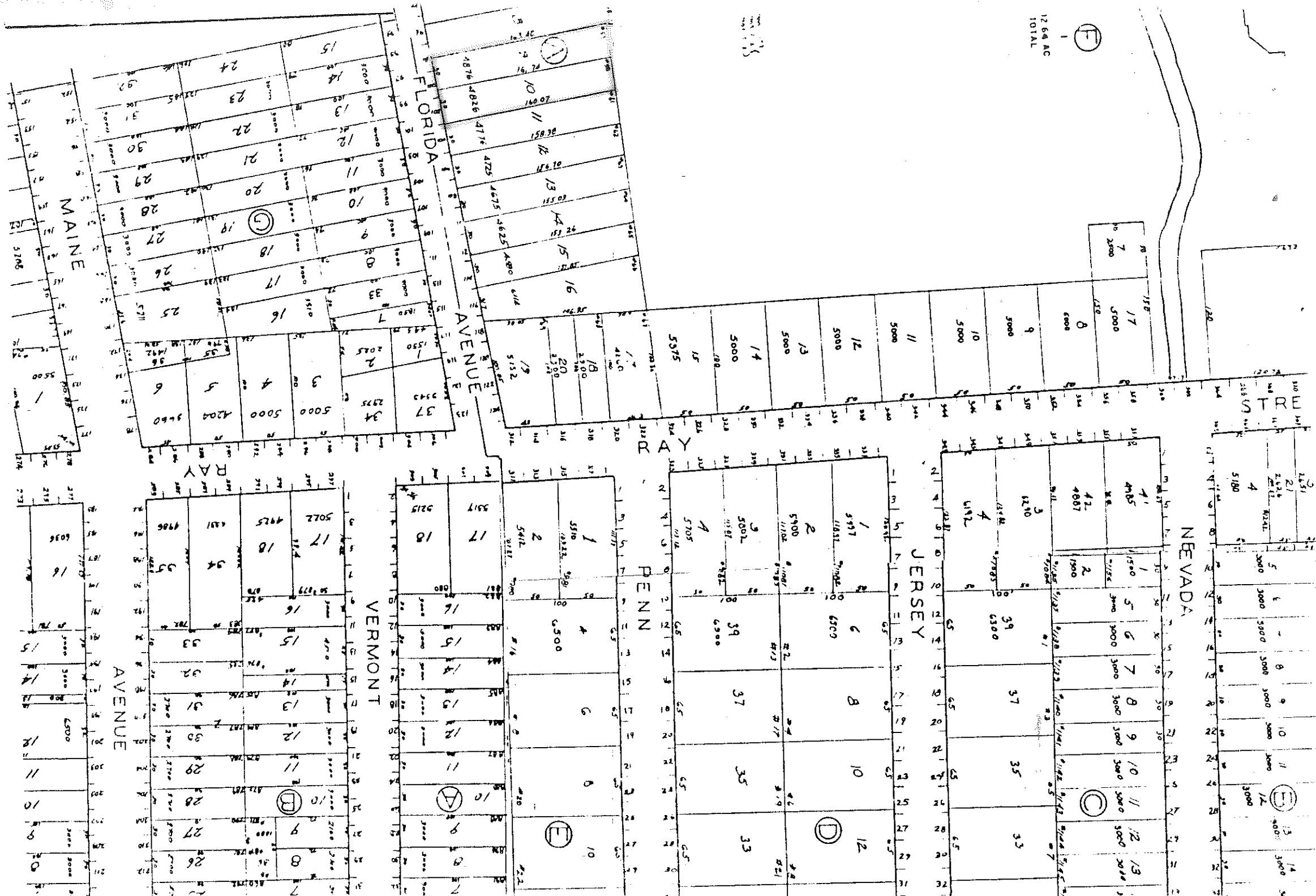


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Ore Monument Square
Portland, Maine 04101
(207) 773-6411

FAX COVER SHEET

TO: Liz Lattin

ORGANIZATION OR FIRM: City of Portland

FAX NUMBER: 874-8716

VOICE/CONTACT PERSON (IMPORTANT): 974-8300

NUMBER OF PAGES INCLUDING COVER SHEET: 3

SPECIAL INSTRUCTIONS:

FROM: Marc Maradain

DATE: February 24, 1995 TIME: 3:10 P.M.

CLIENT/MATTER NUMBER: 8885-2010

If you are having difficulties in receiving this, please call us immediately at (207) 773-6411, Extension 279. Thank you.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDD RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISSEMINATION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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Portland City Council

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differ substantially from any other day care facility allowed as a conditional use in the R-3 zone.

Because the Ordinance provides no support for a numerical cut-off (above which a day care causes unique adverse impacts in a particular zone), we have been unwilling to create an arbitrary number. The result is that larger and larger day care facilities are being allowed in seemingly incompatible residential neighborhoods. We fear that soon we may be faced with an application to locate a 50+ child day care in such a residential neighborhood. We do not believe it is our job, however, to legislate a numerical limit.

For this reason, we turn to you to impose such a limit. We believe the city needs limits on the number of children that can be served by residentially-located day care facilities as soon as possible. We propose simply adding numerical limits in the sections of the Ordinance that state that family day care facilities are allowed conditional uses. For example, you might state that family day care facilities for up to 12 children are allowed conditional uses in the R-1, R-2, and R-3 zones, family day care facilities for up to 24 children are allowed conditional uses in the R-4, R-5, and R-5A zones, and impose no limit in the R-6 zone. You might also impose limits in the IR-1 and IR-2 zones.

Thank you for your consideration of this request. We would be happy to discuss this issue with you in person; please let us know if you would like to arrange a meeting.

Sincerely,

John C. Knox
Chairman