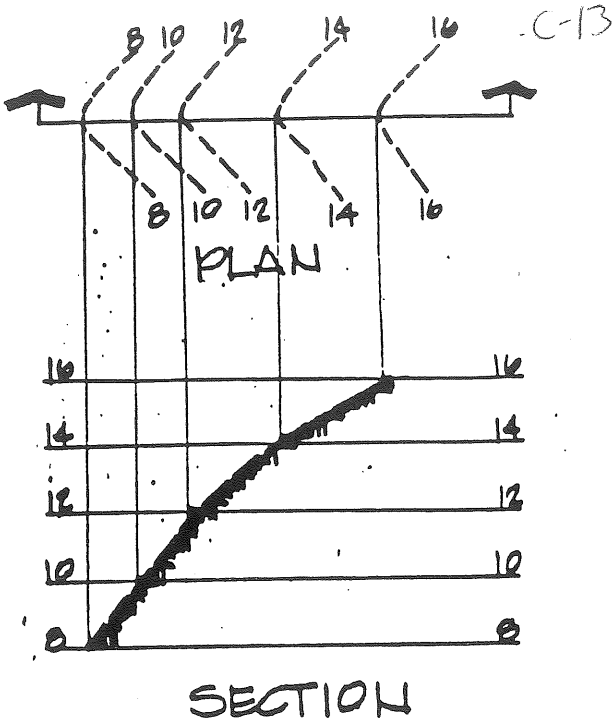


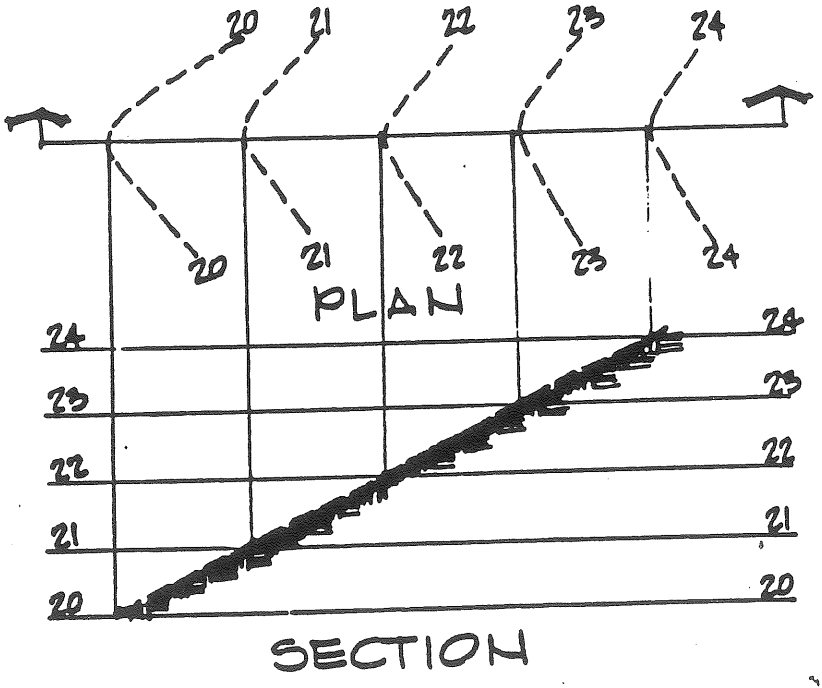
CONCAVE SLOPE

FIGURE 1-11



CONVEX SLOPE

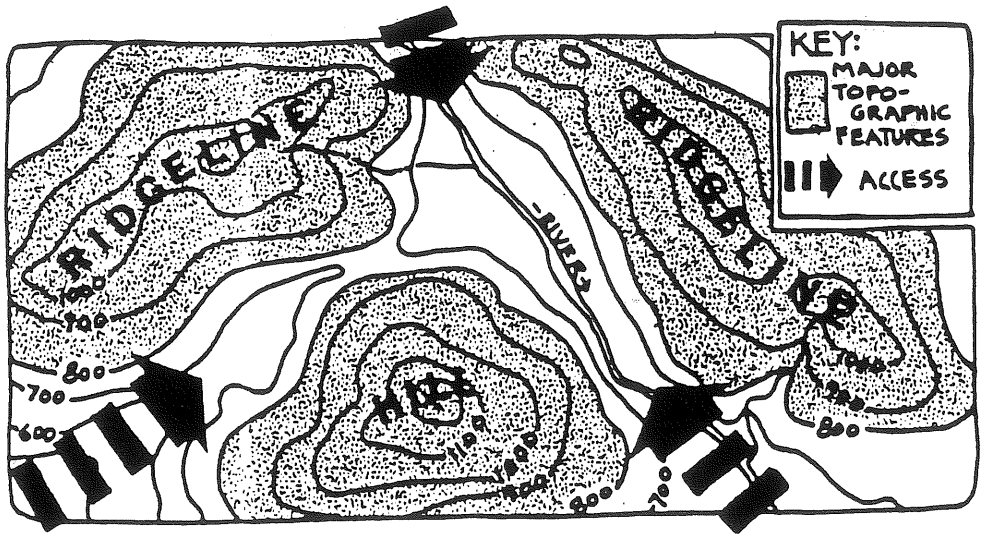
FIGURE 1-12



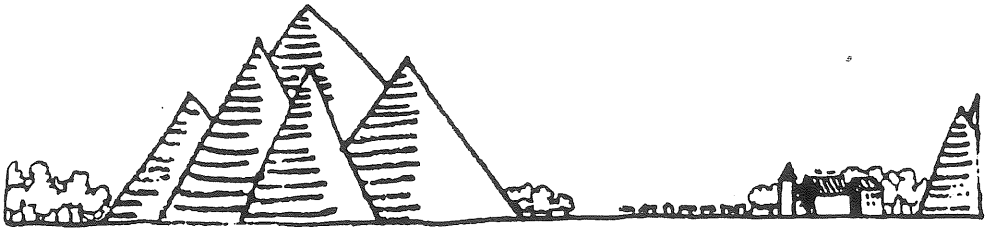
UNIFORM SLOPE

FIGURE 1-13

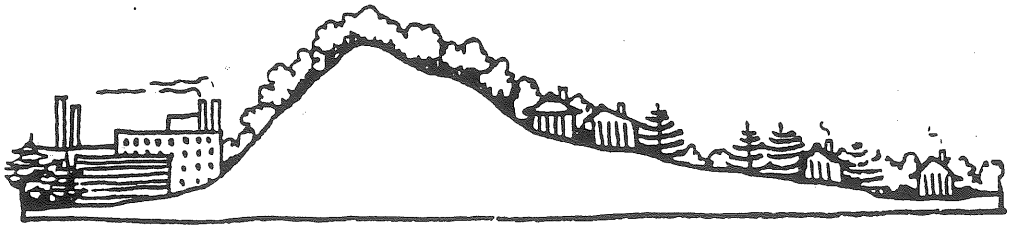
early days of land settlement, the lowlands, and particularly the river valleys, were settled first because they were most accessible. As roads were built, they



followed the paths of least resistance, going around instead of over mountains; topography continues to exert the same influence on access today. In an even more basic way, hills, mountains and ridges act as dividers that naturally define and separate land areas; sometimes topographic features create natural divisions between land uses. For example, valleys may be settled and



farmed, while mountains are timbered and wild. One side of a hill may be residential, while the other side is industrial. A planning team should consider topography as a basic element influencing land use.



Planning that respects the influences of topography can yield practical economic benefits: sewers can be

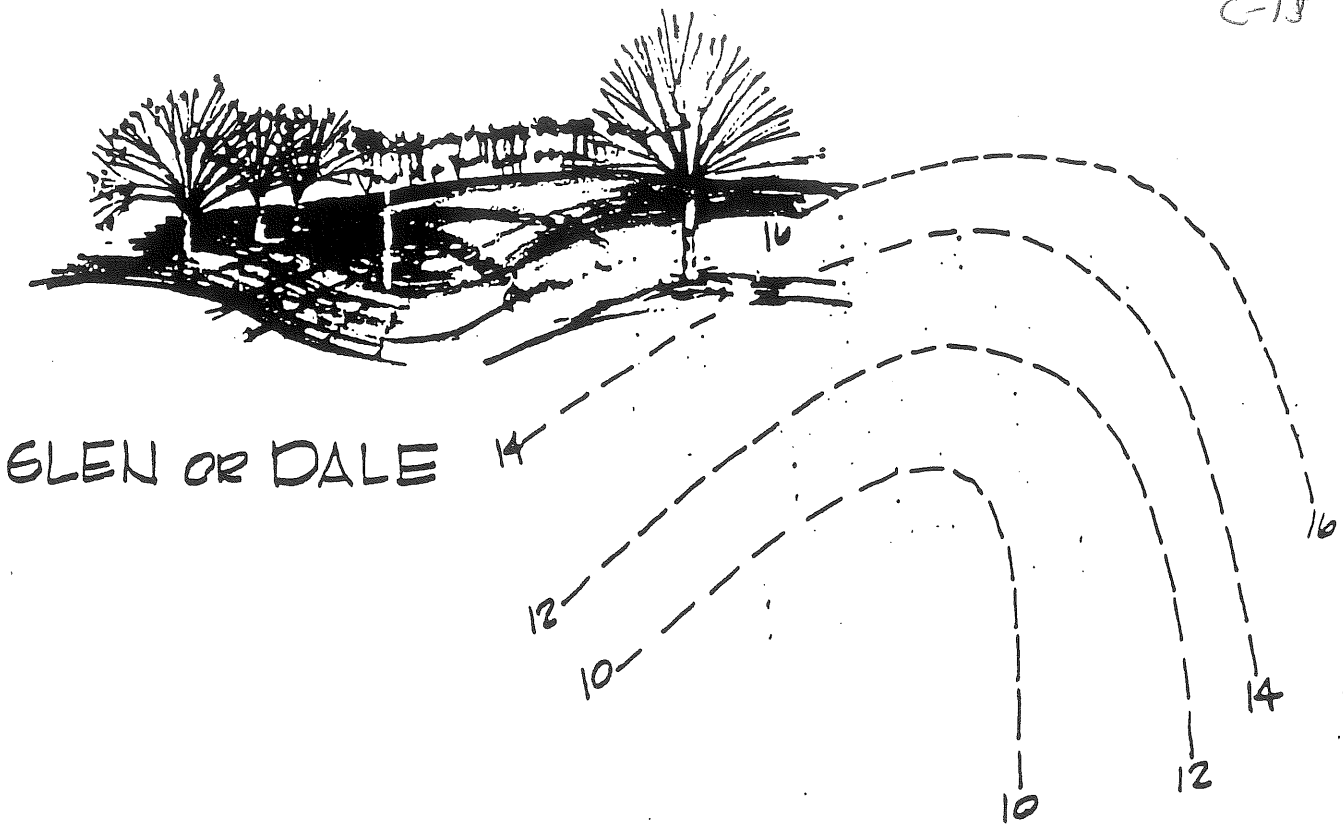


FIGURE 1-15

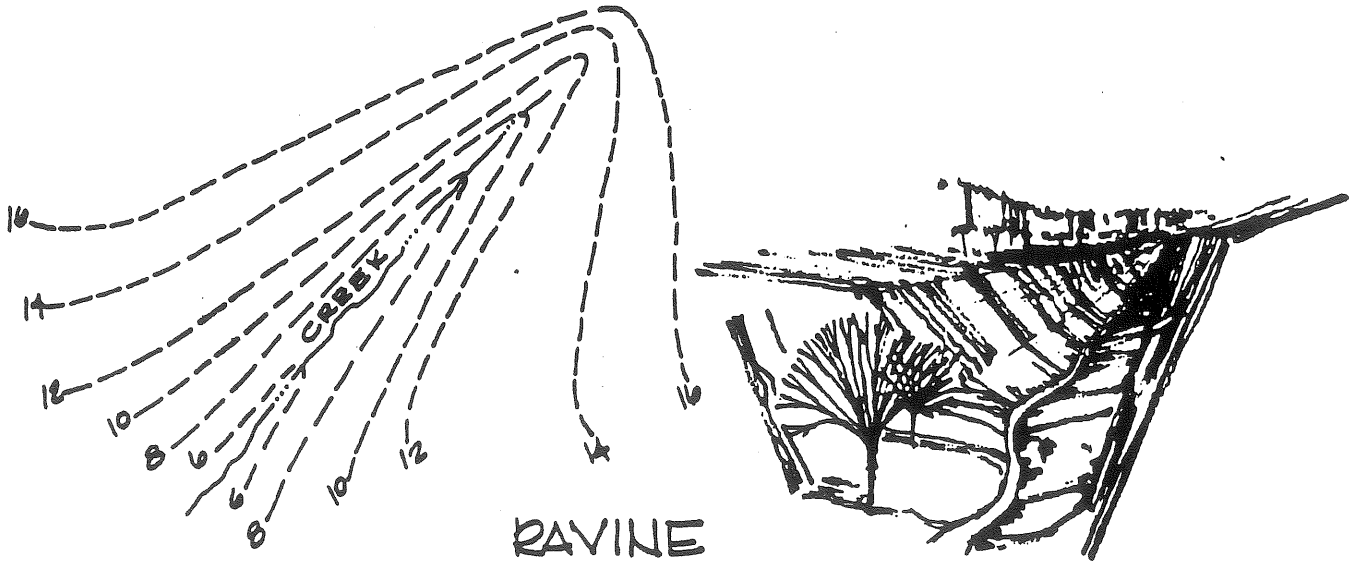


FIGURE 1-16

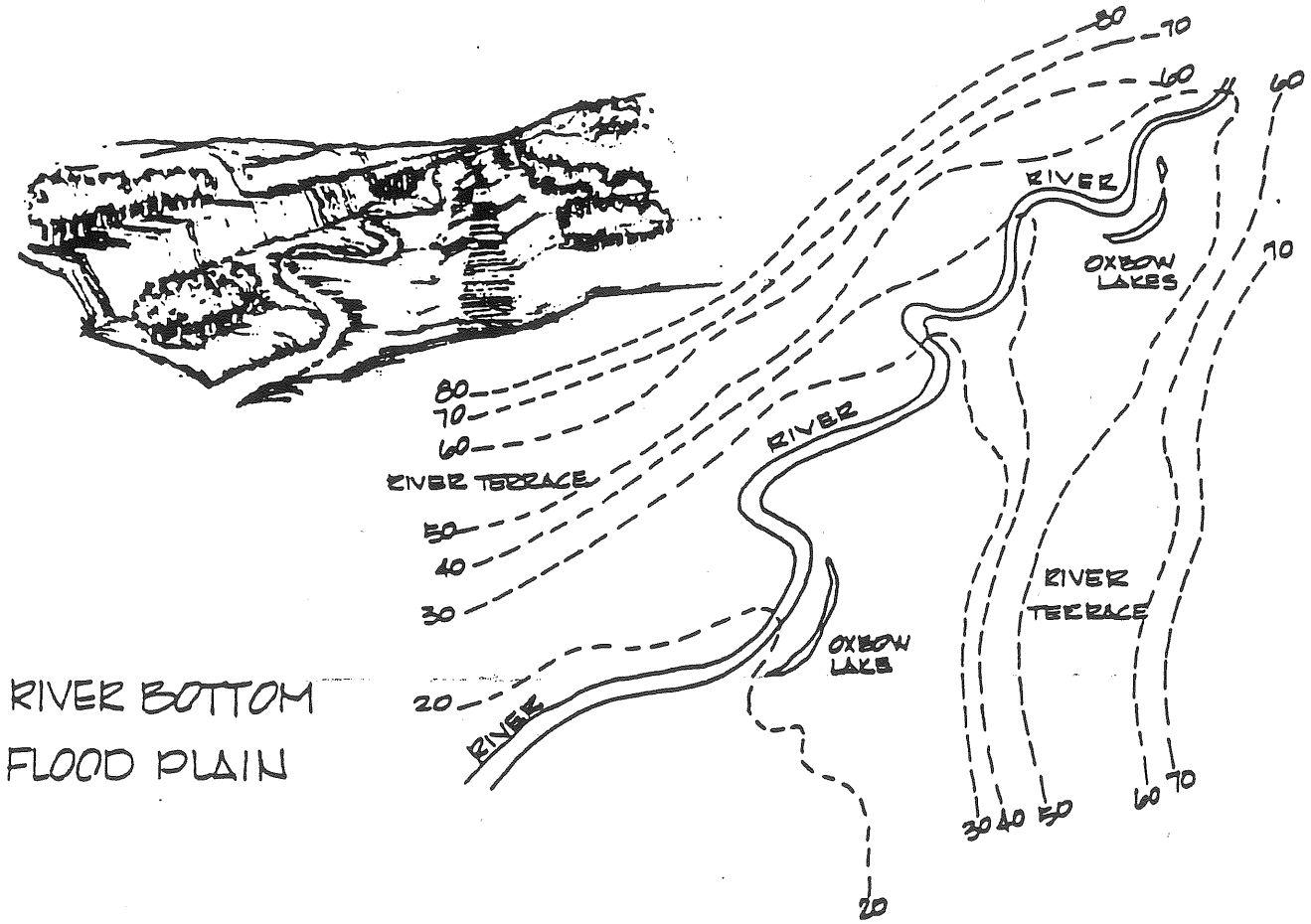


FIGURE 1-17

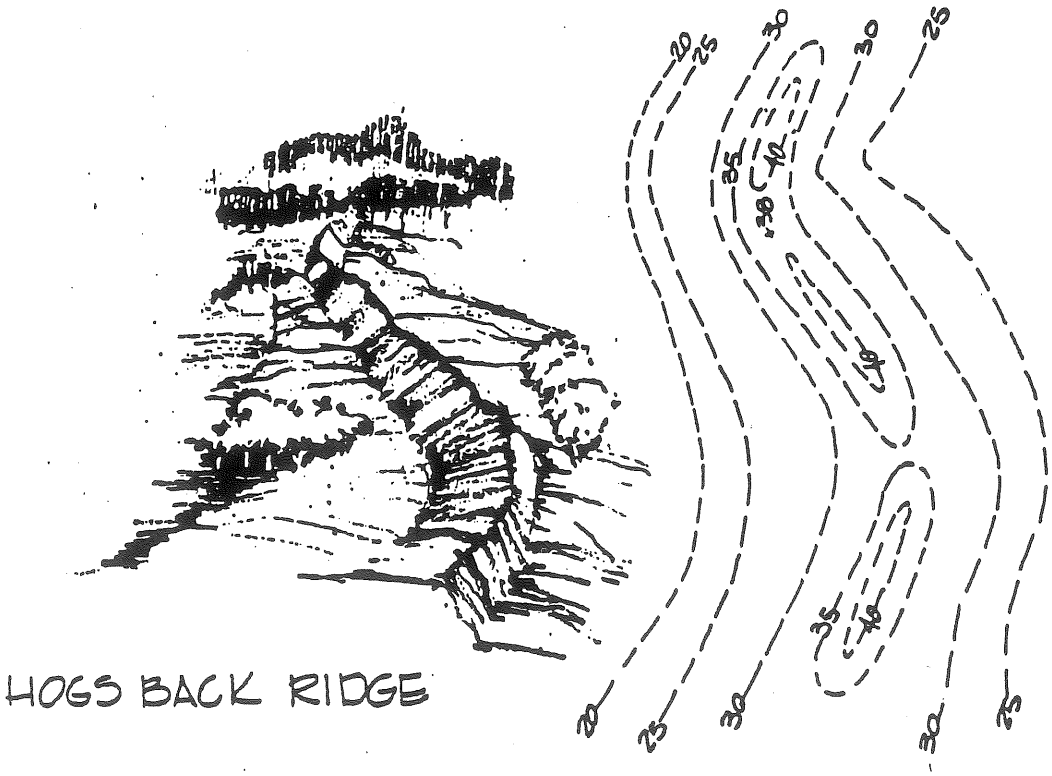


FIGURE 1-18

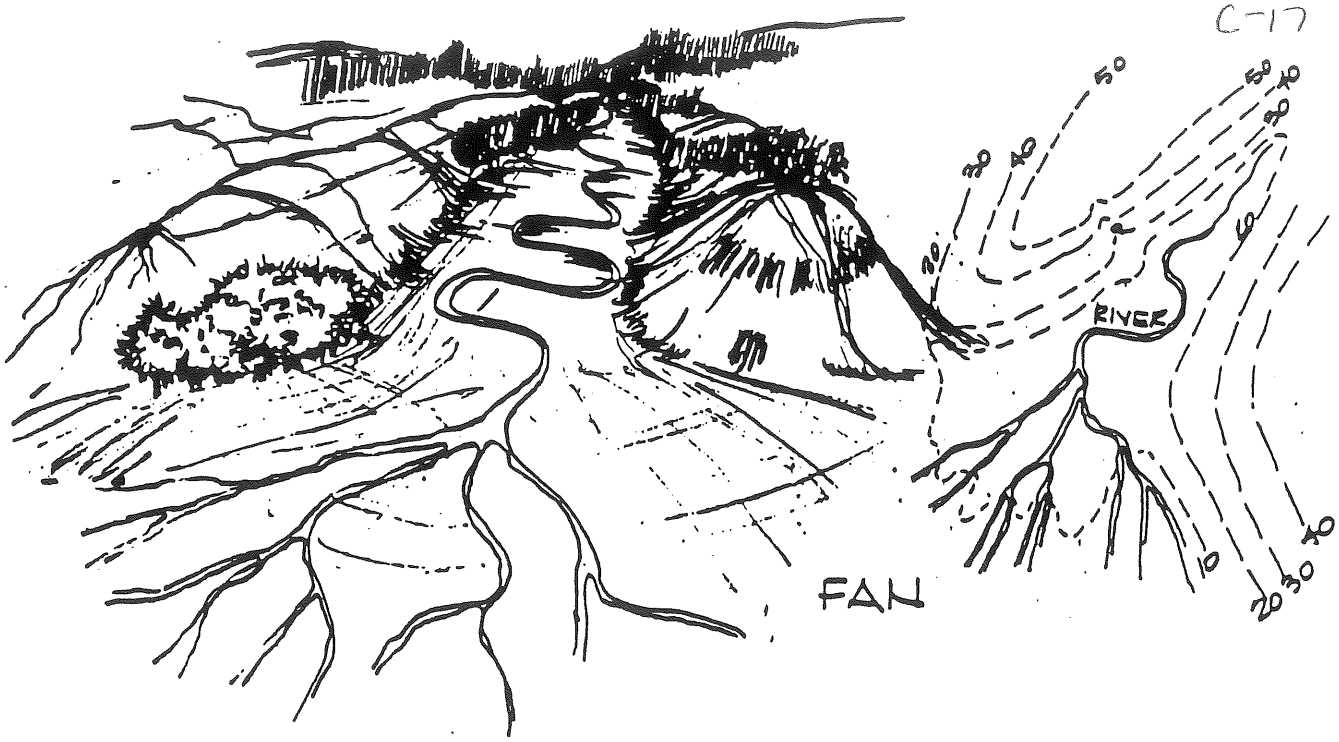


FIGURE 1-26

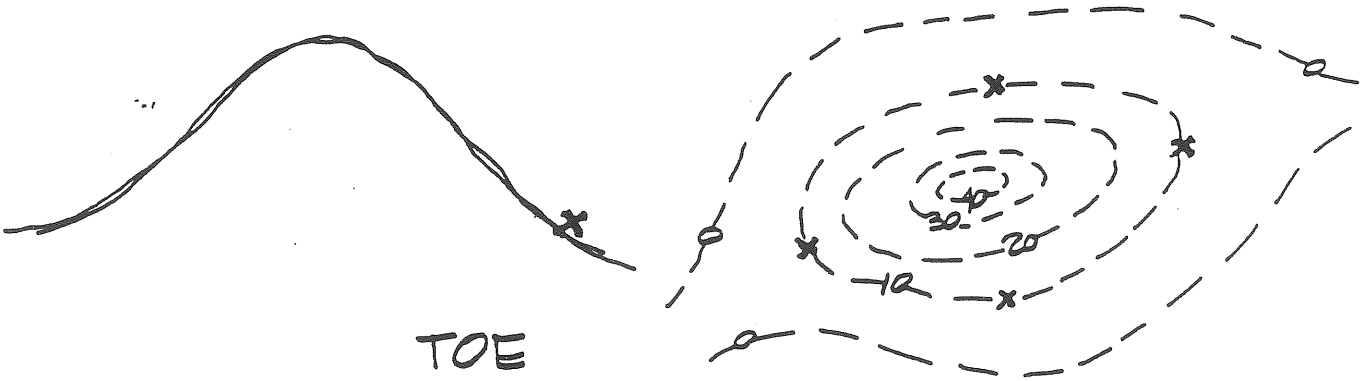


FIGURE 1-27

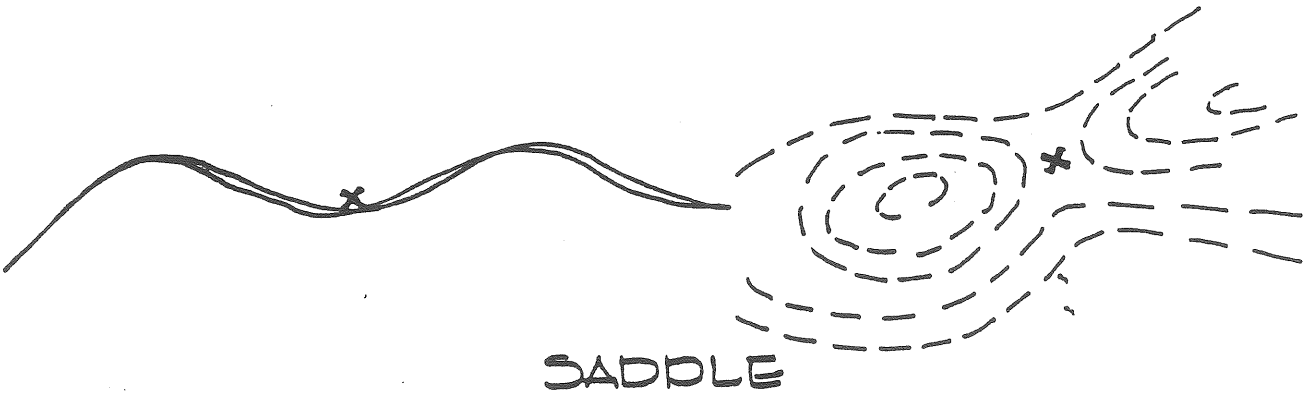


FIGURE 1-28

Dear Friend,

As you may know, the Portland Planning Department has been reviewing an application for a single family residential development known as Presumpscot River Place III.

A short time ago, I hosted a meeting in order to provide residents with additional opportunity to hear about the project and its status. Unfortunately, due to a computer error, some residents didn't receive a notice about that meeting. Therefore, I have scheduled another informational meeting about this proposal on:

DATE:	**Monday, April 10, 2000**
TIME:	**7:00 P.M.**
PLACE:	**Lyman Mooore Middle School - Library** **171 Auburn Street**

There will be representatives of both the Planning Department and developer present to provide information and answer questions.

I hope you will be able to attend!

Jay M. Hibbard
City Councilor
District 5

Michael and Barbara Peisner
26 Overset Road
Portland, ME 04103

May 26, 2000

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

Dear Mr. Gray:

This is to support the application of Burt Wolf for approval of a new subdivision at the end of Curtis Road. We live in the adjoining subdivision, and have known since we moved in over 13 years ago that that land was going to be developed. Frankly, we are surprised that it has taken so long.

We have recently become interested in buying a lot in the new subdivision. We like where we are, in terms of schools, neighborhood, and general quality of life. When we bought our present home, we had one baby, and now we have three children, ages 7 to 13. As we look to find a home more suitable to our present circumstances, our ideal is not to go very far.

We understand the concerns about traffic on Curtis Road, etc. They result from a lack of long-range planning on the part of the City of Portland many years ago, in not assuming that all buildable land in the City would be developed, which would have allowed the appropriate steps to be taken then. We hope that the City will take active steps to rectify the traffic issue, with measures such as speed bumps. These issues are not the fault of the developer, and we do not think that this subdivision should be denied for such issues.

Very truly yours,

Michael B. Peisner

Michael B. Peisner

Barbara K. Peisner

Barbara K. Peisner

O:\MBP\PERSONAL\home-subdiv.ltr.wpd

City of Portland
Planning Department

389 Congress Street, 4th Floor
Portland, ME 04101
207-874-8721 or 207-874-8719
Fax: 207-756-8258

FAX TRANSMISSION COVER SHEET

Date: 5-30-00

To: STEVE BUSHEY

Company:

Fax #: 879-0896

From: RICK KNOWLAND

RE: STAFF MEMO OF PRPIII. SEE YOU AT 3:30

YOU SHOULD RECEIVE _____ PAGE(S),
INLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL 207-874-8721 OR 207-874-8719.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Caron and Members of the Planning Board

FROM: Richard Knowland, Senior Planner

DATE: May 30, 2000

RE: Presumpscot River Place III Subdivision

At Tuesday's workshop, we will discuss the Presumpscot River Place III subdivision, located north of Curtis Road. On November 23rd and February 8th, the Board held workshops on this development. Please refer to the staff memo previously distributed.

Updated applicant submissions

The Green Book (submittal #4, #5 and #6) includes the latest submission

- High intensity soil survey
- Stormwater analysis
- Erosion control plan
- An updated environmental report (Forest Management Plan for Presumpscot River Place: Phase III) from reports issued from 1987 through 1990 by Eco-Analysts Inc.
- Wetlands Permitting Plan with wetland survey located and limits of intermitting streams
- Traffic study

Neighborhood Meetings

An informational meeting on this development was held with neighborhood residents on February 29th and April 10th. Sponsored by Councilor Jay Hibbard, the developer and planning staff also attended the meeting. In excess of 50 people attended each meeting. A summary of meeting comments is shown on Attachment B. A quick summary of the major issues follows below.

- Traffic - volume and safety concerns.
- The second subdivision roadway won't lessen traffic on Curtis Road. Find another access.
- Developer should show entire landholdings. Property should have a master plan and not developed piecemeal.

- North Deering has recreation and open space needs. Development should provide public access along the river.

- School capacity concerns

Lot Configuration

Sec. 14-498(h)(4) of the subdivision ordinance states the following:

> "Where feasible, side lot lines shall be at right angles to street lines (or radial to curving street lines.)"

At a minimum, the configuration of lots 2, 4, and 5 do not appear to meet this standard. These lots as presently configured would need a waiver from the planning board under sec. 14-506(a) of the subdivision ordinance. The lot lines are contorted. If these lots were to be developed to meet the above standards, there would be 5 lots rather than 7 lots, west of The Brothers Road (northerly side) along Cushing Avenue. Our recommendation would be to combine several of these lots together to meet the subdivision standard. The present plan has a contrived lot configuration that could not otherwise be developed with a subdivision layout contemplated by sec. 14-498(h)(4). The configuration also increases the likelihood of environmental problems because it opens up back land that is problematic (steep slopes) to develop.

Comments from Development Review Coordinator

Steve Bushey, Development Review Coordinator, has provided a detailed memo on a variety of issues. Please review this memo (See Attachment C). Mr. Bushey states, "this project is a difficult one in that the existing site conditions have significant limitations. Severe slopes, erodible soils and shallow groundwater present significant limitations which must be overcome with proper engineering and expense by the Developer in order to provide a development which is stable and long lasting. I will be providing for staff and Board review photos of similar land scenarios throughout the City which we have found to problematic and difficult to construct".

Mr. Bushey will be attending Tuesday's workshop.

Building envelopes

As the Board will recall from the site visit, there are a number of lots adjacent to steep ravines that send surface water down to the Presumpscot River. The real issue in building envelopes is the total area of disturbance within the lot which includes house construction, regrading and tree clearance activities in relation to steep slopes (ravines.)

We are recommending that a maximum disturbance line for the affected lots be established limiting the extent of regarding and tree clearance near steep ravine slopes. A buffer of upland area needs to be created to protect the slopes and ravines. Each lot should be individually planned reflecting the specific conditions found on the lot. If appropriate disturbance lines are not developed, this has implications on slope stability, drainage, erosion, sedimentation, and the scenic and natural beauty of the area.

Slopes

Slope is the gradient or steepness of land. For example, a 20% slope is a rise of one foot over a distance of five feet. We have enclosed from the staff memo of February 8th, an excerpt from a land planning book with a chapter on slope. To give the Board a frame of reference on slope we offer the following:

- 8% slope is the maximum slope standard for roadways in subdivisions (City of Portland.)
- 17% slope approaches the limit that an ordinary vehicle can climb, for any sustained period.
- 20 to 25% slope is the normal limit of climb for pedestrians without resorting to stairs.
- 25% slope is the maximum slope to safely mow a lawn.

At the last workshop, the Board indicated their willingness to consider development on 15% plus slopes. The applicant has revised the slope plan to show increments of 15% to 20% slope; 20% to 25% slope, 25% to 35% slope and greater then 35% slope (see Green Book). The building envelopes for several lots have been revised, but if you review the slope map, the applicant is still proposing portions of building envelopes on 25% plus slopes.

Land features are not typical of most subdivisions

The land form and natural features are not typical of most subdivisions in Portland. It is adjacent to the Presumpscot River and a large flood plain of the river. It has sensitive natural features such as steep slopes and ravines. As discussed above, the layout of the subdivision should be adjusted to more adequately protect the sites natural features. Sec. 14-497(8) of the Subdivision Ordinance is shown below:

> Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the department of inland fisheries and wildlife or by the city, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.

The applicant has submitted an environmental report updating the earlier reports submitted for this project.

The report covers the following resources:

- forest resources
- streams
- rare, threatened or endangered species

- valuable wildlife habitats

Valuable wildlife habitats on the parcel identified by the report include the following:

- the riparian zone of the stream
- the riparian zone of the Presumpscot River
- two (2) vernal pools within the floodplain

The applicant indicates that the vernal pools and riparian area of the Presumpscot River will be protected because no development is proposed within the shoreland zone. The riparian zones of the streams will be protected by no cutting in wetland areas, 25 foot buffers on either side of the stream, no cutting on sustained slopes greater than 33% and preservation of large (greater than 24 inch caliper) trees and snag trees when practicable.

A letter received from the Friends of the Presumpscot River (See Attachment G) indicates concerns with this development. The letter references a management plan that is underway by the Casco Bay Estuary Program. The study will be completed in 8 months. Fishery restoration, open space/public access/development and cumulative environmental impacts are key areas of study.

<u>DEP - site location law</u>

Our initial review of this project indicated this project did not qualify under the site location law because the subdivision size (29 acres) was less than the DEP threshold for single-family subdivision (30 acres.) However since the applicant previously developed a subdivision in Falmouth on abutting land, the Portland DEP office indicates this development does qualify for site location review under common scheme of development. Since this development exceeds our site location review authority, the DEP will need to review this development.

<u>Soil survey and wetland delineation</u>

A high intensity soil survey and a wetland delineation has been submitted. See Green Book.

Comments from Steve Bushey, Development Review Coordinator, are shown below (see also Attachment C).

1. The High intensity soils survey contains valuable recommendations which should be incorporated into any type of action to be taken on the project. These specifically relate to erosion, shallow groundwater, and topsoil coverage. I recommend these items be made a condition of approval if the project ultimately moves forward.

2. The soils survey and wetlands boundaries do not match, specifically in reference to the hydric soils limits. The wetland scientist apparently has provided a letter suggesting that the some areas mapped as the hydric soils are actually "made land". This representation is not made at all in the soils report by S. W. Cole. In fact the S. W. Cole report says little about previous site disturbance for the extraction of gravel as is suggested by the wetland scientist. As with previous projects which have possible wetland limitations, it may be beneficial that a peer review be made for the wetland delineation. The plans also do not show wetlands in the ravines, which seems odd.

Circulation

In previous workshops, we have discussed circulation issues related to this specific subdivision application as well as circulation needs of adjacent land owned by the applicant. A traffic report has been submitted and has been reviewed by Larry Ash, City Traffic Engineer. Mr. Ash will be attending Tuesday's workshop.

Curtis Road remains the main access into the development. Since the last workshop, the applicant has added a second access (Vail Road) also known as the Cladboard/Alice extension which is adjacent to the City sewer pump station. This resolves the fire protection issue since a second access was needed because the total number of dwellings for this subdivision and Presumpscot River Place I and II subdivisions exceeds 34 dwellings. However, general circulation concerns remain for this subdivision.

The main internal roadway, Cushing Avenue, serves as a critical roadway for providing access for this development as well as vacant land east and west of the subdivision. To the east, Overset Road could be extended (from the south) into Cushing Avenue when Cushing Avenue is extended for a later phase of the subdivision. This circulation pattern makes sense.

However to the west, there remains an access issue. The developer has provided a second access-Vail Road. This helps for fire protection, but not for the overall circulation needs for this subdivision or the adjacent vacant land owned by the applicant. Given the location of Vail Road, it is likely that most people will use Curtis Road anyway, so this is not an effective way to integrate this subdivision with the street network of the neighborhood. This becomes important because assuming Cushing Avenue is extended further west (into Falmouth) in the future, the next street would be Hope Lane, a distance of about 1,700 feet from Curtis Road. The normal subdivision standard is for a block not to exceed 800 feet long (Sec. 14-498(g)). Hope Lane is currently a right-of-way stub located off Alice Street to serve this parcel.

If a connecting roadway were planned further to the west then Vail Road, it would provide a more balanced circulation system by improving its integration with the existing street network. A connecting roadway opposite Pamela Road, Crest View Drive, Carter Street or Caron would better integrate this development with the surrounding street network. It would provide multiple route options so that Curtis Road would not receive all the traffic. The Transportation Plan recommends the interconnection of neighborhood streets, so there are multiple paths of travel to get to destinations within and between neighborhoods.

In a recent letter to the applicant, staff outlined two possible options to resolve this issue.

A. The applicant acquire land for a right-of-way to Alice Street, west of Curtis Road providing a more direct access point to either Pamela Road, Crest View Drive, Carter Street or Caron Street from his landholdings. With a new access way, the Clapboard/Alice access would no longer be needed. This new right of way would be constructed as part of the PRP III subdivision improvements.

B. The applicant dedicates a street running from Cushing Avenue westerly through Falmouth and connecting to Hope Avenue or another roadway that connects into Alice Street. The dedication shall be in a form acceptable to corporation counsel.

The applicant will need to stake the central line of the roadway in the field so that the city can be assured that the location of the roadway is feasible. We may require additional engineering information if necessary.

The dedicated roadway should be shown on the subdivision plan so all of the work required for this street dedication needs to be done in advance of the final public hearing.

Note: Option A addresses the immediate concern of providing a more appropriate second access as part of this current subdivision application. Option B guarantees that there will be a second significant access way from Cushing Avenue as the land west of PRP III is developed in the future. We have informed George Thebarge, Falmouth Planner, of Option B.

At the two neighborhood meetings held on this subdivision, there were a number of comments concerning the need to find a better second access for this subdivision.

Attachments

A. Green Book
B. Neighborhood Meetings-Summary of Comments
C. Steve Bushey, Development Review Coordinator Comments
D. Planning Staff Comments
E. Transportation Plan (excerpt)
F. Planning Staff Memo - February 8, 2000
G. Written Public Comments

Planning & Urban Development

Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Mr. Al Palmer
Gorrill-Palmer Consulting Engineers
P. O. Box 1237
Gray, Maine 04039

RE: Presumpscot River Place

Dear Al,

This letter is intended to summarize comments on Presumpscot River Place, III. I touched on most of the points in our May 19th phone conversation, but I thought it helpful to put these in writing.

1. A plan should be submitted showing all of the applicant's land holdings in Portland and Falmouth (including the developed subdivision in Falmouth). It would be helpful to also show the earlier phases of PRP. All of your subdivision plans should show the applicant's landholdings to the Presumpscot River.

2. The color coded slope map should be updated to show the new building envelopes.

3. It has become apparent that the two access ways (Curtis Road and Clapboard/Alice connection) are inadequate to serve this development. As indicated in my May 1st letter to Burt Wolf, the Clapboard/Alice connection is an improvement over Curtis Road being the lone access, but it does not address the need of connecting this subdivision with the street network of the neighborhood. Technically two access ways are provided, but due to the close proximity of Clapboard/Alice connection to Curtis Road, most cars will use Curtis road anyway and so this is not an effective way to integrate this subdivision with the surrounding street network. There has been a great deal of public comment on this issue.

   In order to resolve this issue we will be recommending to the Planning Board that either A or B is imposed as a condition of approval for this subdivision.

   A. That the applicant acquire land for a right of way to Alice Street, west of Curtis Road that would provide a more direct access point to either Pamela Road, Crest View Drive, Carter Street or Caron Street from his landholdings. With a new access way, the Clapboard/Alice access would no longer be needed. This new right of way would be constructed as part of the PRP III subdivision improvements.

C-18

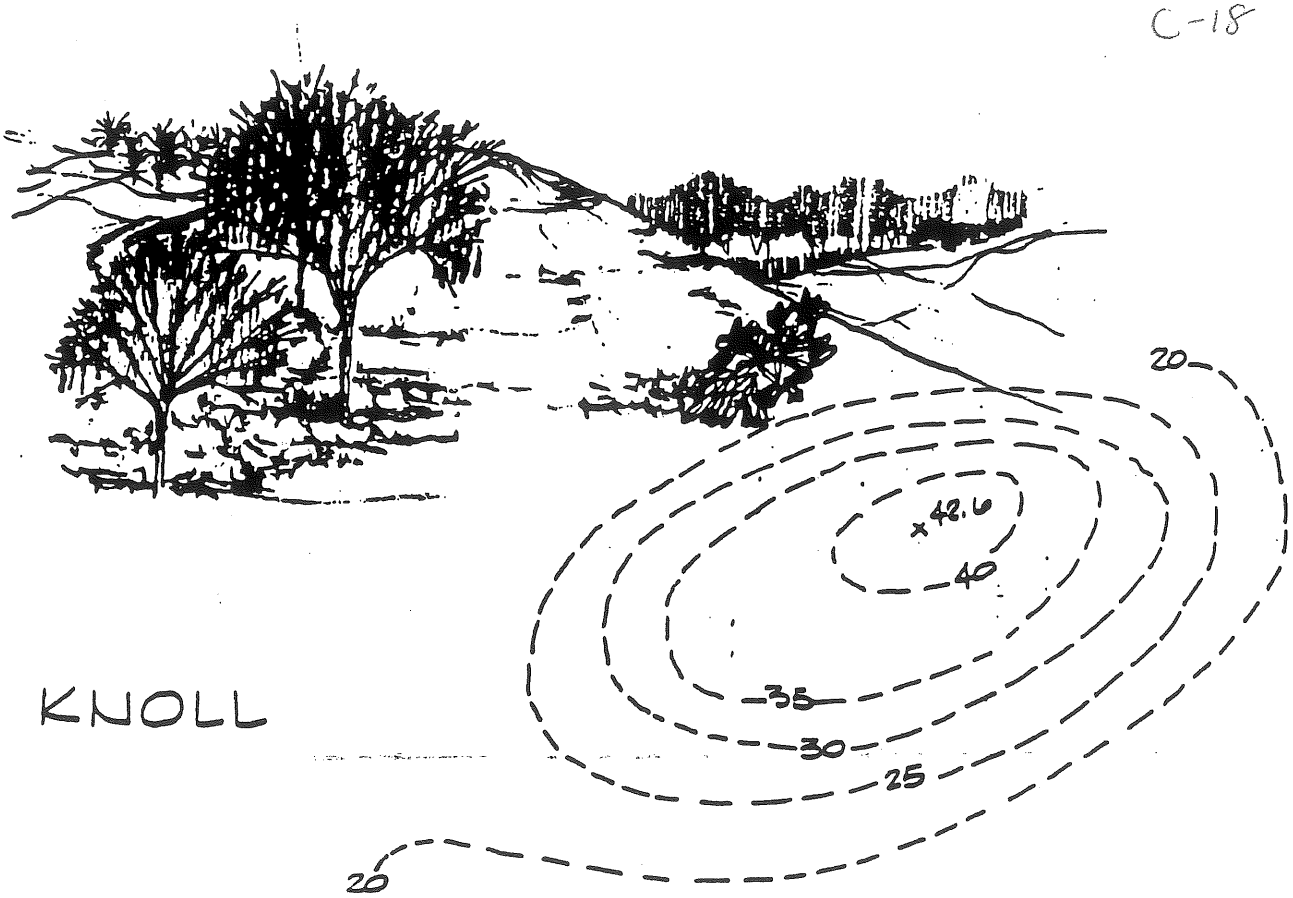


FIGURE 1-19

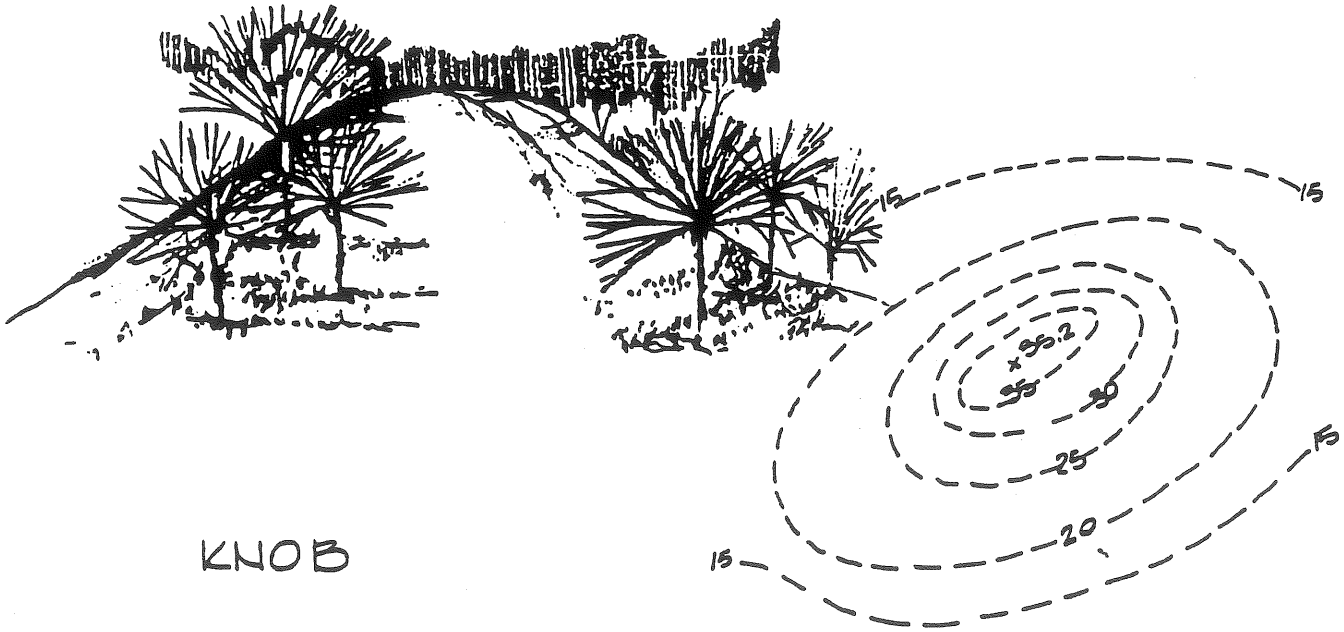


FIGURE 1-20

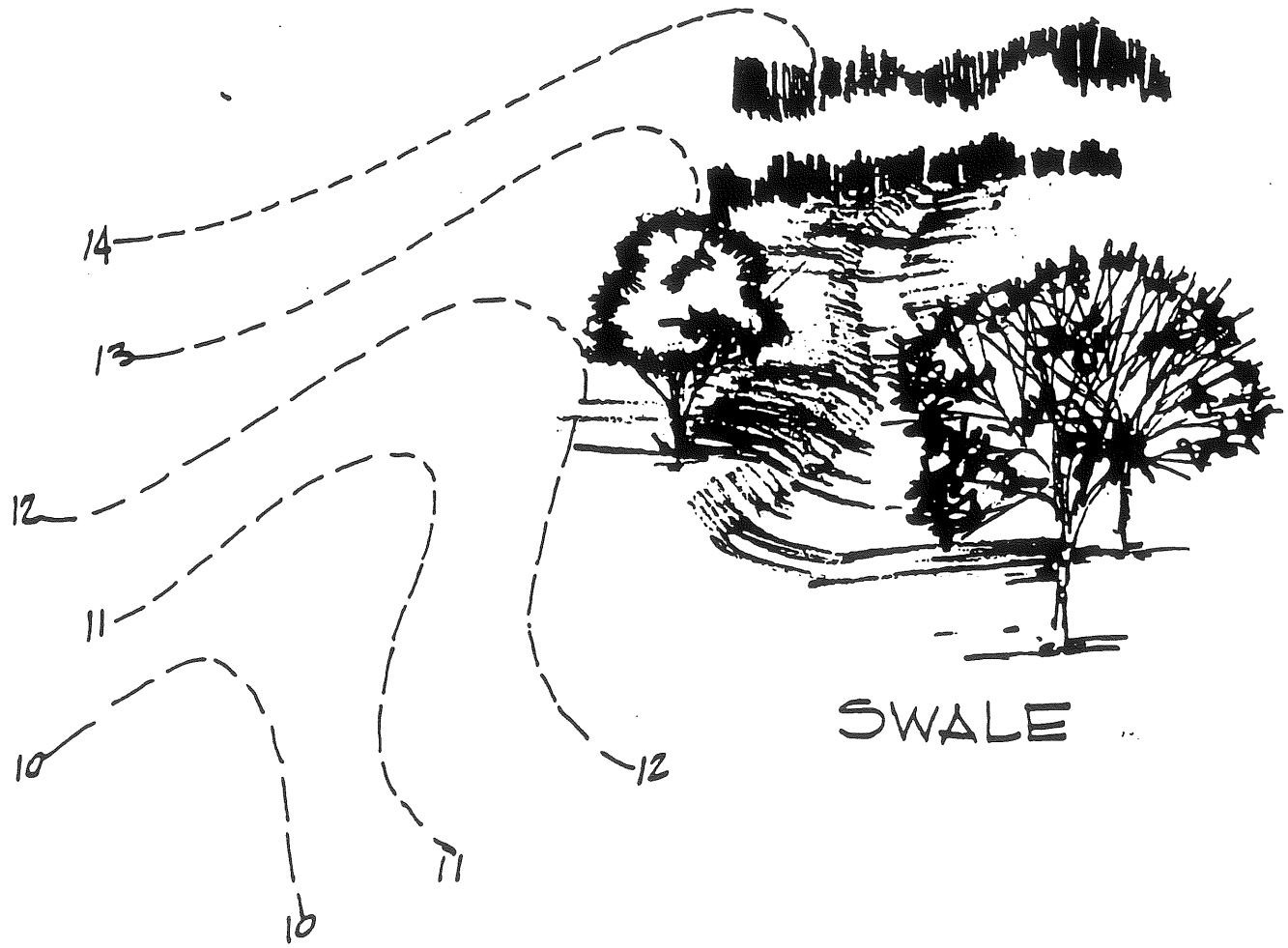


FIGURE 1-25

Meadow A flat to gently rolling plain that occurs on a hillside or along a ridge line (Figure 1-24).

Swale A shallow lineal depression with a parabolic cross section and gently sloped sides (Figure 1-25).

Fan (alluvial fan) A nearly flat deposition of water transported soil at the base of a watershed. The fan will usually be dissected by several water courses rather than a single stream as shown (Figure 1-26).

Toe (of the slope) The toe is the point where the slope of a hill changes from its steep downward face to more gently sloped terrain. Where a structure is involved it may refer to the base of the cut or fill (Figure 1-27).

Saddle The low point between two domes or knolls along a ridge line. This feature is sometimes referred to as a pass as well (Figure 1-28).

Crest The point of highest elevation on a hill. This point is usually always marked on a topographic map by a spot elevation (Figure 1-29).

Military crest The point on the slope of a hill that will not allow any person or object to be silhouetted against the horizon and also allows full view of the slope below (Figure 1-30).

This list is by no means all inclusive, nor is it meant to be. However, it can be most beneficial to beginning students to have a basic vocabulary of land form that helps associate contour signature with a mental image. Use of this vocabulary and a little practice will have you on your way to reading contour maps with little difficulty.

THE SIX CARDINAL LAWS OF CONTOURS

The following six contour characteristics are called laws because any deviation from them is not possi-

ATTACHMENT E-1

Steven M. Berg
10 Whaleboat Road
Portland, Maine 04103
207 878-8394

December 20, 1999

Richard Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Mr. Knowland,

As an abutter to the proposed Presumpscot River Place Phase III (PRP III) subdivision, I am writing to express my concern regarding several aspects of the plan currently under review.

Safety: Under the present proposal, the **sole** vehicular and pedestrian access roadway to the planned lots is Curtis Road. PRP III is planned to commence at the current end of the pavement on Curtis Road, approximately 1,800 feet from the intersection of Curtis Road and Abbey Lane. From the intersection point of Curtis Road and Abbey Lane, there is no secondary means of pedestrian or vehicular access to the approximately 30 homes along Curtis, Overset, Whaleboat and Whitehead Circle that comprise Presumpscot River Place II. Should an accident occur just after the Curtis/Abbey intersection and block the roadway, such as an overturned oil delivery truck, fallen tree or a stuck sand truck (this did occur during Ice Storm 98), emergency response personnel would be unable to respond to any of the homes not only in the existing subdivision, but also PRP III as currently proposed. My family and many residents are very concerned about this problem.

The developer has not clearly stated the actual distance from the intersection of Abbey and Curtis where a roadblock would cut off not only the existing PRP II neighborhood, but also leave the proposed 2,000' roadway throughout PRP III without a secondary means of access as required by City ordinances.

It is my understanding that an earlier version of the PRP III proposal included a secondary means of access adjacent to the City of Portland Pump Station on Alice/Clapboard Road, however, this access was removed from this version of PRP III and replaced with a house lot. Should the plan be approved as currently proposed, the distance from the intersection of Curtis and Abbey to Lot 1 of PRP III would be **well over 2,000 feet!**

Linking Neighborhoods: Not only would the secondary means of access off Alice Street to PRP III reduce the distance without a secondary means of access to the houses in PRP III, but it would also allow for the ability for residents of the new subdivision to travel along Alice (past the developer's home!) and out through the new Auburn Pines subdivision under construction and onto Auburn Street. The additional access point would also allow for better pedestrian access between the existing PRB II subdivision and the Alice Street subdivision. Finally, the second access point would allow individuals with disabilities to navigate in and out of PRP III off Alice without necessitating the traverse of the steep roadway grade proposed to cross the 30 foot ravine between Lots 16 and 17 on Cushing Avenue.

Shoreland Access: A final point of this letter concerns the developer's apparent lack of attention to providing public access to the Presumpscot River as set forth in City's Shoreland ordinances. While the developer has for years graciously allowed area residents unrestricted access across the many well worn trails and pathways now found throughout PRP III, the plan as currently proposed offers no access from North Deering to the trailways abutting the Presumpscot River. With the limited recreational facilities available to residents of the North Deering neighborhoods, these trails offer countless residents, both here and throughout the city, the active and passive opportunities to enjoy this unique and peaceful riverfront trail system.

I would respectfully ask the Planning staff and Board to seriously consider the points raised in this letter regarding emergency and riverfront access. Obviously, I believe there needs to be further hearings and opportunity for input on this matter and I would ask that I be notified on an on-going basis of matters relating to this proposed development.

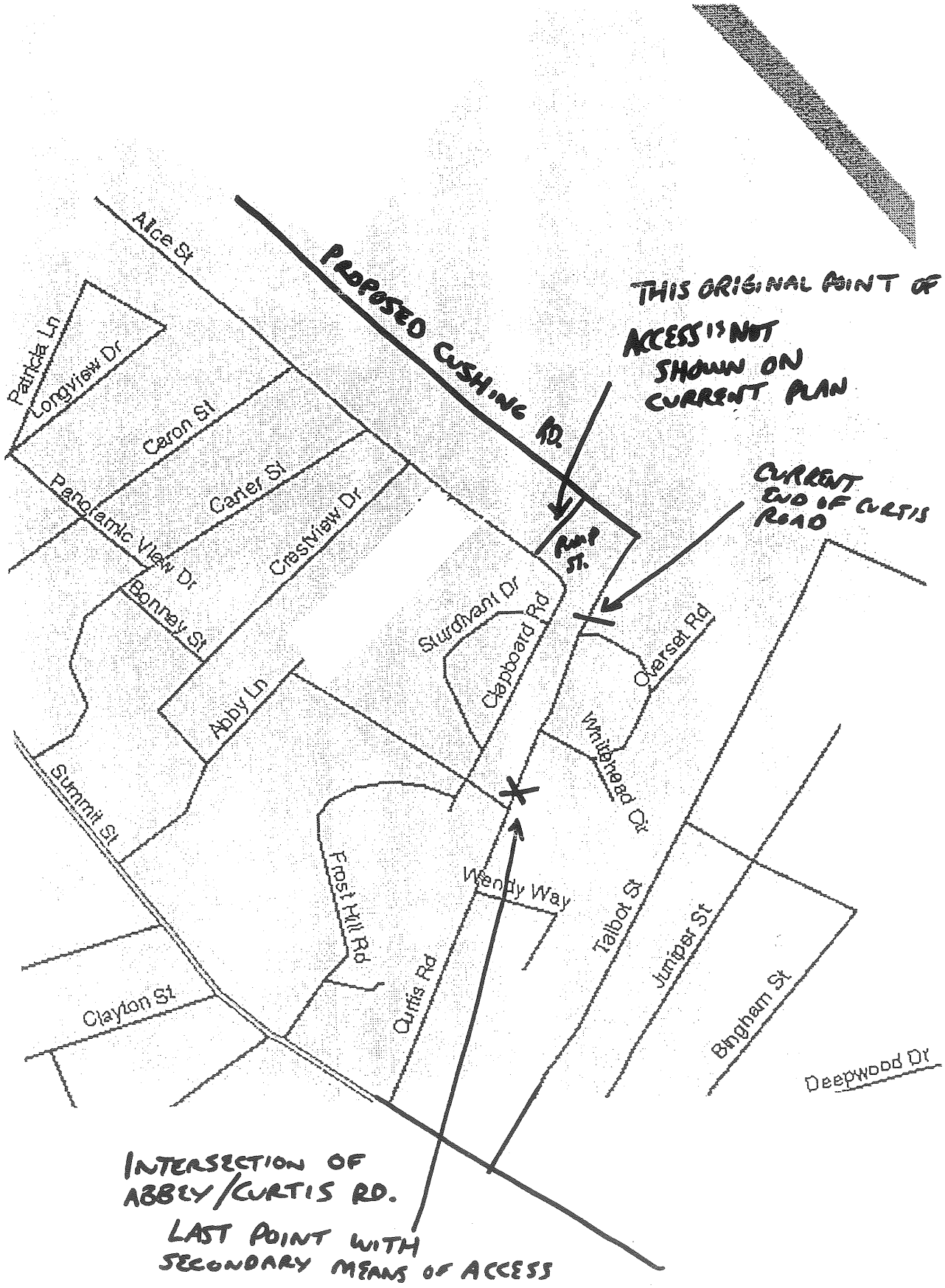
Thank you in advance for your anticipated assistance.

Sincerely,

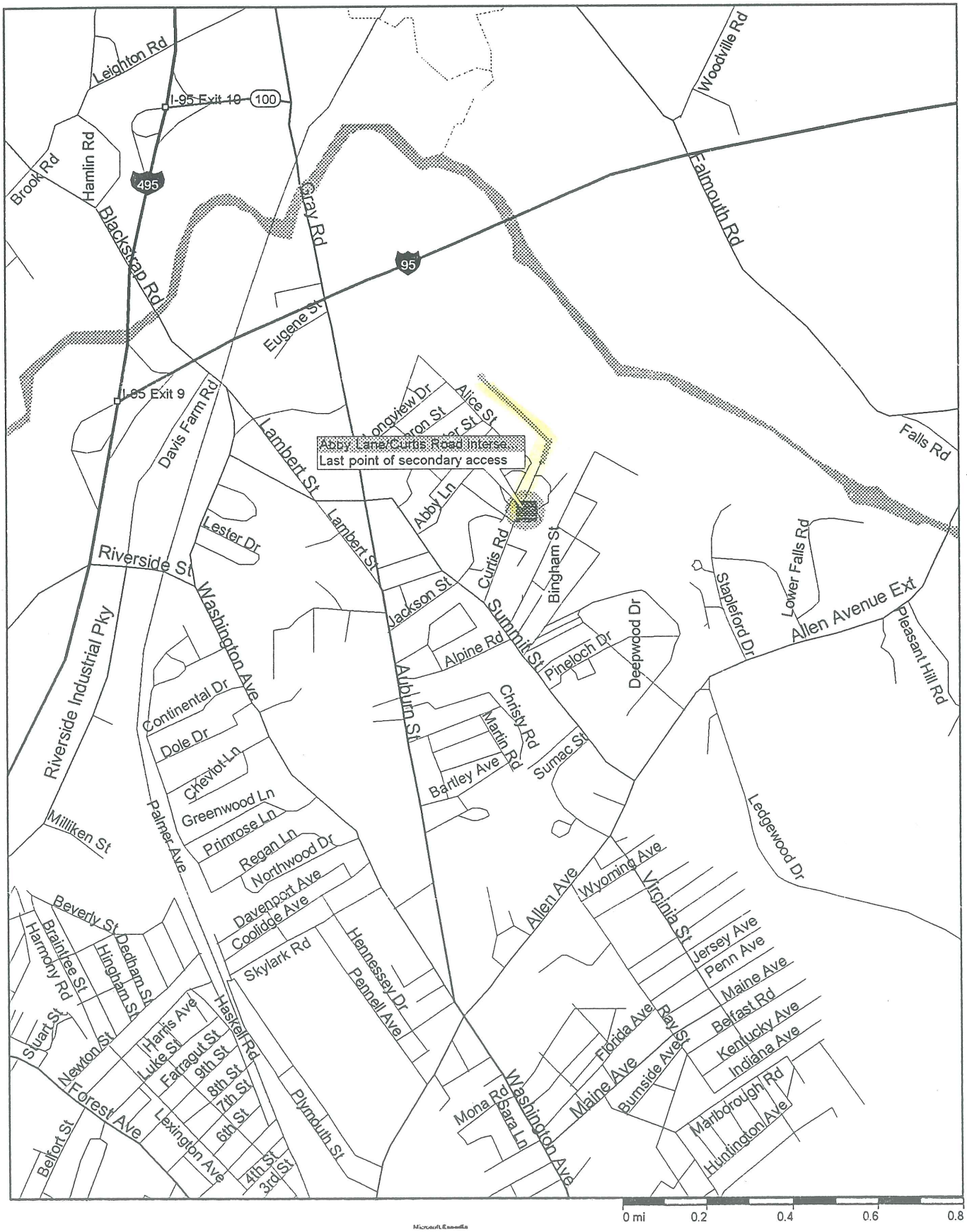
Steven M. Berg

CC: Portland Planning Board
Lt. Gayland McDougall, Portland Fire Department
Chief Michael Chitwood, Portland Police Department
Jim Cohen, Portland Trails

E-3


Alice St
PROPOSED CUSHING RD.
THIS ORIGINAL POINT OF ACCESS IS NOT SHOWN ON CURRENT PLAN
CURRENT END OF CURTIS ROAD
Patricia Ln
Longview Dr
Caron St
Carter St
Panoramic View Dr
Crestview Dr
Bonney St
Sturdivant Dr
Clapboard Rd
Overset Rd
Abby Ln
Whitehead Cir
Summit St
Frost Hill Rd
Wendy Way
Talbot St
Juniper St
Bingham St
Curtis Rd
Clayton St
Deepwood Dr
INTERSECTION OF ABBEY/CURTIS RD.
LAST POINT WITH SECONDARY MEANS OF ACCESS

E-4


Abby Lane/Curtis Road Intersec...
Last point of secondary access
Leighton Rd
I-95 Exit 10
100
Brook Rd
Hamlin Rd
495
Blackstrap Rd
Gray Rd
95
Eugene St
I-95 Exit 9
Davis Farm Rd
Lambert St
Longview Dr
Alice St
Abby Ln
Curtis Rd
Bingham St
Falmouth Rd
Woodville Rd
Falls Rd
Lower Falls Rd
Stapleford Dr
Allen Avenue Ext
Pleasant Hill Rd
Lester Dr
Riverside St
Washington Ave
Jackson St
Summit St
Alpine Rd
Pineloch Dr
Deepwood Dr
Riverside Industrial Pky
Continental Dr
Dole Dr
Chevriot Ln
Greenwood Ln
Primrose Ln
Regan Ln
Northwood Dr
Auburn St
Christy Rd
Martin Rd
Bartley Ave
Sumac St
Milliken St
Palmer Ave
Ledgewood Dr
Allen Ave
Wyoming Ave
Virginia St
Beverly St
Braintree St
Harmony Rd
Dedham St
Hingham St
Davenport Ave
Coolidge Ave
Skylark Rd
Hennessey Dr
Pennell Ave
Jersey Ave
Penn Ave
Maine Ave
Belfast Rd
Kentucky Ave
Indiana Ave
Stuart St
Newton St
Harris Ave
Luke St
Farragut St
9th St
8th St
7th St
6th St
Haskell Rd
Forest Ave
Lexington Ave
Plymouth St
Belfort St
4th St
3rd St
Mona Rd
Sara Ln
Washington Ave
Florida Ave
Maine Ave
Burnside Ave
Ray St
Marlborough Rd
Huntington Ave
0 mi
0.2
0.4
0.6
0.8

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Carroll and Members of the Portland Planning Board

FROM: Richard Knowland, Senior Planner

DATE: November 23, 1999

RE: Presumpscot River Place Subdivision, Off Curtis Road

Tuesday's workshop will be a field visit to the Presumpscot River Place III subdivision site off Curtis Road. A reminder that we will meet in front of City Hall at 2:30 p.m. where we will take a van to the site.

This is the first of several workshops that will take place on this development.

The applicant (Bob Adam and Lloyd Wolf) are proposing a 27 lot residential subdivision on a 28 acre parcel north of Curtis Road. This property is bounded by the Presumpscot River and on the east and west sides by the Portland/Falmouth municipal line.

Background

In 1989, the Planning Board approved a subdivision for this property. Unfortunately the approval lapsed and the development never went forward.

The applicant has previously developed phases I and II of the Presumpscot River Place development. The roadways for these subdivisions include Clapboard Road, Sturdivant Drive, Curtis Road (extension), Overset Road, Whaleboat Road and Alice Street (extension.) The applicant's own 40 acres of land in Falmouth abutting on the west sides of Presumpscot River Place III and contemplates developing these parcels at a later date. The westerly parcel is landlocked from Falmouth by the Presumpscot River and the Turnpike. Logistically, municipal services could more easily be served by Portland than Falmouth.

While it may be years away before a municipal agreement (or annexation) takes place to address this, it is important that the current subdivision application anticipate access issues for the adjacent parcels should it be determined that such road connections are appropriate in the future.

There are several differences between the current proposal and the previous proposal.

1. The current proposal covers a much smaller area (28 acres) than the original plan (72 acres.) The applicant has a large amount of remaining land for (future) development west of Curtis Road (in Portland.) Unlike the earlier plan, the applicant apparently will retain land within the shoreland zone. The original plan had 80 lots.

2. The subdivision plan has been reconfigured. The new plan is an improvement over the previous plan in that lots will not be developed in the shoreland zone.

3. A sewer line was originally proposed very close to the Presumpscot River. This was very intrusive in terms of tree clearance and sensitive shoreland features. This has been eliminated.

Access

The applicant proposes to extend Curtis Road a distance of about 200 feet into the site. Within the subdivision, Cushing Avenue is the main interior roadway (1,100 feet long.) A second roadway (The Brothers Road, 525 feet long) also serves as access for 8 lots. The roadways are proposed as public streets with a blacktop width of 24 feet, curb and sidewalk on both sides of the street. Curtis Road will have a 32 foot pavement width.

A traffic impact study will need to be submitted.

Cushing Avenue will serve as a critical roadway for providing access for this development as well as vacant land east and west of the subdivision. To the east, Overset Road could be extended (from the south) into Cushing Avenue when Cushing Avenue is extended for a later phase of the subdivision. This circulation pattern makes sense.

However to the west, there is a potential access issue. Cushing Avenue is 975 feet long, west of the Cushing Avenue and Curtis Road intersection. Assuming Cushing Avenue is extended further west (into Falmouth) in the future, the next intersecting street would be Hope Lane, a distance of about 1700 feet. Hope Lane is currently a right-of-way stub created off of Alice Street to serve this parcel. A 1700 foot long street is well in excess of the 800 foot long block recommended in Sec. 14-498(g) of the subdivision ordinance. One way to mitigate this would be to extend an existing right-of-way from Clapboard Road that was originally planned as a connector into this property as part of the Presumpscot River Place I subdivision. This roadway was shown on the original Presumpscot River Place III subdivision plan. It would not eliminate the distance issue discussed above but it would improve circulation by providing another access into Cushing Avenue.

Building Envelopes and Site Disturbance

There are a number of lots adjacent to steep ravines that send surface water down to the Presumpscot River. The plan does not adequately address protection of these ravines in terms of regrading or tree clearance. At Tuesday's workshop, we will walk by these ravines. We are recommending that building envelopes or a disturbance line be established for the affected lots that would limit the extent of regrading and tree clearance near the ravine slopes. A buffer of upland area needs to be created to protect the slopes and ravines. Each lot should be individually planned reflecting the specific conditions found on the lot. If appropriate building envelopes or buffer areas are not developed, this has implications on slope stability, drainage, erosion, sedimentation, and the scenic and natural beauty of the area.

Attachments:

1) Subdivision Plan
2) Aerial View
3) Neighborhood Aerial View
4) Original Plan

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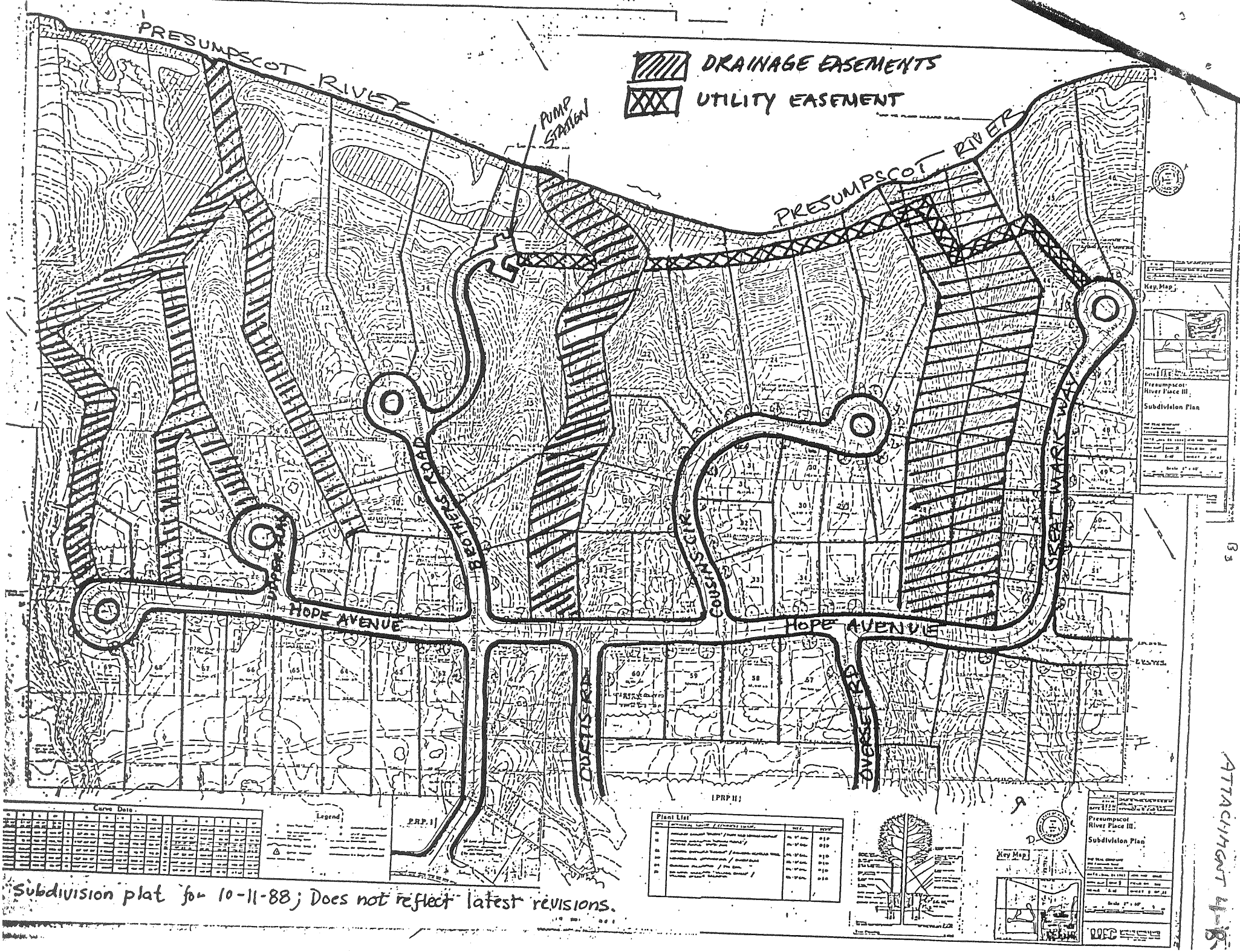

Subdivision plat for 10-11-88; Does not reflect latest revisions.

B3

ATTACHMENT 4-B

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Caron and Members of the Planning Board

FROM: Richard Knowland, Senior Planner

DATE: February 8, 2000

SUBJECT: Presumpscot River Place III Subdivision

At Tuesday's workshop, we will discuss the Presumpscot River Place III Subdivision located north of Curtis Road. As the Board will recall, we did a field visit to the site at the November 23rd workshop.

The applicant (Bob Adam and Lloyd Wolf) are proposing a 27 lot residential subdivision on a 29 acre parcel north of Curtis Road. Please refer to the staff memo previously distributed.

Since the last workshop the plan has been revised in several ways.

- Minor adjustment to the location of Brothers Road at its intersection with Cushing Avenue;
- Adjustment in area for the lots adjacent to Brothers Road to account for the shift in the roadway;
- Further reduction in the structure envelopes; and
- Addition of a 20' utility easement from Cushing Avenue towards Clapboard Road.

At Tuesday's workshop we will continue discussion of this proposal. Topics that will be emphasized include building envelopes and circulation.

Building envelopes

As the Board will recall from the site visit, there are a number of lots adjacent to steep ravines that send surface water down to the Presumpscot River. While the plan has been adjusted to reduce the building envelope size of the lots, the plan needs further revisions.

The building envelope concept in this plan offers little or no protection since it involves only the placement of buildings. The real issue is the total area of disturbance within the lot which includes house construction, regrading and tree clearance activities in relation to steep slopes (ravines.)

We are recommending that a maximum disturbance line for the affected lots be established limiting the extent of regrading and tree clearance near the ravine slopes. A buffer of upland area needs to be created to protect the slopes and ravines. Each lot should be individually planned reflecting the specific conditions found on the lot. If appropriate disturbance lines are not developed, this has implications on slope stability, drainage, erosion, sedimentation, and the scenic and natural beauty of the area.

We have asked the applicant to code the slopes of the building envelopes as well as the surrounding area (0 to 8%; 8% or greater to 15%; greater than 15%.)

C79

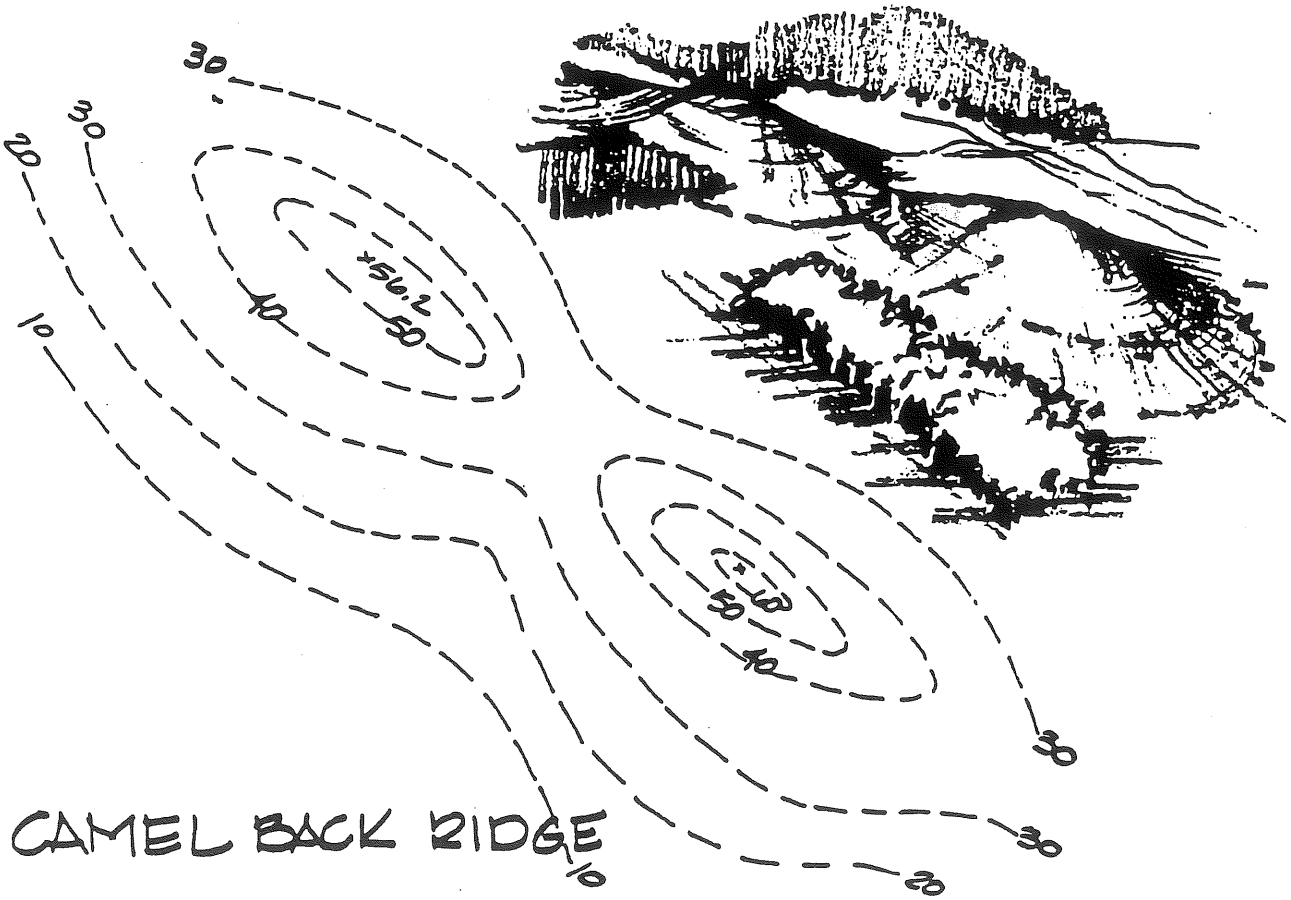

FIGURE 1-21

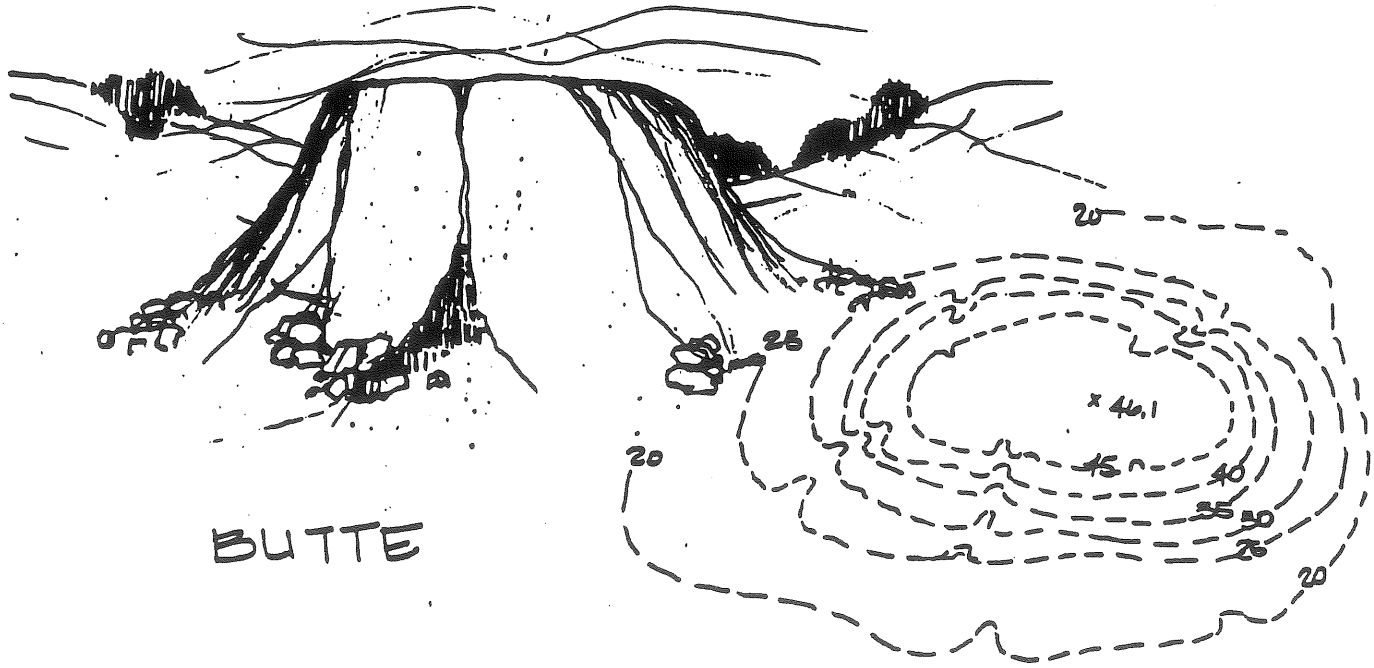

FIGURE 1-22

Slope is the gradient or steepness of land. For example, a 20% slope is a rise of one foot over a distance of five feet. We have enclosed Attachment C which is an excerpt from a land planning book with a chapter on slope. To give the Board a frame of reference on slope we offer the following:

- 8% slope is the maximum slope standard for roadways in subdivisions (City of Portland.)
- 17% slope approaches the limit that an ordinary vehicle can climb, for any sustained period.
- 20 to 25% slope is the normal limit of climb for pedestrians without resorting to stairs.
- 25% slope is the maximum slope to safely mow a lawn.

Land features are not typical of most subdivisions

The land form and natural features are not typical of most subdivisions in Portland. It is adjacent to the Presumpscot River and a large flood plain of the river. It has sensitive natural features such as steep slopes and ravines. As discussed above, the layout of the subdivision should be adjusted to more adequately protect the sites natural features. Sec. 14-497(8) of the Subdivision Ordinance is shown below:

> Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the department of inland fisheries and wildlife or by the city, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.

The applicant needs to provide documentation on whether this development meets this standard in the form of an environmental assessment. The impact of regrading and tree clearance in the vicinity of the ravines and steep slopes needs to be considered in the context of this standard.

DEP-site location law

It appears that this development does not qualify under the site location law. It is exempt from site location review because this phase of the development is 29 acres in size, the DEP threshold for single-family subdivisions is 30 acres. However, the applicant does have further landholdings including the shoreland area which if included in this application would trigger site location review.

We have also asked for information on what wetland fill permits will be required. It also appears that NRPA permits will be required for stream alterations and development activities within 100 feet of streams. The applicant should indicate which lots will require permits.

Circulation

The applicant proposes to extend Curtis Road a distance of about 200 feet into the site. Within the subdivision, Cushing Avenue is the main interior roadway (1,100 feet long.) A second roadway (The Brothers Road, 525 feet long) also serves as access for 8 lots. The roadways are proposed as public streets with a blacktop width of 24 feet, curb and sidewalk on both sides of the street. Curtis Road will have a 32 foot pavement width.

A traffic impact study has been submitted and is in the process of being reviewed by the City Traffic Engineer.

Cushing Avenue will serve as a critical roadway for providing access for this development as well as vacant land east and west of the subdivision. To the east, Overset Road could be extended (from the south) into Cushing Avenue when Cushing Avenue is extended for a later phase of the subdivision. This circulation pattern makes sense.

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One way to mitigate this would be to extend an existing right-of-way from Clapboard Road that was originally planned as a connector into this property as part of the Presumpscot River Place I subdivision. This roadway was shown on the original Presumpscot River Place III subdivision plan. It would not eliminate the distance issue discussed above but it would improve circulation by providing another access into Cushing Avenue.

The applicant correctly points out that the Clapboard Road "extension" would not meet the 300 foot separation of adjacent intersection standard under the Technical and Design Standards and Guidelines. It would provide a 200 foot separation. We will discuss this issue with the City Traffic Engineer.

There are however some compelling reasons why the Clapboard Road extension should be built.

(1) The 1700 foot long superblock issue discussed above with no cross streets. The Clapboard Road extension would improve subdivision circulation for vehicles and pedestrians by connecting streets together.

(2) This subdivision will require a second means of access for fire protection since Presumpscot River Place phase III (27 lots) and Presumpscot River Place phase II (27 lots) has only one access (Curtis Road.) The Technical and Design Standards and Guidelines (Public Safety Standards) requires a second means of access when the number of dwellings exceeds 34 units. Curtis Road (north of Abbey Lane) has no other side streets (see map.) The applicant has the ability to provide a second means of access from Clapboard Road.

Shoreway access

The shoreland area of the property is being retained by the owner and is not part of the subdivision application. As the Board is aware, there is an established pathway along the river shore. The applicant has not indicated whether this pathway will be available to the general public.

Water quality

Given the proximity to streams and the Presumpscot River, water quality issues will need to be addressed. A central treatment system (for the roadways) will likely be required before the water goes into the river.

Attachments

A. Revised Plan
B. Background Information
C. Excerpt on Chapter 4 (slope), from Land Book
D. Traffic Report
E. Written Public Comment
November 23rd staff memo packet

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From: "Steve Bushey" <srbushey@maine.rr.com>
To: "Rick Knowland" <RWK@ci.portland.me.us>
Date: Wed, Nov 1, 2000 4:33 PM
Subject: Presumpscot River Place III

Rick,

I have received a full set of plans from Gorrill-Palmer Consulting Engineers, Inc. for review. The attached memo summarizes my comments.

Steve Bushey Acting Development review Coordinator

CC: "alex jaegerman" <aqj@ci.portland.me.us>, "Tony Lo...

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Caron and Members of the Planning Board

FROM: Richard Knowland, Senior Planner

DATE: February 8, 2000

SUBJECT: Presumpscot River Place III Subdivision

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B. Background Information
C. Excerpt on Chapter 4 (slope), from Land Book
D. Traffic Report
E. Written Public Comment
November 23rd staff memo packet

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Planning & Urban Development

Joseph E. Gray Jr.
Director

CITY OF PORTLAND

November 1, 2000

Al Palmer
Gorrill-Palmer Consulting Engineers, Inc.
P. O. Box 1237
Gray, ME 04039

RE: Presumpscot River Place III

Dear Al,

This letter is intended to provide an update on the latest staff comments on the Presumpscot River Place subdivision.

1. As discussed it was difficult to review the last submission in that it included only a few plan sheets. Please submit additional copies of all the subdivision plan sheets which constitutes the final plan.

2. Hydrants - I had trouble finding the fire hydrants on the plan. A reminder that all houses must be within 800 feet of a hydrant. You may end up with more hydrants than normal subdivisions because of the extended building windows. Revise the plan accordingly. Also there is a minimum driveway width in the City Technical Standards that should be referenced in the plan since it will be critical for fire protection on lots with long driveways.

3. Recording Plat - The packet did not include a plan labeled "subdivision recording plat" with Planning Board signature block. The recording plat should specify the tree clearance and regrading restrictions for specific lots, that you have proposed. Although this has been discussed in writing, no where is this shown on any of the plans.

4. Indicate the cul-de-sac landscape treatment of the Brothers Road.

5. Utility Letters - Do you have a letter from Portland Water District stating that they have reviewed the plan and can serve. Public Works sewer capacity letter?

6. Could you restate what DEP and Army Corp, permits will be required, for what activity, the location of the activity and status of the permit application? What lots will require homeowners to receive such permits?

7. Has a site location permit application been filed with the DEP? Please forward this application to the Planning office.

8. The final submission should include a sidewalk waiver request for the Brothers Road.

9. Previous staff memos to the Board have outlined other comments.

Once I receive the final set of plans we will review them and provide comments. I believe it would be helpful to set up a meeting prior to the public hearing to discuss these comments.

Sincerely,

Richard Knowland

Richard Knowland,
Senior Planner

cc: Joseph E. Gray, Jr, Director of Planning & Urban Development
Richard Knowland, Senior Planner
Steve Bushey, Development Review Coordinator
Lloyd Wolf, Diversified Properties

Memorandum

Date: November 1, 2000

From: Steve Bushey Acting Development review Coordinator

To: Rick Knowland, Senior Planner
Planning Board

I have reviewed the following plans received from Gorrill-Palmer Consulting Engineers, Inc.

Title	Drawing No.	Dated
Cover sheet, General Notes	1	4-11-00
Subdivision Plan by Titcomb Associates	2	7/17/00
Subdivision Plan with Topography	3	10-10-00
Layut Plan & Profile Vail Road & Curtis Road	4	7-19-00
Layout Plan & Profile –Cushing Avenue	5	4-11-00
Layout Plan & Profile –The Brothers Road	6	4-11-00
Utility Plan & Profile Vail Road & Curtis Road	7	10-10-00
Utility Plan & Profile –Cushing Avenue	8	10-10-00
Utility Plan & Profile –The Brothers Road	9	10-10-00
Grading Drainage and Erosoin Control plan & Profile Vail Road & Curtis Road	10	7-19-00
Grading Drainage and Erosoin Control plan & Profile –Cushing Avenue	11	7-19-00
Grading Drainage and Erosoin Control plan & Profile –The Brothers Road	12	7-19-00
Water Details	13	4-11-00
Sewer Details	14	4-11-00
Roadway, Storm Drain 7 Miscelllaneuos details	15	7-19-00
Erosion and Sedimentation Control Details	16	4-11-00
Miscellaneuos Storm Drain Profiles	17	4-11-00

Based my latest review I offer the following comments:

1. The applicant has offered supporting documents from S.W. Cole and Eco-Anaylst regarding the proposed lot clearing limits, buffers etc. I continue to recommend that the Subdivision Plan be improved to include as much discussion, notes etc. outlining the limitations for clearing and development of each lot. It is important to note that it must be anticipated that clearing of the land will indeed likely consume any available ground area shown within these envelopes on the drawings. This will typically occur for driveway, lawn, and structures on each lot. For this reason it is my opinion that

additional information regarding the no cut zones, wetland setbacks, shelter wood cuts, and large trees to be preserved be identified more clearly on the plans..

2. I remain concerned about the lot layout for lots 1-7. The applicant has submitted drawing A which shows a conceptual footprint for houses on Lots 2 and 4. For me, these plans show that it will be necessary to build driveways which are as much as 400 ft. long and then houses that have slopes immediately around the foundation that are in some instances 1.5:1. These are excessively steep and should not be allowed. I continue to recommend that lots 2,3,4,& 5 be reconfigured into only two lots on the basis that they do not meet the Subdivision Ordinance Lot standards requiring lot lines to be at right angles to street lines and they require lot contruction that will have an undue adverse effect on the land due to steep slopes, high erosion potential, excessive driveway lengths, excessive clearing and poor available building positioning.

3.The developer should provide evidence of all State level natural resource permits being obtained prior to the start of construction.

4. The applicant has provided a plan titled "Potential Drainage Trends Plan" to satisfy the requirement for an individual lot grading plan. As you know, Planning staff have required lot grading plans for past subdivion proposals. Given the complexity of the PRP III project I feel it is necessary to have as complete a review of these issues as possible. The drainage trends plans simply shows directional arrows outlining possible drainage patterns for the project. It does not however reflect very well the actual proposed street grades/profile and suggested Finish Floor elevations currently shown on the plans. For example the drainage trends plan suggest that the front part of lots 11,12,13,14 will drain to the street. The grading plans however show that these areas will really drain away from the street and towards the houses or shared property lines between houses. These are the areas we typically like to have identified with preliminary grading plans during the Subdivision review process so that when individual lots are developed a project wide approach is already in effect. On this basis I feel it worth an additional review and improved plan by the applicant regarding the individual lot grading.
5. I have not seen a copy of the wetland Permitting Plan apparently prepared for this project. This should be provided for the city's records along with any applications made to the MEDEP.
6. The Cover sheet erosion control note 12 states that monetary penalties may result. Is this something the City wants clarified as to who enforces this requirement.
7. The Subdivision plan should be prepared in accordance with the City requirements including proper sealing, planning authority signature blocks, plan references, etc. I have not seen a Final plan suitable for recording yet.
8. The subdivision plan contains a note regarding minimum elevations for openings and sills which is in conflict with the proposed elevations shown on later plans. This note should be clarified.
9. The subdivision plan with grading should be properly referenced for topography source and lot line development.
10. The public works dept. should comment on the proposed sanitary sewer system including pump station and private low pressure force main. It should also be necessary that all lots requiring pressure sewer service and pumps have language on their deeds reflecting this requirement. We have had several SFR lately where residents were unaware of the fact that they had a pump station when they purchased the house/lot.
11. Documentation should be provided for the riprap sizing and apron dinensions for the 36" culvert under Cushing Ave. The plans should identify these dimensions.
12. The Applicant should review the grading at Sta 11+00 left on Curtis road. The plan shows a mound left after the roadway cut. This is not likely to occur. It may be better just to level this area.
13. The applicant should review all proposed sill elevations as it is my opinion some of the sills appear low compared to the grades shown on the plans. I note as follows:

Lot #	Street Grade	Existing ground	Sill
18	94	96	95
15	94(Cushing)	88-89	89
6	95	94	91
3	90	86	82
13	88	83	76

14. The applicant should provide additional detail for the driveway location of Lot 27. It should be confirmed that the driveway can be constructed in accordance with MeDOT standards.
15. The Public Works Dept. should comment on the need to show all curb openings in the roadway. It is my opinion they should be provided on the plans.
16. Additional stabilization measures should be provided at the outlet from WQU3 since this is on a very steep slope. It may be necessary to install a level spreader or other appropriate means of stabilization at this location.
17. The plans should be revised to clearly note that 6" of topsoil is required for all topsoiling and not 4" in accordance with the geotechnical recommendations.

I trust you will find these comments useful and expect that they will be forwarded to the Applicant.
If you have any questions please call.

City of Portland
Planning Department

389 Congress Street, 4th Floor
Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 11-6-00

To: B. WOLF

Company:

Fax #: 773-6875

From: R. KNOWLAND

RE: ATTACHED IS THE LETTER I TALKED TO YOU ABOUT.

YOU SHOULD RECEIVE 3 PAGE(S),
INLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

City of Portland
Planning Department

389 Congress Street, 4th Floor
Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 11-7-00

To: AL PALMER

Company:

Fax #: 657-6912

From: R. KNOWLAND

RE: AL - SEE ATTACHED LETTER

YOU SHOULD RECEIVE 3 PAGE(S),
INLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

PO Box 1237
31 Main St.
Gray, ME 04039

207-657-6910
FAX: 207-657-6912
E-Mail:gpcei@maine.rr.com

January 10, 2000

Mr. Rick Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101-3503

Subject: Presumpscot River Place Phase III
Traffic Study

Dear Rick,

Enclosed please find 7 copies of the Traffic Impact Study for the above referenced project. A separate copy is being forwarded directly to Larry Ash. Please contact me if you have any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Al Palmer

Alton M. Palmer, P.E.
Vice President

Enclosure

copy: Diversified Properties
Bob Adams
Terry Snow, Esq.

AMP/aw/JN98089/Knowland1-10-00C

GORRILL-PALMER CONSULTING ENGINEERS INC.
PO BOX 1237
GRAY, MAINE 04039

TELEPHONE# 207-657-6910 FAX # 207-657-6912
EMAIL - GPCEI@MAINE.RR.COM

FACSIMILE TRANSMITTAL SHEET

To:	Rick Knowland	Fax:	756-8258
	Steve Bushey		879-0896
From:	Doug Reynolds	**Pages:**	
Re:	Presumpscot River Place	**Date:**	3/10/00

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** **X Please Reply** ☐ **For Your Information**

● To comply with The City's recent request for a High Intensity Soil Survey for the project, Gorrill-Palmer Consulting Engineers, Inc. is in the process obtaining proposals for the work. The requirement from the Land Use Code Article IV Section 14-496.1.x.8 states "High intensity soil survey, if required by the planning authority." The Land Use Code does not however indicate the Class of the survey required. We assume that based upon the State of Maine Department of Environmental Protection Site Location of Development 38 M.R.S.A. §§ 481-490 Permit Application Section 12 A.2 (See attached sheet), that a Class B Soil survey would be required. Please acknowledge that a Class B would be the Class of Soil Survey that the City would require for the Presumpscot River Place Phase 3 project, by signing below.

By signing below I am acknowledging that a Class B High Intensity Soil Survey is acceptable for the Presumpscot River Place Phase 3 Subdivision. Please return to this office by Fax.

Mr. Rick Knowland, Senior Planner
City of Portland

Mr. Stephen Bushey, P.E.
Development Coordinator

expected performance.

d. Comparison with regulatory limits. A comparison of expected sound levels with sound level limits in regulations.

e. Comparison with local limits. A comparison of expected sound levels with any quantifiable noise standards of any affected municipality.

Note: See Section 16 if blasting is proposed.

Reference: No Adverse Environmental Effect Standard of the Site Location Law (Control of Noise), 096 CMR 375.10.

Section 12. Soils

A. Soil survey, map and report. Provide a soil survey report prepared by a certified soil scientist, including a soil investigation narrative, a soil survey map of the site at the appropriate intensity, complete test pit logs and a soil condition summary sheet. Use copies of Forms E and F, Part III. Soil surveys must comply with the Maine Association of Professional Soil Scientists' Standards for Soil Surveys.

The Bureau of Land and Water Quality, in cooperation with the Maine Association of Professional Soil Scientists, has established several classes of soil mapping intensity levels. Each class of soil mapping, and the classes at which various types of developments must be mapped, are outlined as follows.

1. Class A (High Intensity) Soil Survey.

a. Area used for land application of wastewater. Specific land area within any development proposed to be used for disposal of effluent, waste water or other wastes.

b. Subdivisions with any lot < 2 acres and onsite subsurface wastewater disposal. Residential and commercial subdivisions where any lot is less than 2 acres and on-site subsurface wastewater disposal is proposed. A waiver from this mapping requirement to allow a Class C or D survey may be granted, at the department's discretion, for the undeveloped portion of any individual lot greater than 5 acres and for the undeveloped areas of clustered subdivisions.

2. Class B (High Intensity) Soil Survey

a. Subdivisions with any lot < 2 acres. Residential and commercial subdivisions where any lot is less than 2 acres. A waiver from this mapping requirement to allow a Class C or D survey may be granted, at the department's discretion, for the undeveloped portion of any individual lot greater than 5 acres and for the undeveloped areas of clustered subdivisions.

b. Condominiums. The land area of a condominium development that is to be disturbed during construction. Condominium developments include single-or multi-family attached dwellings.

c. Shopping centers or similar developments. Shopping centers or similar commercial, industrial or institutional developments where large areas are to be utilized or disturbed.

3. Class C (Medium High-Intensity) Soil Survey

GORRILL-PALMER
CONSULTING ENGINEERS, INC.
P.O. Box 1237
GRAY, MAINE 04039

(207) 657-6910
FAX (207) 657-6912

LETTER OF TRANSMITTAL

310

TO Mr. Rick Knowland
City Of Portland

JOB NUMBER/PHONE 98089

DATE 02/01/2000

ATTENTION Rick

RE: Presumpscot River Place

WE ARE SENDING YOU X Attached ____ Under separate cover via the following items.

____ Shop drawings X Prints ____ Plans ____ Specifications ____ Samples

____ Copy of letter ____ Change order ____ Other:

COPIES	DATE	NUMBER	DESCRIPTION
7			Sketch Plan For Presumpscot River Place Phase 3
0			With Lot Numbers Turned On

THESE ARE TRANSMITTED as checked below:

____ For your approval ____ Approved as submitted ____ Resubmit ____ copies for approval

X For your use ____ Approved as noted ____ Submit ____ copies for distribution

X As requested ____ Returned for corrections ____ Return ____ corrected prints

____ For review and comment ____ Other

____ FOR BIDS DUE/DATE: 02/01/2000 ____ PRINTS RETURNED AFTER LOAN TO US

REMARKS

COPY TO

SIGNED

If enclosures are not as noted, please notify us at once.

PRODUCT 13127T

FOLD AT (>) TO FIT COMPANION 771 DU-O-VUE ENVELOPE. PRINTED IN U.S.A. B

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

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E-Mail:gpcei@maine.rr.com

January 10, 2000

Mr. Rick Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101-3503

Subject: Presumpscot River Place Phase III
Workshop Request

Dear Rick,

Based upon our recent discussions, continuing development of the design of the project and the comments made by various members of the Planning Board, our office has updated the Concept Plan for the above referenced project. The revisions to the plan include:

- Minor adjustment to the location of Brothers Road at its intersection with Cushing Avenue;
- Adjustment in area for the lots adjacent to Brothers Road to account for the shift in the roadway;
- Further reduction in the structure envelopes; and
- Addition of a 20' utility easement from Cushing Avenue towards Clapboard Road.

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The Brothers Road Alignment

The Brothers Road at its intersection with Cushing Avenue has been shifted approximately 25 feet westerly. The location of the cul-de-sac remains as previously depicted and the horizontal curve at Sta 43+00 of the roadway was modified. The Project Team elected to shift the roadway primarily to increase the size of the buildable envelopes on lots 13 and 14. Subsequent to staking out the roadway centerline and lot corners, it became apparent that a westerly shift in the first several hundred feet of Brothers Road would not have a significant negative on lots 7 and 8 and would improve lots 13 and 14.

Lot Line Adjustments

The lines for lots 6,7,8,9,12,13,14,15 and 16 were all adjusted to reflect the shift in The Brothers Road. The revised lots still exceed the municipal requirement of 10,000 s.f. per lot. The frontage for lots 13 and 14 were increased from 50 feet to 80 feet which results in a larger structure envelope.

In addition, the lot lines for lots 19 through 26 have been modified. The previous plan resulted in lots 20 through 25 having a frontage of 90' to 100', and lot 26 having 130'. The lot lines between these parcels have been adjusted to balance the frontage between these lots.

Structure Envelopes

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- Multiple Plateau Lots – This setting would include the remainder of the lots proposed for this subdivision, and include structure envelopes with multiple alternative sites suitable for construction of dwellings with creative, multi-level floor plans. The topography within these lots will allow for a creative collaboration between the property owner and the architect, as there are numerous means of fitting a structure into the topography (which may include stepping down the slopes) based upon the style, configuration, and dimension of the structure. The ability to create a personalized setting is the attraction to a prospective buyer, as the multiple options for fitting a structure into the topography will not result in a "cookie-cutter" approach to the development. The structure envelopes on these lots have been established to comply with municipal setbacks, and drainage easements along the major ravines bisecting the site.

While we share your concern that the future lot development does not result in problems with slope stability and erosion control, we are of the opinion that selecting "optimum locations for building" will severely restrict a future lot owner from siting a house in a creative fashion that draws on the unique characteristics of their lot, while considering the environmental issues. This arbitrary restriction would unfairly limit the prospective owner from collaborating with an architect and engineer to develop a plan that addresses the various environmental concerns raised by Staff, and may not allow the owner to select the desired setting for their home. It is our opinion that the City has in place a system to address the Staff concerns with respect to slope stability and erosion control on the individual lots. This system is the "Minor/Minor Site Review

for Detached Single Family Dwelling" program. Under this program, a property owner prior to obtaining a building permit must provide to the City a site plan (prepared by a registered design professional). The Site Plan must depict lot lines, all proposed structures on the lot, first floor sill elevation, location of driveway and parking, utilities, existing and proposed grading and erosion control measures. Slope stability and erosion/sedimentation control are items that the prospective owner would need to address under Site Review.

However, although the Project Team believes this system will more than adequately provide the desired level of protection, we have further reduced the extent of the structure envelopes on the lots of concern. The envelopes have been reduced for Lots 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 16 and 17. In total, these envelopes were reduced by 2.8 acres. The following table summarizes the area of the lot, and structure envelope for the lots adjacent to steeper slopes:

LOT	TOTAL AREA (ACRES)	STRUCTURE ENVELOPE AREA (ACRES)	STRUCTURE ENVELOPE AS A % OF TOTAL AREA
1	1.03	0.24	23%
2	4.72	0.88	19%
3	0.91	0.49	54%
4	2.44	0.81	33%
5	0.70	0.32	46%
9	0.43	0.12	28%
10	1.50	0.57	38%
11	1.53	0.76	50%
12	0.62	0.30	48%
13	1.68	0.58	35%
14	0.75	0.30	40%
16	0.56	0.23	41%
17	0.66	0.21	32%
27	1.42	0.26	18%

As can be seen above, the structure envelopes average 36% of the lot area which is a significant reduction.

Block Length

As noted in the Planners Report dated November 23, 1999, Cushing Avenue is approximately 975 feet long, west of its intersection with Curtis Road. This exceeds the 800 foot maximum block length discussed in Section 14-498(g). It is noted that Section 14-498(g) acknowledges that individual characteristics of a site should be considered when block length is under consideration. In this circumstance, it is noted that:

- The proposed street layout is consistent with the street system of the surrounding area pursuant to Section 14-498(b). Curtis Street was approved by the Board in such a fashion to allow for extension towards the proposed development.

- There are only two potential cross streets which may be extended to connect to Cushing Avenue. A right-of-way exists along the westerly side of the municipal pump station at Clapboard Road/Alice Street. Extension of this right-of-way to Cushing Avenue would intersect within 200 feet of the Curtis Road intersection. This separation is less then the desired 300' required under Section I, Street Design, Alignment and Grade Standards. The second potential extension for a cross street is Hope Lane, approximately 800 feet beyond the proposed terminus of Cushing Avenue. If Cushing Avenue is extended in the future towards Falmouth, the Project Team would concur that connection to Hope Lane be required at that time.

- Section 14-498(g)(2) recognizes that an easement is an alternate method to address utility access for blocks exceeding 800 feet. A 20 foot wide easement has been added to the plan in accordance with Section 14-498(g)(2). This easement will be used for construction of a gravity sewer main for Cushing Avenue to Clapboard Road. While gravity sewer service will not be available for all of the proposed lots, gravity sewer will be installed along a portion of Cushing Avenue (from intersection of Curtis Road to 300 feet west of The Brothers Road) to reduce the number of lots which will require pumping for wastewater disposal.

Sidewalks

The Applicant proposes sidewalks along both sides of Curtis Street and Cushing Avenue. The Applicant would request that the Staff/Board consider granting a waiver to require a sidewalk on only one side of The Brothers Road. This roadway will have a limited number of lots and has no chance for extension. The Applicant would prefer that this road have a "rural setting" and are of the opinion that a sidewalk on one side would be preferable from an aesthetic standpoint. We would ask that the Board discuss this at the upcoming workshop.

Summary

The project has benefited from the comments received to date from the Board/Staff and we look forward to discussing the items outlined in this letter at the next Board meeting. Please contact me if you have any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Alton M. Palmer, P.E.
Vice President

Enclosure

copy: Diversified Properties
Bob Adams
Terry Snow, Esq.
Tony Lombardo, City of Portland
Steve Bushey, DeLuca-Hoffman Associates, Inc.

AMP/aw/JN98089

Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

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October 18, 1999

Mr. Rick Knowland, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101-3503

Subject: Presumpscot River Place Phase III
Response to Comments

Dear Rick:

Gorrill-Palmer Consulting Engineers, Inc. is pleased to respond to comments we have received from you in a letter to Burt Wolf dated September 28, 1999 for the above referenced project. For your convenience each of the comments are presented below followed by our response.

Comment – The plan is difficult to review. As I mentioned previously, the plan should show adjacent streets and development so we can better understand the context of the development. This basic information is needed to provide any meaningful comments on the plan.

Response –As requested, enclosed please two aerial photographs of the project vicinity, which have been annotated to depict the limits of Phase III of Presumpscot River Place. The aerials depict the adjacent streets and development, which will allow a better understanding of the context of the proposed development. We have enclosed full size plots of these aerials for the staff use and will provide copies of a reduced version for the Board packets.

Comment – A number of the lots are on very steep slopes. How are these slopes going to be protected? We would recommend that building envelopes be planned for these lots so that the optimum location for building can be determined to avoid problems of slope stability, erosion, and sedimentation control.

Response – As you are aware, the site can be characterized as having two distinct topographical settings:

- Single Plateau Lots – This setting would include lots 6, 7, 8, 15, 18, 20 through 26. A mildly sloping structure envelope predominantly defines these lots with less than 10' of elevation difference over the entire envelope. Slopes within the envelopes average between 4% and 8% and do not pose a significant concern with respect to slope stability, or erosion control. Structure envelopes for these lots primarily follow the municipal setback requirements as well as existing easements for public utilities.

- Multiple Plateau Lots – This setting would include the remainder of the lots proposed for this subdivision, and include structure envelopes with multiple alternative sites suitable for

construction of dwellings with creative, multi-level floor plans. The topography within these lots will allow for a creative collaboration between the property owner and the architect, as there are numerous means of fitting a structure into the topography (which may include stepping down the slopes) based upon the style, configuration, and dimension of the structure. The ability to create a personalized setting is the attraction to a prospective buyer, as the multiple options for fitting a structure into the topography will not result in a "cookie-cutter" approach to the development. The structure envelopes on these lots have been established to comply with municipal setbacks, and drainage easements along the major ravines bisecting the site.

While we share your concern that the future lot development does not result in problems with slope stability and erosion control, we are of the opinion that selecting "optimum locations for building" will severely restrict a future lot owner from siting a house in a creative fashion that draws on the unique characteristics of their lot, while considering the environmental issues. This arbitrary restriction would unfairly limit the prospective owner from collaborating with an architect and engineer to develop a plan that addresses the various environmental concerns raised by Staff, and may not allow the owner to select the desired setting for their home. It is our opinion that the City has in place a system to address the Staff concerns with respect to slope stability and erosion control on the individual lots. This system is the "Minor/Minor Site Review for Detached Single Family Dwelling" program. Under this program, a property owner prior to obtaining a building permit must provide to the City a site plan (prepared by a registered design professional). The Site Plan must depicts lot lines, all proposed structures on the lot, first floor sill elevation, location of driveway and parking, utilities, existing and proposed grading and erosion control measures. Slope stability and erosion/sedimentation control are items that the prospective owner would need to address under Site Review.

Comment - How is tree clearance going to be address in the shoreland area and the steep slopes. A detailed plan was developed before, is that still going to be used?

Response – This phase of Presumpscot River Place does not include the subdivision of any land within the shoreland area, therefore tree clearance within the shoreland area is not addressed. Within the limits of Phase III, drainage easements have been added to the plan, which includes a significant portion of the steep slopes within the development area. The following note will be included on the Subdivision Plat with respect to clearing in the easements:

> *Private Drainage Easements: Tree clearing, construction of buildings, filling, regrading, or other obstructions shall be prohibited with the private drainage easements, unless approved in writing by the City of Portland Planning Department under site plan review and by the subdivider. Removal of storm-damaged, diseased, unsafe or dead trees shall not require prior approval.*

Comment – Please refer to Section 14-497 of the subdivision ordinance that outlines the submission requirements.

Response – The plans being submitted at this time are intended to be a Sketch Plan in accordance with Section14-495, (a)(2). The Subdivision Plat, when submitted for approval, will comply with the submission requirements of section 14-496.

Comment – You will need to formally submit a subdivision application with the Building Inspectors office. The fee is $25 per lot.

Response –A completed subdivision application is enclosed, along with a check in the amount of $675 (27 lots times $25/lot) as the application fee.

Comment – A traffic report should be submitted. Please contact Larry Ash on the specific information that will be needed.

Response – Our office will contact Mr. Ash as to the specific information to be included with the traffic report. It is our intent to submit the traffic report with the plans submitted for subdivision approval, subsequent to review of the Sketch Plan by the Board and Staff.

Comment – Location of major drainage swales.

Response – The Sketch Plan has been modified to depict drainage easements over the major drainage swales.

Comment – Show the 75-foot building setback from the shoreland edge.

Response – As none of the proposed lots are within 250' of the shoreland edge, we have not shown the 75-foot setback that applies within the Shoreland Zone. We have added the limit of the Shoreland Zone to the Sketch Plan for clarity purposes.

Comment – Will the roadways have granite curb and sidewalks on both sides of the street?

Response – The roadways will be designed based upon the City of Portland's technical and sign standards and Guidelines, and will include curbing and sidewalks

Comment – Previously we discussed the opportunity for a trail along the Presumpscot River. I'll be in touch with Portland Trails concerning Presumpscot River trail plans.

Response – As previously stated, the lots proposed as part of this subdivision are outside of the Shoreland Zone, and therefore it does not appear that discussions for a trail along the River need be a concern for this subdivision.

We are happy to provide responses to your comments. Please contact this office if you have any questions. As it would appear that sufficient information has been submitted to allow Sketch Plan review by Staff/Board, we await your response as to the date for the Sketch Plan review at the Board level.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Alton M. Palmer, P.E.
Vice President

AMP/hh/JN98089/Knowlandresponse10-18-99

Enclosure

Copy: Mr. Burt Wolf, w/Enc.
Mr. Bob Adam, w/Enc.
Mr. Terry Snow, Esq., w/Enc.

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

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Gray, ME 04039

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E-Mail:gpcei@maine.rr.com

January 10, 2000

Mr. Rick Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101-3503

Subject: Presumpscot River Place Phase III
Workshop Request

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