

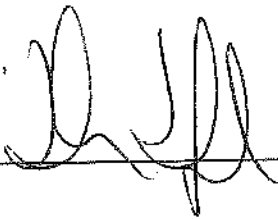
Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least ten (10) days prior to the neighborhood meeting), invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was also provided to the Planning Office (my@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,



APRIL 21, 2014 (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes



April 11, 2014
13450

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a conditional re-zoning amendment for Casco Heights Condominium (Formerly Graves Hill Condominium) 802 - 828 Ocean Avenue, Portland, ME.

Meeting Location: The Atrium, located at the Cedars Retirement Community-
630 Ocean Avenue, Portland, ME 04103

Meeting Date: April 21, 2014
Meeting Time: 6:30pm

The city code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call Shawn Frank at Sebago Technics, Inc. at 207-200-2100.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Shawn M. Frank".

Shawn M. Frank, P.E.
Senior Project Manager

SMF:jsf

Sign In Sheet

Chuck Grossman

Antoinette Mancusi

VINCENZO MAROTTA

Amy Hebel

Gene DiBenedetto

Jay Johnson

Judy Richard

F.R. + N.A. Goodwin

Carol Vellony

CHRISTY MILLMAN

BILL PUSEY

Jeff Burr

Glenn Irvine

Hammy Ellis

Jim CAIAZZO

Laurette Johnstone

Jay Mattimore

John M. McCalla

Karen McLellan

Barbara Miller

Stacey Hong

Matt Smith

Doug McSoda

Neslie Merrill

Howard

Charlie Miller

Jonathan Canine

Leslie A Fuller

Dick Perkins

Mike Payson

Casco Heights Contract Zone Amendment Neighborhood Meeting

The Cedars-April 21, 2014

Diane Doyle opens meeting with a discussion about the change in the height of the building-

-Can you still fit the same number of units in it?

Doyle gives explanation of the change in number of units within the building-

-The average size of units?

Doyle explains the change of parking lot layout-

- What is the excavation involved in creating these parking spaces?

Is the excavation/blasting report available from the plan created 10 years ago?

Not part of approval. Did not apply for building permit

-Ocean Ridge was put on slabs, that development in a similar environment, why not follow their example instead of blasting?

Blasting basically for a flat surface. Less than previous plan.

Doyle gives explanation of past drilling samples, there has been no blasting done yet, everything needs to be approved by planning board

Gives details on traffic impact study-

-How far away from Ocean Ridge is the entrance for the project?

Fairly close.

-Is there going to be an access road?

-Is there going to be a natural buffer or constructed buffer around the new extension of the building?

-When are we going to be able to see a map of where our properties lay in relation to this proposed plan?

Sebago Tech to provide to City for viewing soon.

-What is the elevation of the back of the parking lot? And what is the excavation involved in creating these parking areas?

-What is the estimated price range of the various units? (This is important for us to know since it relates to how the general real estate of the area will be impacted)

Not certain. Maybe \$300,000 for one bedroom.

-How much of the natural vegetation on coming down/going to be affected?

-Implication of opening up private property to the public with trails around property-

-Will you be allowing public access through the easement over the road? (Neighbors not pleased about the fact of tapping into "their road and their resources) Can the new owners utilize the easement?

Sidewalk from Ocean Ave through Casco Heights to be open for people connecting to trails on open space.

-Who is the new developer? We would like to know more about Steve Goodrich-Who are his partners?

Pat Tinsman. Vinnie Mietta

Ledgewood Condos-The traffic and parking issue related to the trailhead at Pheasant Hill are an issue; the trails are not public trails but people use them as such, bringing bikes, dogs etc. to them; This area is supposed to remain undeveloped according to them

-Are there any designated wet lands in the proposed developed area? The detention pond sits over homes, Do you know the numbers of the homes that the pond sits over?

-Where will we see the change in the length of the building?

-Again: When will we be able to see the maps of the other properties around the development?

Ocean Ridge: Doesn't want their views to be impacted or to have to look at the new buildings; important for their visuals

-A building of this size blocks limited light available to surrounding properties, especially to the four properties next to building extension.

Diane explains Shadow study-

-What is the time frame of when the development will begin?

Not sure

Further discussion on amendment to contract-

Orca- there is a current problem with parking at our establishment, for example when someone has a party or guests, your planned parking seems "wildly inaccurate"

Explanation of city calculated minimum-

-Did your contract zone not lapse? Why couldn't they reverse that decision?

-Does the storm water solution still impact Briarwood Apartments?

-What is the elevation on the peaks of the building?

Height is 60'. Is not the peak but average roof height possibly.

-Again: Is there an estimate of what the units will be selling for? When will we know the answer to that?

-When does the city look at and take into consideration the previous track record of the new developers?

Need financial and technical capability.

Concern about finishing the project with quality- Neighbors don't want to look at construction for an extended period of time and also voice concerns about the end product being of quality. What if it lacks quality and they are unable to sell the units? What if the value of their property is decreased by the addition of a subpar development?

Comment that a 5A Zone needs to be in character of surrounding neighborhood, will this development follow that rule?

-What is the impact of the blasting to surrounding homes? (They have previous experience with a small home being contrasted in the area that required blasting and the blasts could be felt in the neighborhood, there are even cracks in sheetrock in some homes from it)

Will have to get a blasting survey and explained.

-How long does a project like this take to build?

-How do you plan to preserve the trails? How many miles are the proposed trails?

Ocean Ridge: back to the issue of the easement, it would give them more security knowing that it wasn't there and wasn't able to be utilized by new developers.

-What is that second access area next to ocean road on the map? Will it continue to be a drain for the property?

-How many feet away from the development is Ocean Road?

Concern: If the road (Ocean Road) is not well maintained (which is currently is not-they have made previous calls to the city in regards to this) then the added traffic of new residents and construction vehicles is a concern.

-What is the distance from the back parking lot to the power lines?

-So the city of Portland has no problem blasting the second highest point in Portland...?

Aldens Walk: Are you purporting to give all the open space to Portland Trails? We don't want all the trees getting cut down.

Did Ocean Ridge exist in 2004 when you created your first plan for the property?

-Again: We would like to see what the buffer consists of-Do we, as neighbors, have a say in it?

Planning board discussion

-Does the changed contract zone eliminate the previous contract zone? Can you specify what the contract changes entail?

-Does one space (regarding the change in the parking situation) mean that the owner of the unit only has one vehicle as well? Can they use the visitor parking for extra vehicles?

In regards to "Tab 4" (in handout): The City of Portland letterhead is used-was this document penned by the contractor, who signed it, and not the city of Portland like it primarily gives the allusion to?

In regards to the timing of the project: It says that the date previously given (May 5) has been amended, what has that date been amended to? What are you extending it to?

In regards to the difference in the two buildings 10 years ago versus now-has the foot print really changed that much?

Narrower but longer.

-What/when will the next step of this new project begin?

Comment that the type of zoning (conditional contract zoning) is not very common in the state or city.

Explains why taller buildings and more open space works. Good use of contract zone

-How many acres is the building total? What is the effect on the change of open space due to these changes?

-Have the purchasers of the property considered a project like Ocean Ridge (maybe even a continuation) which is comprised of more home-like homes instead of condos? This proposed project has a much bigger impact on the environment.

No. If homes all developed and no R-OS.

-Why would a developer not make a 100ft structure if it was already approved-why not make the most of your investment?

4 stories can be made of wood.

-What materials are the buildings made of? What type of siding?

Not sure.

-So, the city council approved your previous plan? Why wasn't it developed?

2007

Even though projects get approved by the city council, they don't always fit in with the rest of the community-The neighbors are afraid of this and the quality of the finished project, concerned that new developers will be "cutting corners," just looking to make a profit and not care about the effect on the neighborhood as a whole.

-What is "Plan B"? Going back to the original design?

Possible

Alden's Walk- A previous developer began a project near their community and then went bankrupt, leaving the area unfinished and an eyesore to the community, the community sued them for leaving the unfinished land and won the land in the lawsuit, they kept the land until they found a quality developer who only built 25 quality homes on the land, which in turn increased their real estate values.

-Once you sell the property you're done with the project? So, Pat wants you to do his dirty work and get it approved? Are you going to be involved in the building process at all?

Comment that Ledgewood and Aldens Walk were both built without cutting all the trees down.

-Who is the Ocean Ridge developer?

The people who are most drastically impacted by the closer building don't necessarily think that the new contract is better.

-There is money involved for the people who are affected by the easement (\$10,000 per unit), so is Pat Tinsman paying himself?

Again: Concerns about the buffer between the new project and Ocean Ridge-if it's a natural buffer what about during the season changes when the leaves fall off.

-Is that a pump house (referring to a location on the blue print)? Is that for natural gas?

-Is there any way to make the easement go away with the contract change?

-You currently own the property-so the decision of the easement is up to you?

From: Mark Lourie <mark@skylineonline.com>
To: Barbara Barhydt <BAB@portlandmaine.gov>
Date: Wednesday, April 23, 2014 4:41 PM
Subject: Re: Casco Heights Development

Thank you Barbara and yes, please include my comments.

Mark Lourie

VP of Development <> Skyline Music, LLC

Full Skyline Roster: <http://skylineonline.com> – includes bios, digital assets, and links on our artists

PH – *866-531-2172 x104 *Fax – 207-930-4512

Skyline Music News @skylineagency <<http://twitter.com/skylineagency>>

On Wed, Apr 23, 2014 at 6:31 PM, Barbara Barhydt <BAB@portlandmaine.gov> wrote:

> Hello:
 >
 > Thank you for your comments and I will share them with the city staff who
 > are reviewing this project.
 >
 > The meeting on the 21st was a neighborhood meeting held by the applicant.
 > A workshop with the Planning Board will be scheduled soon. It may be on
 > their agenda for May 6th or May 13th. The schedule will be finalized
 > tomorrow. I can let you know the timing for this project. Please let me
 > know if you would like me to include your comments in the packet for the
 > Planning Board.
 >
 > Thank you.
 >
 > Barbara
 >
 >
 >
 > Barbara Barhydt
 > Development Review Services Manager
 > Planning Division
 > 389 Congress Street 4th Floor
 > Portland, ME 04101
 > (207) 874-8699
 > Fax: (207) 756-8256
 > bab@portlandmaine.gov
 >>>> Mark Lourie <mark@skylineonline.com> Monday, April 21, 2014 10:15 AM
 >>>>
 > Dear Barbara,
 >
 > As a resident and owner at Ocean Ridge Condominium Association I have
 > serious concerns about the proposed Casco Heights development at 802 - 828
 > Ocean Ave.
 >
 > I am unable to attend the April 21 meeting and so would like to present
 > these concerns. In general, I do not feel the site is appropriate for a
 > development of this size.
 >
 > 1 - The parking allotment is insufficient, as we have learned the hard way
 > from our own development by the same developer, and am concerned that
 > traffic pressure on Ocean avenue, with inadequate sidewalks and limited
 > width, could be a problem.
 >
 > 2 - High Rise buildings in this area are out of context with the
 > neighborhood.
 >
 > 3 - The ledge our units and the proposed development would be built on is

> unique and potentially fragile. It would be hard to imagine blasting of
> that ridge not causing potentially significant damage to our adjacent
> buildings, not to mention disturbance of the peace.
>
> 4 - A quick look at a google map in satellite view will show that the
> woods and trails surrounding Ocean Ridge is the single remaining
> uninterrupted parcel of such natural environment in the city. A major
> development like this would ruin such a wonderful resource.
>
> I hope you will consider the impact of such a major development.
>
> Obviously the City cannot impose restrictions beyond their jurisdiction on
> the development of a parcel within it's zoned usage, but this seems to be
> stretching the limits of what is reasonable in this particular property.
>
> Thanks for your attention to this matter.
>
> Sincerely,
>
> Mark Lourie
>
> VP of Development <> Skyline Music, LLC
>
> Full Skyline Roster: <http://skylineonline.com> – includes bios, digital
> assets, and links on our artists
>
> PH – *866-531-2172 <866-531-2172> x104 *Fax – 207-930-4512
>
> Skyline Music News @skylineagency <<http://twitter.com/skylineagency>>
>
>
> Notice: Under Maine law, documents - including e-mails - in the possession
> of public officials or city employees about government business may be
> classified as public records. There are very few exceptions. As a result,
> please be advised that what is written in an e-mail could be released to
> the public and/or the media if requested. --
>

Barbara Barhydt

From: <rmay11301@aol.com>
To: <bab@portlandmaine.gov.>
Date: Tuesday, April 29, 2014 6:59 PM

Barbara, Blasting of any sort with this Ledge surrounding our homes here in Ledgewood is very worrisome. Building 94 new homes is alot. All our pipes for our condos as you must know are just beneath our cement and could cause problems from the long blasting movements. This is my real concern!!!!

Thank you
Roberta Loring

Barbara Barhydt - Comment to Casco Heights Project

From: Dagmar Decker <dagmardecker@gmail.com>
To: <bab@portlandmaine.gov>
Date: Saturday, May 03, 2014 12:59 PM
Subject: Comment to Casco Heights Project

Dear Portland Planning Board:

As a person looking to move to Portland (preferably the North Deering neighborhood) I am horrified at knowing that there is a proposal being put forth of the scale of the Casco Heights project!!!! How awful for the neighborhood. I strongly encourage you to scale down the project to ensure that development in such a lovely neighborhood is not contrary to its the character. This project is most certainly inappropriate!!!!

Sincerely,

Dagmar Decker

Barbara Barhydt - Re: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue

From: "Anthony C. Miller MD" <millerac@me.com>
To: <bab@portlandmaine.gov>
Date: Saturday, May 03, 2014 4:39 PM
Subject: Re: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue
CC: Anthony Miller <millerac@me.com>

Anthony C. Miller

56 Ridge Road

Portland, ME 04103-4715

May 3, 2014

Barbara Barhydt

Development Review Services Manager

Planning Division

City Hall

Fourth Floor

389 Congress Street

Portland, ME 04101

Re: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue; Ridge Development, LLC., Applicant

Dear Ms. Barhydt:

In reference to the above amendment to be discussed by the Planning Board at upcoming meetings, I am presenting the following concerns and comments for consideration.

1. Scale and position of buildings on the lot

Although I understand that the goal of Zone R5A is to increase the density of certain off-peninsula lots, the proposed scale of the buildings of Casco Heights is greatly out of character with the East Deering neighborhood. The nearby buildings are all three stories or less, yet the proposed structures are 60 to 75 feet tall. Furthermore, the dimensions of the structures make each of them approximately the size of the Thomas Block on Commercial Street. This contrast of scale and mass will make the new buildings oppressive to their neighbors. Furthermore, the repositioning of the new buildings on the lot in comparison to the original plan submitted to the Board places the newer only approximately 110 feet from the closest building of the Ocean Ridge Condominium Association. This is about twice as close as the original development plan, and the decrease in height from the original proposal is not enough to ameliorate the affect of this proximity. Given that the Casco Heights structures will be about twice as tall as the Ocean Ridge buildings, they will cast shadows into Ocean Ridge, especially in the winter when the sun is low in the southern sky. I recommend that Board require a shadow study of the proposed structures.

2. Buffer

Given the proximity of the Casco Heights units to Ocean Ridge, I believe that the inadequacy of the proposed buffer must be addressed. Not only is physical separation a consideration, but noise, sight lines, and privacy must be examined. The Casco Heights building nearest Ocean Ridge will afford its occupants a view down into the windows of their neighbors. This will encroach on their privacy and may reduce the value of their property. Furthermore, although the plan is to keep some existing trees, the extensive blasting and construction will likely damage the root structures of many of those trees. I recommend that the Board consider how to address protecting the buffer should some of those trees eventually die.

3. Parking and Traffic

The proposed amendment to the number of parking spots (less than one per bedroom on average) is inadequate. The lack of parking will push occupants to use both Ocean Avenue, which is not wide enough for parking in that area, and the overflow parking of Ocean Ridge, which is only a short walk away. Furthermore, automobiles for 94 units will dramatically increase the traffic on Ocean and Washington Avenues. I recommend that the Board require a traffic study to determine the effects of this increase in traffic volume as well as the noise and light pollution caused by surface parking for nearly 150 vehicles. The easement from Ocean Ridge to Casco Heights should not be used for routine traffic flow from one to the other given that the Ocean Ridge private road was never designed for that volume of cars and trucks.

4. Blasting

The amended project will require blasting in close proximity to Ocean Ridge. Given the dense rock formation underlying Graves Hill, vibrations will be transmitted into Ocean Ridge and the entire neighborhood. I recommend that the Board consider a substantial bond for blasting damage caused by the project to existing structures in the neighborhood. In addition, a mechanism for assessment of both internal and external damage to neighboring structures as well as their contents should be established.

5. Impact on Graves Hill

The proposed amendment includes a provision to blast the top of Graves Hill for one of the buildings and for surface parking. The hill is the third highest point in the City, and a United States Geological Survey marker is in place to mark that area. At the recent community meeting, a spokesperson for the developer stated that they plan to blast the peak and “move” the marker. I am troubled by this disdain for the site and neighborhood.

6. Property values

Given that the Casco Heights structures will be twice as tall as the Ocean Ridge units, they will cast shadows and allow their occupants to look down into the nearest Ocean Ridge buildings. This may adversely affect the property value of Ocean Ridge property.

In closing, I want to make clear that I am not opposed to development of this parcel on Ocean Avenue. However I have several concerns about the particular amendments requested by the developer with regard to its lack of appropriateness for the neighborhood, scale, proximity to existing buildings, inadequate buffer, traffic, parking, and blasting.

Thank you for your attention.

Sincerely,

Anthony C. Miller

Barbara Barhydt - Casco Heights Project Comments

From: "MarMan" <marman@maine.rr.com>
To: <bab@portlandmaine.gov>
Date: Sunday, May 04, 2014 6:55 AM
Subject: Casco Heights Project Comments

Dear Planning Board/City Council:

As the owner of a home in the Ocean Ridge Condominium Association, I am in dread of the potential massive housing project being proposed by Ridge Development LLC. It is quite evident that the developers have complete disregard for the surrounding neighborhood. Although they propose reductions in units (from 98 to 94), reductions in building height and parking ratio changes which on their face may seem positive, the proposed changes do nothing to mitigate the negative consequences of this project's scale and proximity to my home. The modifications are simply insufficient. The project's scale is too large given the surrounding neighborhood. Moreover, by moving the buildings closer to the Ocean Ridge property line, this project is much more detrimental to Ocean Ridge than the original 2004 proposal. Please do not allow this project to go through on the scale they are proposing. Also critical, please do not allow them to move the building so close to our property line!!! Our quality of life will suffer. Our home values will suffer. The neighborhood will suffer.

Thank you for listening.

Vincenzo Marotta
Ocean Ridge Condominium Owner

Barbara Barhydt - Public comment to Casco Heights Project

From: Jeff Degan <jrdegan@gmail.com>
To: <bab@portlandmaine.gov>
Date: Sunday, May 04, 2014 11:13 AM
Subject: Public comment to Casco Heights Project

Dear City of Portland Planning Board:

I am writing to express my opposition to the proposed Casco Heights Project.

I am very concerned that one of largest undeveloped tracts of land in the city will soon be the site of an over-sized development, a development which would be in glaring conflict with the existing neighborhood's character.

Furthermore, I am vigorously opposed to seeing Portland's third-highest elevation blasted away in order to accommodate the development's design. This is totally unacceptable. Please preserve this natural landmark.

I strongly encourage the Planning Board to utilize its power under the Code of Ordinances, Chapter 14, Sec. 14-62, which supports conditions and restrictions on the physical development and operation of the property. The scale and density of the proposed project alone is reason enough to reject it, given the neighborhood's characteristics. This project is too massive and tall given the surrounding area.

Sincerely,

Jeffrey Degan

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

May 4, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to “Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)”

Dear Portland Planning Board/City Council:

As a resident of the Ocean Ridge Condominium Association (ORCA) I am extremely concerned about the proposed Casco Heights project. Clearly, the planning board/city council, by virtue of the City of Portland Code of Ordinances, Chapter 14, DIVISION 1.5. CONDITIONAL OR CONTRACT ZONING Sec. 14-60, has the authority to impose conditions and restrictions on such a project. I am hopeful that the board/council will reflect upon the negative consequences that this project will have on ORCA and the surrounding neighborhood and impose conditions/restrictions that will protect us.

First, it is vital to acknowledge the extraordinary difference in backdrop that exists between the original 2004 decision (granting the conditional contract zoning agreement) and TEN years later—2014. There are currently 46 family homes directly adjacent to the proposed project. We exist now. We did not then. The feasibility of this project must be analyzed under the current context—not the context that existed an entire decade ago.

Moreover, the developer’s proposed amendments have moved the structures so close to our homes that there would be an enormous negative impact on ORCA. I urge the Planning Board and City Council to utilize their authority to set conditions and restrictions permissible under Sec. 14-62. The conditions and restrictions imposed must:

- 1) Restrict the scale and density of this development; it’s a monolith. It is too large given the tract of buildable land and natural surroundings. The proposed height is still too tall — it is not compatible with ORCA nor is it compatible with our neighborhood.
- 2) Preserve our open space and buffers, and protect our natural areas and historic sites; the proposed project does not provide a sufficient buffer. It’s too too close to ORCA. The current proposal would also require a magnitude of blasting that is of great concern to us. Moreover, Ms. Doyle, the developer/owner, specifically told us at the first neighborhood meeting that the USGS marker representing the 3rd highest point in our City would be blasted. She remarked it would just be moved! How could this be reasonable and consistent with the City’s comprehensive plan?

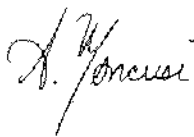
Although I attended the first neighborhood meeting, very little information was provided by Ms. Doyle. As a result, I am unable to comment on other elements of this proposed project that will certainly come into play such as:

- Specifications for the design and layout of buildings and other improvements;
- Schedules for commencement and completion of construction;
- Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
- Contributions toward the provision of municipal services required by the development; and
- Provisions for enforcement and remedies for breach of any condition or restriction.

I reserve judgment/commentary on these elements until the time we have more information.

As an aside, on the matter of the neighborhood meeting, let me say that I was quite disappointed that Ms. Doyle felt it necessary to utilize scare tactics on the meeting's attendees. She, in essence, described our options as being threefold; the original 2004 building plan, the 2014 proposed plan (at issue currently) or, potential clear cutting to build a multitude of homes. I find all these options utterly unacceptable given the aforementioned reasons and implore the Planning Board/City Council to utilize its authority in controlling any such project on Graves Hill.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Mancusi".

Antoinette Mancusi

Barbara Barhydt - Comments regarding proposed Casco Heights development

From: Jon Camire <jon_camire@yahoo.com>
To: "BAB@portlandmaine.gov" <BAB@portlandmaine.gov>
Date: Sunday, May 04, 2014 7:10 PM
Subject: Comments regarding proposed Casco Heights development

Dear Portland Planning Board Members:

My name is Jonathan Camire. I am a resident living at 173 Ridge Rd in the Ocean Ridge Condominiums, and I would like to express my concerns with the proposed Casco Heights development at 802 Ocean Avenue.

As proposed, this Casco Heights development presents the following major concerns:

The type, size and height of this development are completely inconsistent with the character of the surrounding area along Ocean Avenue. The area consists of many single family homes along with several condominium projects with multiple townhouse buildings containing a few units each with 2-3 floors. Construction of multiple 75-foot buildings containing 47 units comprising 70,000 square feet or more each cannot be considered consistent with the current or desired nature of this area of the Portland community.

[if !supportLists]-->2. Construction of the proposed Casco Heights project would require substantial geological blasting of the ledge that makes up Graves Hill and the surrounding area. Given the very close proximity of the Ocean Ridge condominiums of which I am a resident, I am very concerned about potential for damage to underground utilities, foundations or the skeletal structure of the existing buildings in the area.

[if !supportLists]-->3. The scale of the development will significantly increase traffic in the area. The section of pavement on Ocean Avenue from Presumpscot St. to Washington Ave. has historically shown to deteriorate very quickly, and is often in disrepair. The eventual addition of 150+ vehicles, not to mention the coming and goings of the construction equipment and the ledge blasting, will only serve to exacerbate the condition of this section of Ocean Avenue.

[if !supportLists]-->4. The area of Ocean Avenue adjacent to Graves Hill has no sidewalk and no easy ability to park on the street near the development. The number of parking spaces allocated to this project is woefully inadequate for residents, their visitors, and the potential public that will seek to use the trail system that is part of the development. This presents the potential of public safety issues along Ocean Avenue, but also presents the possibility that Casco Heights residents, visitors or the public trail users will seek to park in the Ocean Ridge condominiums or other surrounding developments, potentially disrupting the surrounding community.

These issues with the proposed Casco Heights development leave me very concerned about the potential impact to the nature, comfort and value of my neighborhood and personal residence. I trust you will take these concerns under advisement when considering the Casco Heights development.

Thank you for the opportunity to comment.

Sincerely,

Jonathan Camire

From: Pam <pamela630@gmail.com>
To: "bab@portlandmaine.gov" <bab@portlandmaine.gov>
Date: Monday, May 05, 2014 1:08 AM
Subject: Casco Heights project

Dear Board Members,

I'm very concerned and worried about this new project that is proposed on Ocean Ave close to my home at Oceanridge.

I understand the density and height of the proposed buildings is not what is considered acceptable use of that land.

My biggest issue is that the blasting is going to damage my home and endanger the natural habitat that exists there. My condo sits close to the edge and I want to be assured that my home won't be damaged.

I also expect that IF this project is approved that I should see my property taxes go down. This obviously devalues my home.

I await a thoughtful decision of the board.

Pam Anzelc

Sent from my iPhone

Jennifer Yeaton - Fwd: Public Comment re. Proposed Casco Heights Condo (Towers) Project

From: Barbara Barhydt

To: Yeaton, Jennifer

Date: 5/5/2014 11:56 AM

Subject: Fwd: Public Comment re. Proposed Casco Heights Condo (Towers) Project

PC11

public comment

>>> Jade Arn <jadearn@hotmail.com> Monday, May 05, 2014 11:18 AM >>>

Good Morning,

As a North Deering resident, I am submitting this public comment to express my concerns regarding the Casco Heights Development Project as proposed. The scale and nature of this project are not consistent with the area. The magnitude of the development will bring population density and all of its associated noise, traffic, etc. to an otherwise quiet residential area. The architecture, size, height and design is totally out of place off the peninsula. As a taxpayer, I feel that this project jeopardizes the desirable characteristics of the neighborhood and may have a negative impact on livability and property values as a result.

I urge the Planning Board to deny approval of this project as it is currently planned.

Thank you for your consideration.

Sincerely,

Jade Arn

Jennifer Yeaton - Fwd: Casco Heights Project - Urgent Appeal

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/5/2014 1:50 PM
Subject: Fwd: Casco Heights Project - Urgent Appeal

public comment

>>> <danielsmediaco@gmail.com> Monday, May 05, 2014 1:46 PM >>>
May 5, 2014

Dear Planning Board - City of Portland:

It has been brought to my attention that a developer is trying to get a behemoth project passed in Portland which is most out of character with the charming neighborhood in which it would potentially be situated in. Please review this plan scrupulously and insist that the developer's plan remain consistent with it's neighbors and residents/families in the area.

**A 95 unit high rise apartment complex is outrageous in this area!
Portland is a gem. Keep it that way!**

Please help keep the quality of life at its highest level in Casco Heights.

Sincerely,

Helen Daniels

May 6 2014

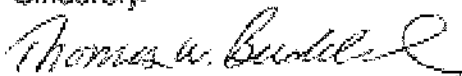
Thomas & Sheila Buckland
95 Ridge Road
Portland, ME 04103

To: Portland Planning Board,

As residents of Portland we oppose the Casco Heights development. The proposed project is out of character with the Neighborhood. The density of the project would effect neighborhood livability and negatively impact the traffic patterns and congestion of Ocean avenue and Washington Street. To build in the location would require tremendous blasting efforts and possibly endanger surrounding structures.

These are just some of the reasons we oppose the Casco Heights development project and do not support it.

Sincerely,



Thomas W. Buckland



Sheila E. Buckland

May 5, 2014

To: Portland Planning Board

From: Sabrina Nickerson, Randy Judkins Residents at Ocean Ridge Condominiums

Dear Planning Board,

As residents of Ocean Ridge Condominiums, we are speaking today because we truly want to protect what is good in our neighborhood. As much as possible we want to preserve our surrounding hardwood forest, vernal pools and the 3rd highest peak in the city of Portland. In addition, we seek to maintain the unique character and style of the architecture of our Ocean Avenue Neighborhood.

We certainly understand that the abutting property, the proposed Casco Heights Development is a candidate for construction. We'd like to ask then, "Is Casco Heights Project a good example of smart growth and responsible land use?"

In regards to the proposed Casco Heights project, we have some questions:

- 1) Given the proposed changes in the footprint of the two large buildings and adjoining parking lots, I would ask the planning board to consider the preservation of this unique hardwood forest, the vernal pools and the third highest peak known historically as 'Graves Hill'.
- 2) Will the board please consider that the current footprint and proposed height of the tower-like structure will create visual blight and most assuredly block much needed sunlight and solar gain for our Ocean Ridge homeowners.
- 3) How much damage to our existing homes will be realized with extended and prolonged amounts of blasting during Phase 1 and then during Phase 2 of this building project? Should any damage occur during or after this prolonged blasting, what kind of assurance do we have that the developers will take responsibility and fix any related damages?
- 4) How mindful and environmentally responsible will efforts be for habitat restoration after all the blasting, building and road construction?
- 5) Is the proposed development IN character with the surrounding architecture, the scale, density and livability?
- 6) We respectfully request that the Planning Board reconsider Casco Heights' original buffer zone of at least 100 ft which was adjusted to 80 feet when a new plan was proposed a few years later when Ocean Ridge Condominiums were not yet constructed.

Thank you for your consideration,
Respectfully submitted,

Sabrina T. Nickerson
and Randy Judkins
54 Ridge Road
Portland, Maine

Jennifer Yeaton - Fwd: May 6 Planning Board Workshop: Proposed Casco Heights Project at 802-828 Ocean Avenue

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/5/2014 3:49 PM
Subject: Fwd: May 6 Planning Board Workshop: Proposed Casco Heights Project at 802-828 Ocean Avenue

public comment

>>> Jean Mattimore <jeanmattimore@gmail.com> Monday, May 05, 2014 2:52 PM >>>
TO: Barbara Barhydt, Development Review Manager, Planning Division

Dear Ms. Barhydt,

As an owner in the Ocean Ridge condominium community, I'd like to express several concerns about the proposed development being considered. They also relate directly to the mission of the Planning Division as stated on your website:

"We plan Portland's future by building upon the City's distinct historic, cultural and natural assets to achieve a livable and sustainable built and natural environment, exemplified by dignified and engaging public spaces, a strong sense of community, and a diversity of healthy neighborhoods and business districts comprising a vibrant urban center."

- The proposed development will add significant traffic to the already heavily traveled Ocean Avenue and surrounding roads, challenging the safety and sense of community in the area.
- The addition of so many units in an already densely populated area can affect the livable quality of the neighborhood and some of its valuable natural environment.
- The design, scale and density of the proposed plan is inconsistent with the character of other buildings in the area, including other condominium communities such as Ocean Ridge.
- The blasting this project will require could materially affect the stone ridge we would share. That, in turn, could have a substantial impact on our homes.
- These factors could affect the value and sustainability of our property.

Thank you for including these comments as the Planning Board considers this proposal at its workshop.

Jean Mattimore

147 Ridge Road

Portland, ME 04103

Jennifer Yeaton - concerns

From: <Gfdb115@aol.com>
To: <bab@portlandmaine.gov>
Date: 5/5/2014 7:36 PM
Subject: concerns

I'm not certain I will be able to attend the Planning Board Meeting but I have similar concerns about the project that have already been expressed, namely:

1. The scope of the project
2. The environmental impact the project would have on populations density and traffic on Ocean and Washington Avenues.
3. Impact on property values at Ocean Ridge
4. The amount of blasting that would be required.

Gene DiBenedetto

Jennifer Yeaton - Fwd: Casco Heights Condominium project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/6/2014 8:11 AM
Subject: Fwd: Casco Heights Condominium project

Public Comment

>>> "Richard, Judith" <Judy.Richard@astellas.com> Monday, May 05, 2014 9:39 PM >>>
My apologies for the late comments, I had a death in the family and couldn't respond sooner.

I would like to voice my concerns regarding the proposed Casco Heights Condominium project and request the planning board consider these concerns and make appropriate changes/recommendations to the proposed project.

1. The proposed Casco Heights Condominiums are totally out of character with anything in the neighborhood. It is out of scale for the neighborhood as there are no buildings that high anywhere near the proposed area and a development like this would stick out. It is just not consistent with the neighborhood as it is mainly single family living consisting of two or three levels. This would have a negative financial impact on property values in the area. The original plan was to have "luxury" condominiums and that has changed significantly by decreasing the amenities, etc.
2. The proposed project would consist of 94 or 98 units – 1 bedroom, 2 bedrooms and 3 bedrooms. That would bring a considerable amount of people to the area thus having an impact on traffic, which is already heavy enough without this additional load. The impacted areas would be Ocean Avenue, Presumpscott Street and Washington Avenue. There is already an overload of traffic in this area. Also, there are several schools in the area that children walk to and this development would significantly increase the traffic in the area.
3. The proposed condominium project would have a negative impact on quality of life by significantly creating density on that part of Ocean Avenue. There are already several condominium, apartment projects and Nursing Home/Rehab facility that create a lot of traffic. Air quality by the significant increase in vehicles would be diminished and the blasting necessary to develop the project would affect so many people.
4. The proposed entrance to Casco Heights is too close to the entrance to Ridge Road and this would create a danger to have two entrances so close together with people trying to enter and exit at the same time.
5. Can our existing municipal services handle the extra load on our schools, roads, water and sewer and garbage removal? Will the increase in tax revenue offset the costs to the school system? I doubt it. The original proposal was for luxury condominiums which would have brought in more tax revenues than the current proposal.
6. Lastly, but not of least importance, is the concern of one of the partners in this development. He was involved in Ocean Ridge Condominiums and we are still paying for his failure to complete the project and his cutting of corners. Ocean Ridge was not completed per his contractual obligations and per the specifications and this has cost the residents a lot of money for his failure to meet his obligations. What if this happens at Casco Heights? This will also negatively impact property values.

I don't object to the rights of a property owner to develop his or her land. However, I do object to the

suitability of the project for the neighborhood and recommend a different type of development that is more suitable to the neighborhood. I want to be assured that any blasting that is done does not result in any damage to surrounding properties. I also want to live in a neighborhood where I don't have to worry about entering and leaving my property and feel safe with where the entrance/exit is located.

Thank you for your consideration.

Regards,

Judy Richard

Senior Corporate Account Director

Astellas Pharma US, Inc.

(207) 879-7373 Office

(207) 712-3230 Cell



Jennifer Yeaton - Fwd: Casco Heights

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/6/2014 2:59 PM
Subject: Fwd: Casco Heights

public comment

>>> "Glenna Irvine" <gmirvine2003@yahoo.com> Tuesday, May 06, 2014 1:31 PM >>>
I wanted to take a moment to share my views/concerns regarding the Casco Heights Project.

As the President of the Ocean Ridge Condo Association and an owner myself, I have heard from numerous owners. The main concerns are:

- Disruption of the natural habitat – frogs, birds, trees, deer, fox, etc.
- The escalated noise level from having a site so close to Ocean Ridge condo Association
- Based on the tape marking off the lot – the buildings appear to be extremely close – leaving no barrier between Ocean Ridge Condo Association and Casco Heights – having the appearance of clear cutting.
- Damage to our buildings as a result of the blasting
- Potential property devaluation. Ocean Ridge Condo Association was not in existence when Graves Hill/Casco Heights was approved to be built so owners purchased a very private, wooded scenic landscape. That will no longer exist as a result of this project.
- Developer – Tinsman – built Ocean Ridge and we are still making repairs from the poor workmanship and incomplete items.
- Additional traffic on both Ocean Avenue and Washington Avenue. Ocean Avenue is and has been in very poor condition for years. So additional traffic would certainly not improve that situation. Washington Avenue is a mess. It is literally bumper to bumper traffic day and night.

As a Real Estate Broker, I think the above concerns are valid. I have sold a number of condos in Ocean Ridge as well as other associations in Portland. The big draw for buyers looking at Ocean Ridge is the close proximity to downtown Portland and the very peaceful, quiet, natural setting. That would change if we don't have a significant barrier between the two communities. If a significant barrier with trees and natural habitat are left so that there is still an element of privacy, I don't think it will have as significant impact on the resale value.

Please feel free to contact me,

Glenna Irvine
91 ridge Rd
Portland, ME 04103
207-749-9098

Jennifer Yeaton - Fwd: FW: Wellstone Condominium Association

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/6/2014 3:03 PM
Subject: Fwd: FW: Wellstone Condominium Association

Public Comment

>>> Jeanette Haskell <jeanette@mpropertiesinc.com> Tuesday, May 06, 2014 2:05 PM >>>

Barbara

Per our conversation this morning regarding the meeting scheduled this evening for Ridge Development LLC the Board of Wellstone Condo Association would ask that the Planning Board take into consideration the following. After the prior blasting and development surrounding the Wellstone property the Association experienced leaks in the basements of 12+ units and they had to install battery backup sump pumps to keep the basements dry. The Association has also hired a contractor to repair many of these basement walls which were not a problem prior to the blasting. The Association did not experience water issues in these basements prior to the blasting. They continue to have issues today and are concerned that the blasting created a fissure in the ledge that has somehow changed the water flow. The Association just spent \$35,000 to do additional drainage work due to changes in ground water flow which they feel may have been caused by the blasting as well.

There are also some concerns about water flow from Ridge Development displacing water to the ditches (as engineers are designing). My understanding is that the plan is to direct the water to the Ocean Ave. ditch which then flows under Ocean Ave. just above the bus stop up the street from Wellstone. This would have an impact on increasing the level of the water table here as we are already experiencing this from the previous development. Presently, the water table is just under the slab of several buildings.

Please let me know if you have any questions.

Thank you

Jeanette

Jeanette Haskell, CMCA
Maine Properties, Inc.
207-883-3753
Fax: 207-883-2135
E-mail: jeanette@mpropertiesinc.com



Jennifer Yeaton - Fwd: Workshop of 5/6/2014

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/7/2014 8:18 AM
Subject: Fwd: Workshop of 5/6/2014

public comment

>>> Ocean Ridge <concerned.orca@gmail.com> Wednesday, May 07, 2014 8:15 AM >>>

To members of the Planning Board:

As an owner at Ocean Ridge I attended and spoke at the workshop on 5/7/14 on the Casco Heights project.

I offer these brief post-meeting comments:

1. Carol Morrissette characterized the potential decision, at first glance, as a "...no brainer..." given that the height of the buildings was reduced from a controversial 100' to 75'. I remind her that as the building came down 25', their footprints expanded by 100' so as to maintain essentially the same occupancy and infringe closer to the buildings of Ocean Ridge.
2. Several PB members characterized the Ammendment as having "...lesser impact..." I respectfully and forcefully disagree with this characterization. The density is unchanged, the adequacy of parking continues to be questionable, the buffer to adjacent properties is less and the water drainage to Ocean Avenue and down-the-hill residences is still problematic.
3. Bill Hail in his comments "...look at the big picture..." and "...appropriateness after a decade..." seems to be thinking correctly. Is the scope of this project good for the City of Portland generally and do we want to disrupt the neighborhood?
4. Eventual development of the acreage in question is inevitable and welcome. But please keep in mind the neighborhood, the environment and the City.

Respectfully,

Frank W. Pandolfo

Owner at 146 Ridge Road

Jennifer Yeaton - Fwd: Re: 5-6-2014 City Plan. Div.Meeting regarding Ridge 802....Ocean Ave

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/7/2014 8:03 AM
Subject: Fwd: Re: 5-6-2014 City Plan. Div.Meeting regarding Ridge 802....Ocean Ave

public comment

>>> Linda Belanger <lindaportlandmaine@yahoo.com> Wednesday, May 07, 2014 6:41 AM >>>
Dear Barbara,

Re: 5-6-2014 City Plan. Div.Meeting regarding Ridge 802....Ocean Ave.

I feel I must clarify something that was misinterpreted at last night's meeting. The Chairman stated that everyone that voiced opinions and concerns from the public sector appeared to "not be in favor" of the Ridge project. I don't recall saying that I was not in favor. I would like to apologize if I misled the board without realizing it.

I began by saying that I was not going to say one way or the other about being in favor or not with regards to the general proposal, that I was there to mainly listen and learn about the process.

I went on to say that I had two major concerns (1. the blasting and 2. water flow) I also stated that the Wellstone complex has experienced actual problems associated with this two issues over the last 28 years due to development that has taken place in the area.

Thank you.

Best Regards,
Linda Belanger, Wellstone Condominium Board member, Portland

**Questions for Workshop
Portland Planning Board
May 6th @ 6 PM**

Geology/Blasting/Environmental Survey/Site Plans

1. Geology – Graves Hill is a geologically unique place in Cumberland County and the State of Maine according to a Professor at USM. The whole area has been subjected to fault-type shearing that is reflected in the overall texture of the rock. The weaker rock in this case is the foliated metamorphic rocks that flank the mass of granite that makes up Graves Hill. You can see this in the steep grade of the entry drive into Ocean Ridge Condos. This is why the 13 buildings of Ocean Ridge were built on top of the mass of granite and not excavated in to the mass. My question to the Planning Board is whether the plans have taken this into account and how would it affect the stability of the granite mass known as Graves Hill?
2. Blasting – I would like to raise the issue of blasting, and potential issues resulting therefrom. What are the regulations in place to limit any adverse effects of Blasting? Does the Planning Board require a project bond (in an adequate amount) in light of the blasting/fault lines and other safety concerns?
3. Environmental Survey and Site Plan – Has there been an Environmental Survey done? Is there an up to date to the Site Plan? Has there been site consideration for the protection of the natural areas and historic sites.

Thank you,
Chuck Grossman
175 Ridge Road

>>> Lesli Rodgers <LRodgers@buxtonco.com> Wednesday, May 07, 2014 10:02 AM >>>
TO: Barbara Barhydt, Development Review Services Manager

Unfortunately, I could not attend last night's workshop due to a prior commitment. But I wanted to make sure I was letting you know of my concern regarding this proposed condominium project - Casco Heights.

As a resident of Ocean Ridge, this proposed project would be right next door. While I have no objections to neighbors, I am concerned that this project will considerably change and deteriorate the neighborhood already in existence.

None of the homes in this area are more than a few stories ... it is my understanding that Casco "Heights" is proposing to build two towers, up to or exceeding 75' in height. This will dramatically change the sky line here, especially as the proposed building site is already on a hill.

It is also my understanding that these towers are meant to include 94 units...in a relatively small footprint. None of the surrounding area tries to compact so many people into such a small space. The impact on the neighborhood of an additional 94 families in terms of traffic, garbage, noise, pollution, etc. is certainly something never anticipated when I purchased my home here 5 years ago.

I'm not sure of what the options here are for a private citizen...or how far along the road to inevitability this proposed project is. But I have to voice my concern...and I would very much appreciate it if you (or someone else on your team) could let me know what I can personally do to stop this project from moving forward.

I look forward to your response. Thank you.

Lesli Rodgers
145 Ridge Road
Portland, ME 04103

Jennifer Yeaton - Fwd: Casco Heights Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/4/2014 4:22 PM
Subject: Fwd: Casco Heights Development

public comment

>>> <Gfdb115@aol.com> Wednesday, June 04, 2014 3:38 PM >>>
To The Planning Board

I would like to express my concerns regarding the development of the Casco Heights Project on Graves Hill. My concerns are the following:

1. The proposed construction is out of character with the surrounding neighborhood. All surrounding buildings are 3 stories or less.
2. An environmental impact study should be conducted and the results made available to local residents. My chief concerns are traffic on Ocean and Washington Avenues, water, drainage, destruction of trees and shrubs and the negative effects on wildlife.
3. The scope of the project is too ambitious; namely 94 units in 75 foot buildings which will have a negative impact on the area.
4. An enormous amount of blasting will no doubt be required with potential damage to adjacent buildings. What financial provisions have been made by the developers to underwrite repairs to neighboring buildings, especially Ocean Ridge.
5. The project will have a negative impact on neighbors, namely livability, safety and a sense of community.
6. Another consideration is the potential negative effect the project will have on property values.

Thank you for your attention on this important matter.

Sincerely,
Gene DiBenedetto
17 Osprey Terrace

Richard L. Kessler
60 Ridge Road
Portland, ME04103

Phone: 207-899-0066
Email: rkessler5@yahoo.com

To: Barbara Barhydt

The proposed development of 802-928 Ocean Avenue (aka Graves Hill) presented to the Portland Planning Board by Doyle Enterprises will have substantial consequences for neighbors of the property, impact traffic and livability in the community and is generally inappropriate for off-peninsula Portland.

1. Building height of 75' is inappropriate for off-peninsula location. All surrounding buildings are 3 stories or less. This includes private homes, Summer Place, Wellstone, Ocean Ridge, LedgeWood, Townhouses at Ocean East, Oceanwoods, The Cedars (even it latest addition of a nursing home facility), Alden's Walk and Martins Point.
2. The addition of 94 residential units and likely 200+ automobiles will impact traffic and safety. Ocean Avenue is narrow, offers no safe option for on-street parking and should have sidewalks and bike paths. A traffic study should be done.
3. Condos east of Ocean Avenue claim to have water seepage in basements. The problem will be exacerbated with Casco Heights development. A proper engineering study is requested.
4. Doyle Enterprises was advised by the Planning Board to consult with neighbors and interested parties prior to amending the site plan provided to the Board at the May 9, 2014 meeting. The revision was submitted; the offer to meet with neighbors arrived later. Concerned parties seem to be an afterthought.
5. The original 2004 proposal called for two 100' towers, 98 residential units, 2 levels of underground parking, amenities (office, exercise room, x-country ski room and community center). A smaller building footprint was posed further down Graves Hill and, importantly, offered a more reasonable buffer to adjacent properties. The 2014 proposal reduces the controversial 100' height to 75' but expands the footprint so as to maintain essentially the same residential density (98 vs. 94 units). Also, all amenities are eliminated, construction changed from steel/concrete to less expensive wood frame and buffers are reduced. Profit motive seems to be at play here.
6. The project will require enormous amounts of blasting in granite. Damage to adjacent buildings is a possibility. Engineers must determine the range of potential damage, all structure

“camera-ed” before blasting and an insurance bond on the order of \$20,000,000 should be in place.

7. Development of Graves Hill is inevitable and should be welcomed by all Portlanders. However, reasonableness must prevail. Considerations must include scale, density, livability, community, safety and environment.

I was born and raised in Portland and have lived at 60 Ridge road for 10 years. Doyle Enterprises wants out from the property so they need to have changes made to sell a package. I get it but am not happy that it affects all abutting owners and my unit with such an impact. Directly behind, no privacy at all.

The City has a reputation for approving and then letting the plans be completely altered. The original foot print gave everyone plenty of privacy and was well laid out. Do the right thing and have them come up with a better plan so we can all be happy.

Thank you,

Richard L. Kessler

Jennifer Yeaton - Fwd: CASCO HEIGHTS

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 12:34 PM
Subject: Fwd: CASCO HEIGHTS

public comment

>>> Lesli Rodgers <LRodgers@buxtonco.com> Monday, June 30, 2014 12:14 PM >>>
To Whom It May Concern:

Unfortunately, I have prior commitments on July 8, so will not be able to attend the upcoming planning meeting where it is my understanding this development is to be addressed. I am therefore sending you my expression of concern, in the hopes that it will be shared with those on the planning committee.

As a resident of Ocean Ridge, I am naturally interested in any new development of the area. When it comes to development of land that is virtually on top of our community, I am more than just interested...I'm concerned. It is my understanding that these structures will be approximately 6-7 stories high...sitting on top of the hill, this will definitely change the skyline in this immediate area, putting the buildings well above the height of the mature and lovely trees that surround us. These would stick out like the proverbial sore thumbs and ruin the atmosphere that we've worked so hard to maintain not only in our development, but those surrounding us as well. Such buildings would definitely NOT blend into the neighborhood.

I'm not an engineer, but it is basic common sense that to build up to that height, they're going to have to dig down to a significant level with the support structure. As the area around here is mostly rock, I dread to think what the ramifications of blasting would be. My biggest concern would be that blasting would have to be substantial, prolonged, and at very close range...this cannot help but have a detrimental impact on the structures in Ocean Ridge.

If I am reading the preliminary plans correctly, Casco Heights has an easement that runs through Ocean Ridge, and this is how access to Casco Heights would be achieved. This would more than double the amount of traffic on Ridge Road, to serve the 96 (?) units proposed in the new development, compared to the 45 (or so?) units in Ocean Ridge. Considering that the existing community has a number of pet owners who walk their dogs, children who play outside, and health enthusiasts who walk the roads and trails, this additional traffic will detract from the environment as well as safety of current residents to a significant degree.

I fully understand that the designated land will be developed at some point...but I would sincerely hope that such development would be in keeping with the area as it exists today, with reasonable expectations for the impact on the environment as well as existing residents. I don't believe Casco Heights has taken these factors into consideration, but sincerely hope that the planning commission will.

Thank you.

Lesli Rodgers
VP/Marketing Services
BUXTON
207-899-0623 - Direct
817-332-3681 - Switchboard
203-940-3762 - Cell

Jennifer Yeaton - Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!!!

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 12:35 PM
Subject: Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!!!

public comment

>>> Robin Schulte <robin.l.schulte@gmail.com> Monday, June 30, 2014 1:32 PM >>>

I am a resident of Alden's Walk and I am writing to let you know that my husband and I are highly opposed to this project. The condominiums will virtually destroy the woods behind our home where we walk on trails with our dog and replace them with concrete and cars and congestion on Ocean Avenue and virtually ruin the tranquility of the area, not to mention affect property values. I truly feel as if this will totally change our ability to live comfortably in this area.

Robin Schulte & Jim Fairbanks
19 Wildwood Circle
Alden's Walk

May 5, 2014

Dear Planning Board - City of Portland:

It has been brought to my attention that a developer is trying to get a behemoth project passed in Portland which is most out of character with the charming neighborhood in which it would potentially be situated in. Please review this plan scrupulously and insist that the developer's plan remain consistent with it's neighbors and residents/families in the area.

A 95 unit high rise apartment complex is outrageous in this area!

Portland is a gem. Keep it that way!

Please help keep the quality of life at its highest level in Casco Heights.

Sincerely,

Helen Daniels

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

>>> Pam <pamela630@gmail.com> Sunday, June 29, 2014 2:58 PM >>>

Dear Board members,

I understand you'll be voting on the Casco Heights project this week. I've seen property stakes marking the enormous size of this project. I am very concerned that blasting and building this close to my property at Oceanridge Condominiums will not only lower my property value but will actually damage my home, especially the foundation. What assurances will I be given that my home won't be disturbed? Who will pay if damage occurs? I'm all for new development, but think this project is too big and too dense for that piece of land. Thanks for your careful consideration. I hope protection of your current taxpayers' property is considered.
Pamela Anzelc

Sent from my iPhone

file:///C:/Users/JMY/AppData/Local/Temp/XPgrpwise/53B2A7FIPortlandCityHall1001346... 7/1/2014

PC30

Jennifer Yeaton - Fwd: RE: Ridge Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 12:08 PM
Subject: Fwd: RE: Ridge Development

public comment for Casco Heights

>>> Carol Hayden <sfocph@aol.com> Saturday, June 28, 2014 1:31 PM >>>

I am a homeowner east and downhill of the proposed development and I attended the site walk last week. My concerns, aside from the obvious impact on the neighborhood with increased traffic and the noise that goes along with a construction site of this size, is the need to mitigate water run off downhill. There is a small stream that runs in a gully in my backyard and after a good rain it swells to considerable size on it's way to a culvert that runs under the road maintained by our association. Without the natural water management the wooded hillside provides I'm concerned that the runoff will exceed the existing ability to keep it in check and create risk for my neighborhood. It is also worth noting that quite a lot of wildlife that lives on the hillside and they will be driven from their habitat with construction. I often see foxes in my backyard since the blasting to provided access for a single home on Ocean and can foresee more on the move.

I will continue to be interested in the progress of this project as will many of my neighbors.

Carol Hayden
45 Ashley Lane

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**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT TO CONDITIONAL REZONING
FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective ~~thirty (30) days following this rezoning upon sale to Ridge Development LLC,~~

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**FIRST AMENDMENT CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC**

This Agreement made this _____ day of _____, 2004 by ~~GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC,~~ a Maine limited liability company with an office in Saco, Maine (hereinafter "~~GRAVES HILL RIDGE DEVELOPMENT~~").

WITNESSETH:

WHEREAS, ~~GRAVES HILL RIDGE DEVELOPMENT~~ owns or has an option on a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, ~~GRAVES HILL RIDGE DEVELOPMENT~~ proposes to construct upon a portion of the Property a maximum of ~~98~~ 96 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, ~~GRAVES HILL RIDGE DEVELOPMENT~~ has requested the rezoning of ~~40.167~~ 10.18 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of ~~8.155~~ 8.14 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS); and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "**Code**") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the Planning Board recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

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WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with **GRAVES HILL's RIDGE DEVELOPMENT's** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

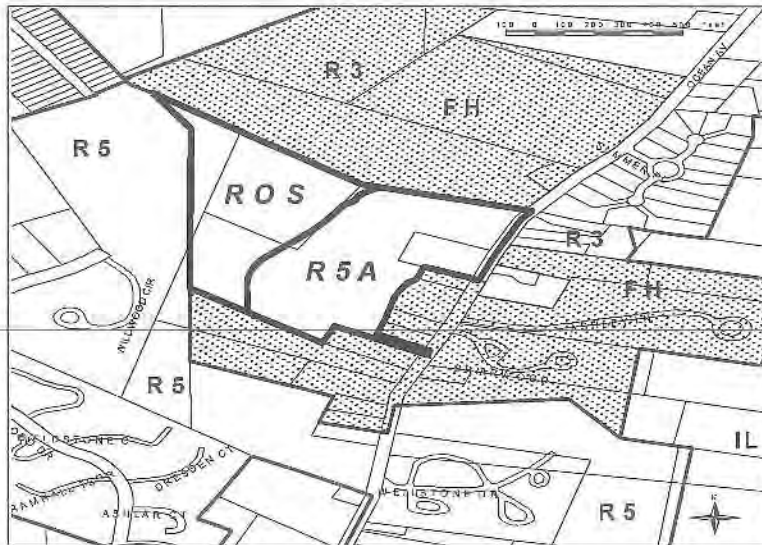
WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200_, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, **GRAVES HILL RIDGE DEVELOPMENT** has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **GRAVES HILL RIDGE DEVELOPMENT**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **GRAVES HILL RIDGE DEVELOPMENT** contracts to be bound by the following terms and conditions:

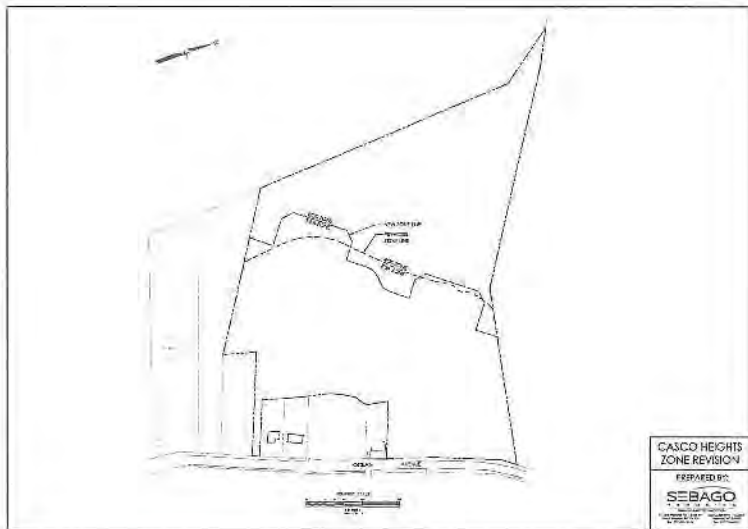
1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning sale of the property to Ridge Development LLC or within one hundred and eighty (180) days of the City Council's approval of said rezoning, whichever is later, then the rezoning shall become null and void and the zoning of the Property (together with all conditions) shall revert to

the pre-existing R-3 zone that contained in the original Conditional Rezoning Agreement for 802-828 Ocean Avenue approved on _____ and recorded in the Cumberland County Registry of Deeds at Book _____, Page _____.



**Proposed Rezoning for 802 Ocean Avenue
From R3 and Flexible Housing Overlay to R5A and ROS
July 2004**

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workshop



Proposed Amended Rezoning for 802 Ocean Avenue for the line adjustment between Recreation and Open Space (ROS) and Residential R-5a (of the C-34 Conditional Rezone Agreement) May 2014

2. **GRAVES HILL RIDGE DEVELOPMENT** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to ~~98 96~~ residential units located in two buildings, each building containing up to ~~49 48~~ units, which may be sold as condominium units, resulting in a maximum total of ~~ninety-eight six (98 96)~~ residential units within the Property; and
- ~~b. a community room in each building available for use by the residents of the PRUD; and~~
- ~~c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services a fitness and special events room in each building available for use by the residents of the PRUD; and~~
- ~~d. a cross-country ski center/locker room in each building available for use by the residents of the PRUD; and~~
- ~~e. b. parking in an amount of not less than 2 spaces per residential unit one (1) space per one bedroom unit and two (2) spaces per two and three bedroom units, plus at least 28 additional surface visitor parking spaces; and~~
- ~~f. c. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site. A future recreation area is also permitted, subject to Site Plan Review and approval by the Planning Board.~~

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to ~~forty-nine eight (49 48)~~ dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to ~~forty-nine eight (49 48)~~ dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. ~~GRAVES HILL RIDGE DEVELOPMENT~~ is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the R-OS portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, future recreation area, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. ~~GRAVES HILL RIDGE DEVELOPMENT~~ shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize ~~GRAVES HILL RIDGE DEVELOPMENT~~, its successors and assigns, Graves Hill Ridge Development Condominium Owners' Association, and **Portland Trails** to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, ~~GRAVES HILL RIDGE DEVELOPMENT~~ may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such

conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL RIDGE DEVELOPMENT** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL RIDGE DEVELOPMENT** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by ~~Richardson and Associates (last revised August 16, 2004)~~ ~~Sehago Technics (last revised May 2014)~~ and the Proposed Building Design site sections, building sections and floor plans submitted by ~~Scott Simons Architects (last revised July 8, 2004)~~ ~~Archetype PA (last revised May 2014)~~ and the preliminary elevation from ~~Mackworth Island (undated, submitted August 17, 2004)~~, attached hereto. The Ridge Development entrance on Ocean Avenue ~~as shown on the site plan shall achieve separation from Ridge Road to the maximum extent practicable be at the location shown on said Site Plans subject to site plan review by the Planning Board and the City hereby grants consideration of~~ such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, ~~that at the request of RIDGE DEVELOPMENT, with the approval of the Planning Board, the the final Planning Board approved location of the entrance may be moved up to 20 feet southerly of the location shown from the location on the attached site plan without~~ any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL RIDGE DEVELOPMENT** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL RIDGE DEVELOPMENT** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL RIDGE DEVELOPMENT shall provide a planted buffer as shown on the site plan in the vicinity of the ~~rear lot lines of the abutters whose lots front on Ocean Avenue side of the building adjacent to Ocean Ridge Condominiums~~, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL RIDGE DEVELOPMENT** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL RIDGE DEVELOPMENT** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestri-

an trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. The blasting plan required by Chapter 14, Article VIII of the Portland City Code and Section 3 of the City of Portland Technical Manual for issuance of a blasting permit shall be included in the applications for Site Plan and Subdivision Review and shall require final review and approval by ~~the Planning Board~~ a third-party, independent, seismologist approved and hired by the Planning Authority at the Applicant's expense (hereinafter "third-party seismologist").

10. The notification of neighbors required by Section 14-592 of the Portland City Code shall be accomplished by certified mail rather than regular mail.

11. During blasting operations, ground vibration monitoring shall be conducted by an independent third-party seismologist or blasting consultant. RIDGE DEVELOPMENT's selection of the independent seismologist or blasting consultant is subject to the review and approval of the City of Portland Planning Authority.

12. Notwithstanding Section 3.7.13 of the City of Portland Technical Manual, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$4,000,000.00.

13. In addition to the requirements outlined in Paragraphs 9-11 above, RIDGE DEVELOPMENT expressly agrees that, with respect to its development of the Property, it will comply with all other provisions relating to the regulation of blasting and explosives contained in Chapter 14 of the Portland City Code and the City of Portland Technical Manual.

14. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which ~~GRAVES HILL RIDGE DEVELOPMENT~~ and/or ~~Diane Doyle~~ holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

15. For the portion of the Property rezoned R-5A, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: ~~49~~ 48

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Maximum number of buildings containing residential dwelling units: 2

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Maximum building height: ~~100~~ 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

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Parking: ~~Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II.~~ 204 spaces, half in Phase I and half in Phase II.

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Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, ~~GRAVES HILL~~ **RIDGE DEVELOPMENT** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

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Except as set forth above, all provisions in Sections 14-126 through 14-131 of the CITY's zoning ordinance shall apply to the portion of the Property rezoned R-5A.

16+. For the portion of the Property rezoned R-OS, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and ~~GRAVES HILL~~ **RIDGE DEVELOPMENT** need not submit any parking needs projections.

17. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit ~~GRAVES HILL~~ **RIDGE DEVELOPMENT**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the CITY, by and through its duly authorized representatives.

1318. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

1419. In the event ~~GRAVES HILL~~ RIDGE DEVELOPMENT or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of ~~GRAVES HILL'S~~ RIDGE DEVELOPMENT'S breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the CITY may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that ~~GRAVES HILL~~ RIDGE DEVELOPMENT has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

1520. ~~GRAVES HILL~~ RIDGE DEVELOPMENT shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

1621. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS: GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC

By: _____
Diane Doyle Patrick Tinsman
Its Manager

STATE OF MAINE
CUMBERLAND, SS. _____, 200_

Then personally appeared the above-named ~~Diane Doyle~~ Patrick Tinsman, Manager of ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC as aforesaid, and acknowledged the foregoing instrument to be ~~her~~ his free act and deed in ~~her~~ his said capacity and the free act and deed of said limited liability company.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

Jennifer Yeaton - Fwd: Casco Heights Condominiums

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 10:56 AM
Subject: Fwd: Casco Heights Condominiums

public comment

>>> Terence Goodwin <tgoodwin1232@gmail.com> Friday, June 27, 2014 6:42 PM >>>

This proposed development should not be approved. It is totally out of character with the neighborhood, and therefore not in compliance with the city's standards for community planning. In addition, it is a serious threat to the integrity and safety of the neighboring buildings and their occupants because of the required heavy blasting. Ocean Ridge, for example, has buried propane tanks and lines which stand a good chance of being damaged, presenting a very real threat of the type of gas explosion such as we saw recently in Yarmouth.

Terence & Barbara Goodwin
1 Wildwood Circle
Portland, ME 04103

Jennifer Yeaton - Fwd: Casco Heights Project Comments for 7/8/14

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/2/2014 7:45 AM
Subject: Fwd: Casco Heights Project Comments for 7/8/14

public comment

>>> "MarMan" <marman@maine.rr.com> Tuesday, July 01, 2014 6:48 PM >>>

Dear Planning Board:

Still vehemently opposed to the proposed Casco Heights Project I send my previous comments as a re-statement of my opposition to the project.

Thank you,

Vincenzo Marotta
 Ocean Ridge Condominium Owner

"MarMan" <marman@maine.rr.com> Sunday, June 08, 2014 6:59 PM >>>

Dear Planning Board/City Council:

I write once again to voice my opposition to the proposed Casco Height project.

I am concerned that the planning board is going to approve revisions to the original zoning agreement (the conditional contract zoning agreement -2004) which had a most different and specific architectural plan with much more set back from ORCA (the Ocean Ridge Condominium Association).

I am also in terrible disagreement with the new proposed storm water treatment detention pond. With a project of the scale and cost of the current plan it is most incredible that this is the best they could come up with. Shabby—a mosquito breeding pond!

The red-line document (revisions) clearly entertain a completely new plan but what prey tell is it? Bottom line, why would the 2014 planning board deem it necessary to approve anything that was not as depicted in the 2004 plan?

Thanks again,

Vincenzo Marotta
 Ocean Ridge Condominium Owner

From: MarMan [<mailto:marman@maine.rr.com>]

Sent: Sunday, May 04, 2014 6:50 AM

To: 'bab@portlandmaine.gov'

Subject: Casco Heights Project Comments

Dear Planning Board/City Council:

As the owner of a home in the Ocean Ridge Condominium Association, I am in dread of the potential massive housing project being proposed by Ridge Development LLC. It is quite evident that the developers have

complete disregard for the surrounding neighborhood. Although they propose reductions in units (from 98 to 94), reductions in building height and parking ratio changes which on their face may seem positive, the proposed changes do nothing to mitigate the negative consequences of this project's scale and proximity to my home. The modifications are simply insufficient. The project's scale is too large given the surrounding neighborhood. Moreover, by moving the buildings closer to the Ocean Ridge property line, this project is much more detrimental to Ocean Ridge than the original 2004 proposal. Please do not allow this project to go through on the scale they are proposing. Also critical, please do not allow them to move the building so close to our property line!!! Our quality of life will suffer. Our home values will suffer. The neighborhood will suffer.

Thank you for listening.

Vincenzo Marotta
Ocean Ridge Condominium Owner

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Wayne Goodman & Jo Ann Miller Goodman
15 Wildwood Circle
Portland, ME 04103

June 8, 2014

City of Portland Planning Board
389 Congress Street
Portland, ME 04101

Dear Portland Planning members,

I am an abutting neighbor to the proposed Casco Heights condominium project. Having participated in the recent site walk, I have several concerns about the developer's proposal.

My greatest concern is the size of the two buildings. According to the developer's site plan, each building measures more than 300 feet long and up to 75 feet tall. As one neighbor measured, that is about the size of the entire city block at 100 Commercial Street. Any building of that size is totally out of place in a neighborhood of modest sized condos and private homes; yet there are two such buildings planned on one of the highest points of land on Portland.

I am not suggesting that development on that site be prohibited; however restricting the project to buildings with smaller footprints and more green space, especially as buffers to abutting neighbors, would certainly be preferable. As an example, during the site walk, I stood on the spot where the Phase 2 parking lot would be built and looked across the CMP right of way directly at the back deck of an Alden's Walk neighbor. There was no buffer at all since the Casco Heights property borders the right of way.

During its June 10 meeting, I'm asking that the Board revisit the original zoning variance that allowed the Casco Heights developer to build two oversized buildings on her property in favor of recommending more suitable zoning for the neighborhood.

Sincerely,

Wayne Goodman
15 Wildwood Circle
Portland, ME

Jennifer Yeaton - Fwd: Casco Heights Condo Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:46 AM
Subject: Fwd: Casco Heights Condo Development

public comment

>>> Matt Smith <mattdive10@gmail.com> Sunday, June 08, 2014 2:30 PM >>>
To Portland City Hall Planning Board

I am writing as concerned resident of Ocean Ridge regarding the proposed Casco Heights Condo Development project on Graves Hill. I strongly urge you to make the right choice here and deny the rezoning. It is a move in the wrong direction

Below please find the key rationale points for the denying of the re-zone:

1.) Buildings that are 75' high and are residential in nature, really have no place in an off peninsula location in Portland. People move off the peninsula to move away from large, sky rise buildings and less "city" quality of life. While this proposal reduces the 100' towers to 75' it is still not appropriate as all surrounding buildings are 3 stories or less. This includes private homes in the surrounding area, Ocean Ridge, Ledgewood, Wellstone, The Cedars (even its latest addition of a nursing home facility), Alden's Walk and Martins Point.

The developers must be held to a higher standard and figure out a way to develop the property just as the developers of these other properties have done in a fashion suiting to this area of Portland.

2.) The original 2004 proposal, while its approval was disappointing given 100' steel/concrete luxury towers with 98 units in a quiet residential neighborhood, again, is completely inappropriate for this part of Portland, this proposal, while lowering it to 75', expands the footprint dramatically. It is shorter, yes, but now fatter, as they seek to maintain essentially the same residential density with 94 units. This is worse as it moves the development closer to infringing on Ocean Ridge's space. Furthermore, this proposal eliminated all of the luxury amenities of the towers (fitness center, etc.), and moved to cheaper wood frame siding from the steel/concrete.

Their vision for this property is not suited for this area. The re-zone will result in tall, fat building structures made of cheap materials. It will become an eye sore for those in the area and for those in Portland, and will result in many owners, like myself, to take our high tax dollars elsewhere and out of Portland and into Freeport, Falmouth and Yarmouth.

3) The addition of 94 residential units all the 200+ cars from both residents and guests will greatly impact traffic and safety. Ocean Avenue today is a narrow road, often in need but rarely receives repair, offers no safe option for on-street parking. Ocean Avenue is a challenging road and this proposal wants to put another 200+ cars on it. That is a recipe for disaster. A traffic study should be done to understand the impact of the development on the roads.

4) In addition to the impact of traffic and safety due to the increase in cars driving on Ocean Ave, developing the Graves Hill property to this new vision will require significant amounts of blasting of granite, which will not only disrupt the peace of the area, particularly those in the nursing home at Cedar's, but will likely result in damage of adjacent buildings. Engineers MUST determine the range of damage before any blasting happens, and apply an insurance bond on the order of \$20MM.

5). We learned that Doyle Enterprises was advised by the Planning Board to consult with neighbors and interested parties PRIOR to amending the site plan provided to the Board at the May 9, 2014 meeting. The revision was submitted; and the offer to meet with neighbors arrived AFTER.

Concerned parties seem to be an afterthought.

Net - Doyle Enterprises is only interested in developing, unloading the property, start making money off it, not for whether it is good for Portland, good for the area, good for the neighbors, good with any of the interested parties. It is up to the Planning Board to see this for what it is and deny the rezone until a proposal is in front that we can all support.

In summary, while I absolutely am supportive of developing Graves Hill and that its development is inevitable given the housing challenges of Portland, this proposal in front of the Board for consideration is a bad idea and should be denied.

Thank you

Matt Smith

Jennifer Yeaton - Fwd: Public Commentary - Proposed Casco Heights Project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:48 AM
Subject: Fwd: Public Commentary - Proposed Casco Heights Project
Attachments: AM Comment 6-6-14.pdf; AM public comment 5-3.pdf

public comment - please include both pdfs

>>> "Antoinette Mancusi" <amancusi@coastalcounties.org> Sunday, June 08, 2014 4:09 PM >>>

Hello Barbara: Please accept the attached as my comments for the 10th's planning board meeting. (I have also attached my previous (5/6/14) comments for your convenience).

Thank you,

Antoinette Mancusi

(Owner/Resident at Ocean Ridge Condominium Assoc.)

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

June 6, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

Per my earlier comment (5/4/14), which I yet again attach for your consideration, I am an owner of a home at the Ocean Ridge Condominium Association (ORCA) and am terribly concerned with the proposed Casco Heights project. (Please refer to my earlier comment for specific concerns with the project.)

I have another concern which I am hopeful the Planning Board can allay. I do not understand why the planning board is entertaining changes (revisions) to a conditional rezoning agreement when the plan put forth in 2004 (on which the conditional rezoning agreement was based) is no longer the plan being proposed by the builder. I am confounded as to how these revisions could possibly be approved, if for example, using the height revision, the height of the building being proposed currently does not apply to the building (site plan) provided in 2004. Doyle has put forth a completely different site plan.

As Section 7. from page 5 of Doyle's "red-line" agreement (see below) provides, the plans are now by Sebago Technics and Archetype PA. These are not the 2004 Richardson Associates plan. How, therefore, can the planning board accept changes to a plan (on which the conditional rezoning agreement was based in 2004) when the plan NO LONGER EXISTS?

Was not the conditional rezoning agreement based on the 2004 site plan? Since the 2004 site plan is no longer the "plan", how could current proposed considerations regarding the building i.e., it's height, go forward presently?

Incidentally, despite the planning board directing Ms. Doyle (at the May 6th meeting) to speak to the ORCA residents in order to address our concerns prior to revising her plan, much to our chagrin Ms. Doyle developed her current plan without meeting with us.

Section 7. from page 5 of Doyle's "red-line" agreement:

Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

Archetype PA, date
TBD

Sebago Technics,
Date TBD

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates ~~(last revised August 16, 2004)~~ and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects ~~(last revised July 8, 2004)~~ and the ~~preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto.~~ The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of GRAVES HILL, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this

c:/Penny/Contract/R/zoning/Graves Hill to Council 9.15.04

I would greatly appreciate any clarification you might be able to provide.

Sincerely,



Antoinette Mancusi

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

May 4, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

As a resident of the Ocean Ridge Condominium Association (ORCA) I am extremely concerned about the proposed Casco Heights project. Clearly, the planning board/city council, by virtue of the City of Portland Code of Ordinances, Chapter 14, DIVISION 1.5. CONDITIONAL OR CONTRACT ZONING Sec. 14-60, has the authority to impose conditions and restrictions on such a project. I am hopeful that the board/council will reflect upon the negative consequences that this project will have on ORCA and the surrounding neighborhood and impose conditions/restrictions that will protect us.

First, it is vital to acknowledge the extraordinary difference in backdrop that exists between the original 2004 decision (granting the conditional contract zoning agreement) and TEN years later—2014. There are currently 46 family homes directly adjacent to the proposed project. We exist now. We did not then. The feasibility of this project must be analyzed under the current context—not the context that existed an entire decade ago.

Moreover, the developer's proposed amendments have moved the structures so close to our homes that there would be an enormous negative impact on ORCA. I urge the Planning Board and City Council to utilize their authority to set conditions and restrictions permissible under Sec. 14-62. The conditions and restrictions imposed must:

- 1) Restrict the scale and density of this development; it's a monolith. It is too large given the tract of buildable land and natural surroundings. The proposed height is still too tall — it is not compatible with ORCA nor is it compatible with our neighborhood.
- 2) Preserve our open space and buffers, and protect our natural areas and historic sites; the proposed project does not provide a sufficient buffer. It's too too close to ORCA. The current proposal would also require a magnitude of blasting that is of great concern to us. Moreover, Ms. Doyle, the developer/owner, specifically told us at the first neighborhood meeting that the USGS marker representing the 3rd highest point in our City would be blasted. She remarked it would just be moved! How could this be reasonable and consistent with the City's comprehensive plan?

Although I attended the first neighborhood meeting, very little information was provided by Ms. Doyle. As a result, I am unable to comment on other elements of this proposed project that will certainly come into play such as:

- Specifications for the design and layout of buildings and other improvements;
- Schedules for commencement and completion of construction;
- Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
- Contributions toward the provision of municipal services required by the development; and
- Provisions for enforcement and remedies for breach of any condition or restriction.

I reserve judgment/commentary on these elements until the time we have more information.

As an aside, on the matter of the neighborhood meeting, let me say that I was quite disappointed that Ms. Doyle felt it necessary to utilize scare tactics on the meeting's attendees. She, in essence, described our options as being threefold; the original 2004 building plan, the 2014 proposed plan (at issue currently) or, potential clear cutting to build a multitude of homes. I find all these options utterly unacceptable given the aforementioned reasons and implore the Planning Board/City Council to utilize its authority in controlling any such project on Graves Hill.

Sincerely,



Antoinette Mancusi

Jennifer Yeaton - Fwd: Casco Heights Project Comments for 6/10/14

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:54 AM
Subject: Fwd: Casco Heights Project Comments for 6/10/14

public comment

>>> "MarMan" <marman@maine.rr.com> Sunday, June 08, 2014 6:59 PM >>>

Dear Planning Board/City Council:

I write once again to voice my opposition to the proposed Casco Height project.

I am concerned that the planning board is going to approve revisions to the original zoning agreement (the conditional contract zoning agreement -2004) which had a most different and specific architectural plan with much more set back from ORCA (the Ocean Ridge Condominium Association).

I am also in terrible disagreement with the new proposed storm water treatment detention pond. With a project of the scale and cost of the current plan it is most incredible that this is the best they could come up with. Shabby—a mosquito breeding pond!

The red-line document (revisions) clearly entertain a completely new plan but what prey tell is it? Bottom line, why would the 2014 planning board deem it necessary to approve anything that was not as depicted in the 2004 plan?

Thanks again,

Vincenzo Marotta
 Ocean Ridge Condominium Owner

From: MarMan [mailto:marman@maine.rr.com]
Sent: Sunday, May 04, 2014 6:50 AM
To: 'bab@portlandmaine.gov'
Subject: Casco Heights Project Comments

Dear Planning Board/City Council:

As the owner of a home in the Ocean Ridge Condominium Association, I am in dread of the potential massive housing project being proposed by Ridge Development LLC. It is quite evident that the developers have complete disregard for the surrounding neighborhood. Although they propose reductions in units (from 98 to 94), reductions in building height and parking ratio changes which on their face may seem positive, the proposed changes do nothing to mitigate the negative consequences of this project's scale and proximity to my home. The modifications are simply insufficient. The project's scale is too large given the surrounding neighborhood. Moreover, by moving the buildings closer to the Ocean Ridge property line, this project is much more detrimental to Ocean Ridge than the original 2004 proposal. Please do not allow this project to go through on the scale they are proposing. Also critical, please do not allow them to move the building so close to our property line!!! Our quality of life will suffer. Our home values will suffer. The neighborhood will suffer.

Thank you for listening.

Vincenzo Marotta
 Ocean Ridge Condominium Owner

Jennifer Yeaton - Fwd: The Casco Heights project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:57 AM
Subject: Fwd: The Casco Heights project

public comment

>>> <FWPandolfo@aol.com> Sunday, June 08, 2014 8:02 PM >>>
 City of Portland, City Hall
 389 Congress Street
 Portland, Me. 04101

Attn: Barbara Barhydt, Development Review Services Manager

RE: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)

Dear Portland Planning Board/City Council:

I attended the Planning Board workshop in early May where I presented my concerns about the above referenced project/amendment. Unfortunately I cannot attend the coming meeting on June 10. Therefore I wish to present my concerns in writing.

Where to begin? The list seems endless:

1. Proximity to adjacent homes, 46 of which did not exist a decade ago when the original plan was approved in 2004. It seems strange to amend the 2004 plan without considering the new neighbors that did not exist in 2004. Actually, the 2014 plan marginally resembles the 2004 plan.
2. Lack of significant buffer. At the site walk we all observed the meager offer by the developer to plant a few trees. It was laughable.
3. Appropriateness for the neighborhood. All condos (Ocean Ridge, Ledgewood, Alden's Walk, Summer Place, Wellstone, Townhouses at Ocean East, Oceanwoods), Martins Point, The Cedars (including the recent addition) are all 3 stories or less.
4. Open water detention pond to harbor mosquitoes.
5. Expanded footprint.
6. Stick construction vs. steel/concrete, presumably to magnify profit. When asked at the site walk why build with wood Ms. Doyle so much as said because it was cheaper. Regardless of the present zoning, is it really a good idea to house 94 residences in a wood frame building?
7. Blasting! At the site walk we all saw the granite ledge. ORCA has about 9 very large buried propane tanks. Has anyone considered or even mentioned this potential hazard?
8. The likely developers/builders are, from my experience as an original owner at Ocean Ridge, are unreliable. Shortcuts were taken at Ocean Ridge; I would be highly skeptical of their involvement at Casco Heights.
9. At the May meeting, Ms. Doyle was advised to consult with neighbors about changes to her plan. That consultation NEVER happened. She reached out a few days before the site walk and after she had already revised the plans.
10. "Impervious" is increased where drainage is already an issue on Ocean Avenue. Ask the residents east of Ocean Avenue. Is not a drainage/environment impact study by qualified engineers appropriate before a project is considered?
11. At the site walk we all noticed how narrow is Ocean Avenue. Parking, bike and pedestrian lanes are absent. It is dangerous. Imagine adding another 200 or so Casco Heights vehicles to the traffic patterns.
12. When asked at the site walk about the pricing of the residential units, one of the principals offered "...\$400,000 to a good million". A little pricey, maybe even greedy-*n'est ce pas?*

I urge the Planning Board to deny the amendment. Then in the future ,the Planning Board, the Zoning Board and the City Council should rethink the decade old decision to allow Portland's version the Twin Towers to exist in a residential off-peninsula community.

Thank you for your consideration for doing what at times must seem like a thankless job.

Respectfully,

Frank W. Pandolfo

Jennifer Yeaton - Fwd: 802-928 Ocean Avenue

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:59 AM
Subject: Fwd: 802-928 Ocean Avenue

public comment

>>> "Richard, Judith" <Judy.Richard@astellas.com> Sunday, June 08, 2014 8:29 PM >>>
Portland Planning Board,

I would like to give my concerns to the planning board about this proposed development. I wish I could attend the meeting in person but I am away on a business trip. While I am in favor of people's rights to develop their property, I have deep concerns about this proposed developments also known as Graves Hill.

The project is not in character with the existing surroundings, all existing surrounding properties are 3 stories or less. The proposed development exceeds this and the height of the proposed buildings is inappropriate for this neighborhood. That is more in character with what is on the peninsula and not Ocean Avenue. Even the Cedars is not this large.

One of the developers of this property was the developer for Ocean Ridge and he did not complete the project he started. What's to say that he won't do the same here? He left the residents of Ocean Ridge high and dry financially. He also cut corners and we are still having issues with work that was done under him. Will there be a guarantee that he does not do the same here?

The project is extremely large with so many proposed residences. This will require an lot of blasting with potential damage to several adjacent buildings.

The owner of the property says they are going to sell the residences for \$400,000 to \$1,000,000. They have eliminated or scaled back all of the amenities and kept the same amount of units. They have changed construction materials and reduced the buffers with adjacent properties. How is a 1 BR unit going to sell for \$400,000 when neighboring 3 BR properties are selling for under \$400,000 with a view? If these units don't sell, you have a big monster of a development that could be foreclosed on, rented out, etc. etc. This would devalue the properties in the area. It appears that they have a significant profit motive with no regard for the surrounding properties and what is best for the neighborhood and City of Portland.

There are 94 units being proposed. This will have a huge negative impact on traffic on Ocean Avenue, especially at the Washington Avenue light which is already a dangerous and busy intersection. This is already a dangerous street to bike and walk on.

Doyle enterprises does not seem to be willing to consult with neighbors of this development. They have been vague in their dissemination of information and have said they would get back to us with more information and I have not received anything from them. They don't want to inform us because they know they are not in keeping with the scale and density of the neighborhood. They have no regard for the community and safety of Ocean Avenue residents, only their profit.

Please consider these concerns greatly while making decisions about the proposed development.

Thank you for your consideration.

Regards,

Judy Richard

(207) 879-7373 Office

(207) 712-3230 Cell

Jennifer Yeaton - Fwd: Casco Heights Project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 10:00 AM
Subject: Fwd: Casco Heights Project
Attachments: Casco Heights comments.pdf

public comment

>>> Barbara Miller <btmiller100@gmail.com> Monday, June 09, 2014 7:48 AM >>>
Dear Barbara

Attached please find my questions regarding the proposed Casco Heights Residential Condominium.

Thank you for your consideration,

Barbara Miller

My name is Barbara Miller. I live at 56 Ridge Road in Portland. In addition to the comments I forwarded to the Planning Board prior to the May 2014 Workshop, I would like suggest the following items be considered regarding the proposed changes to the Casco Heights Residential Condominium:

- The original zoning agreement had a very specific architectural plan attached to it. The current plans are not specific, other than site footprint. With such a major change, why is the conditional zoning still pertinent?
- Because the footprint has changed, a request was made at the PB workshop to determine the measured difference and between the original plan's building/parking lot and the current plan's buildings/parking lot and nearby neighbors. What is that difference?
- The current footprint has a greater percentage of impervious terrain - what will this do to water flow down the hill?
- The new plans moved the storm water treatment detention pond next to ORCA (downhill from building 1 of the proposal) - the current proposal is a open treatment pond - are there better options that will not become mosquito hatcheries?
- If these amendments are approved - what kind of protection will be put into place if this plan, like the 2004 plan, is not built? Can a rider be added to the amendment requesting a return to R-3 status after a certain amount of time?
- Reduction in number of parking spaces - always a problem as there are no street options for parking in the immediate neighborhood
- At the PB Workshop in May, it was suggested the developer meet with neighbors - I have received no notification of any such meeting prior to the revised plans being submitted to the Planning Board

Thank you for your consideration

Jennifer Yeaton - Fwd: Casco Heights Condominiums

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 10:22 AM
Subject: Fwd: Casco Heights Condominiums

public comment

>>> karen mccallum <kjmccallu@hotmail.com> Monday, June 09, 2014 9:00 AM >>>
Good Morning,

My name is Karen McCallum and I live at Alden's Walk in Portland. I am writing to let the planning board know of my deep concern over the building of Casco Heights off of Ocean Ave. I have lived in Portland my whole life and love the beauty of this city and have seen what a building that doesn't fit in with the surrounding landscape can look like. Once it's up there is nothing you can do to correct it and every day you have to look at it. That is how I feel about Casco Heights.

I walk the power lines behind our condo's and drive by the area where Casco Heights is to be built every day. It's a beautiful wooded area with many different forms of wildlife and vegetation and to put these modern, in my opinion, very ugly large buildings in there would be a travesty. They can be seen from our condos at Alden's Walk and from the interstate and route one. My husband and I are very upset about them.

In addition to the looks of them we are concerned about the damage all the blasting may do to our buildings at Alden's Walk and the traffic we already deal with on Ocean Ave. and Washington Ave. Also the condition of the road there is already a problem and to add more traffic would only make it worse.

I ask that you take this into consideration in making any decisions you have to about this project. As I have said the beauty of this city is an asset we have and Casco Heights will most certainly be a detraction from that.

Thank you
Karen McCallum

Sent from Windows Mail

Jennifer Yeaton - Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 10:24 AM
Subject: Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!

public comment

>>> Robin Schulte <robin.f.schulte@gmail.com> Monday, June 09, 2014 9:43 AM >>>

I am a resident of Alden's Walk and I am writing to let you know that my husband and I are highly opposed to this project. The condominiums will virtually destroy the woods behind our home where we walk on trails with our dog and replace them with concrete and cars and congestion on Ocean Avenue and virtually ruin the tranquility of the area, not to mention affect property values. I truly feel as if this will totally change our ability to live comfortably in this area.

Robin Schulte & Jim Fairbanks
19 Wildwood Circle
Alden's Walk

Jennifer Yeaton - Fwd: Casco Heights Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 1:04 PM
Subject: Fwd: Casco Heights Development

public comment

>>> Richard Kessler <rkessler5@yahoo.com> Monday, June 09, 2014 12:42 PM >>>
Did the walk through last week and I am not in favor of the changes.

1. The retention pond location.
2. Where they want to build Phase One.
3. The impact on people that live here now.
4. Amount of blasting necessary.

I can keep going on and on.

Not in favor, please vote no.

Richard L. Kessler
60 Ridge Road
Portland, ME 04013

Jennifer Yeaton - Fwd: Casco Heights development plan

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 1:33 PM
Subject: Fwd: Casco Heights development plan

public comment

>>> Glenn Turner <ghturner35@gmail.com> Monday, June 09, 2014 1:14 PM >>>
 To: The City of Portland Planning Board

From: Glenn Turner and Caroline Loupe (3 Wildwood Circle, Portland, Maine 04103)

My wife and I participated in a site walk of the proposed Casco Heights development plan. We were taken aback by the scope of this project and dramatic changes which would result if it goes through as planned.

Our concerns are as follows:

It is a huge development right between two existing condo clusters (Ocean Ridge and Alden's Walk) abutting each in an "in your face" manner which we doubt the proposed buffer of planted trees will mitigate unless Sequoias are planted. In the winter months, the buffer will be less effective. The two condo towers will be up to 70 feet high. Much more of an elephant in the living room than an adjoining development should be and still be good neighbors.

The style of the development looks similar to the unsightly college housing along Interstate 295, more suited to the overcrowded beach development strips off the Atlantic Coast in New Jersey or North Carolina. It's not Portland! It would be as incongruous as the Florida style Howard Johnson's Hotel on Spring St. in downtown Portland.

Set on the rocky hillside, there will be, especially for the large footprint of this project, a lot of blasting. Even up-front discussion of offering to have videotape pictures taken of the insides of all the adjoining condo units in Alden Walk and Ocean Ridge sends shivers up our spines. If our foundations do crack, what are the limits of liability, the compensation for the disruption of our lives?

How responsible is the builder? Even full compensation is cold comfort. That this was raised as a possibility certainly makes it a POSSIBILITY!

There are our fears that five years of building and blasting, and the erection of this behemoth, will drive down the property values of the condos in both associations. I would guess that our condo's value would drop tens of thousands of dollars. And, even a lowering of our tax assessment to reflect our deflated property value is not enough to offset that kind loss. Which raises the question of whether the City of Portland does drop its property assessment in such cases.

Given the increased volume of traffic on Washington Ave., we often drive through Ledgewood to Ocean Ave. to get to the light on Washington to go into Portland. Ocean Ave. is a country road, no sidewalks, less attention paid to its maintenance. The size of this project will immensely impact the traffic in the area.

The area between Alden Walk and Ocean Ridge condos is a very lovely piece of land harboring older trees and

lady slippers and abutting the Portland Trail System. Surely something kinder to the environment and its neighbors can be developed in keeping with it.

In the original novel, the creator of Frankenstein's Monster meant well. That, it turned out, was not enough.

Sincerely,

Glenn Turner and Caroline Loupe

Jennifer Yeaton - Fwd: Casco Heights Planning Board Public Hearing on June 10

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 2:35 PM
Subject: Fwd: Casco Heights Planning Board Public Hearing on June 10

public comment

>>> Jean Mattimore <jeanmattimore@gmail.com> Monday, June 09, 2014 1:33 PM >>>
 Dear Ms. Barhydt,

I've included the May 5 message I sent to you prior to the Planning Board's workshop on this project on May 6. I attended the workshop and also tagged along on the site visit on June 3, at which we received updated plans for the site. The visit and discussion of the proposed plan heightened the concerns I sent earlier and emphasized a few, as follows:

- Now I appreciate how much of the ridge would need to be blasted to achieve the design proposed, although the design itself still seemed to lack details that could affect the impact on the ridge and neighboring properties. Will more of these specifics be clarified before the Board votes on the amendment as was the case in the original plan approved? This would be important since, as I understood from the discussion, it is this plan that would be part of the Board's review of the amendment on June 10 and possible recommendation.
- The drawing of the blueprint for the proposed complex shows more clearly to me why this project is incompatible with the surrounding area. This point is not about aesthetics--which we've been told often are a discussion for a later date--but about the underlying plan for these structures, which would be so completely different from everything surrounding them and appear quite close to some other structures. There will be only 4 fewer units than were originally planned, so these structures will still have many more units than and be up to twice the height of Ocean Ridge and other communities surrounding the site. The size and population density--and related traffic--is unique in the area and would be disruptive.
- While the developers indicated that surrounding properties would be "camera-ed" before the project begins for comparison--and compensation, I assume--for repairs required post-construction, I wonder how the many units built on slabs rather than foundations (mine included) can even accomplish that structural comparison. This may be my lack of knowledge, but is a significant concern.
- Given the time and aggravation the ORCA Board has gone through to get promised construction requirements met here, I'm concerned any reparations would be prolonged, disruptive and costly to us (legal fees were involved before). I know this might seem like predicting a worst case, but the ORCA folks who were here at that time have very clear knowledge of these issues and we're still fixing some years later.

Again, thanks to you and the Board for the consideration being given to the proposed amendment and related issues, as this proposal would have a profound effect on this section of Portland and have what still appears to be a negative impact on surrounding properties.

Jean Mattimore
 147 Ridge Road

TO: Barbara Barhydt, Development Review Manager, Planning Division

Dear Ms. Barhydt,

As an owner in the Ocean Ridge condominium community, I'd like to express several concerns about the proposed development being considered. They also relate directly to the mission of the Planning Division as stated on your website:

"We plan Portland's future by building upon the City's distinct historic, cultural and natural assets to achieve a livable and sustainable built and natural environment, exemplified by dignified and engaging public spaces, a strong sense of community, and a diversity of healthy neighborhoods and business districts comprising a vibrant urban center."

- The proposed development will add significant traffic to the already heavily traveled Ocean Avenue and surrounding roads, challenging the safety and sense of community in the area.
- The addition of so many units in an already densely populated area can affect the livable quality of the neighborhood and some of its valuable natural environment.
- The design, scale and density of the proposed plan is inconsistent with the character of other buildings in the area, including other condominium communities such as Ocean Ridge.
- The blasting this project will require could materially affect the stone ridge we would share. That, in turn, could have a substantial impact on our homes.
- These factors could affect the value and sustainability of our property.

Thank you for including these comments as the Planning Board considers this proposal at its workshop.

Jean Mattimore

147 Ridge Road

Portland, ME 04103

Jennifer Yeaton - Fwd: Casco Heights Condominiums

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 5:14 PM
Subject: Fwd: Casco Heights Condominiums

public comment

>>> Terence Goodwin <tgoodwin1232@gmail.com> Monday, June 09, 2014 5:09 PM >>>

To: Portland Planning Board
From: B. Terence & Barbara Goodwin
1 Wildwood Circle
Portland, ME 04103
Re: Casco Heights Condominiums

We wish to express our complete opposition to the approval of the proposed Casco Heights Condominium project. As abutting neighbors in the Alden's Walk condominiums, we are deeply concerned about the scale and density of this proposed project, its affect on traffic, it being totally out of character with the neighborhood, the potential damage to the foundations and structures of our buildings from the extensive blasting, and the negative affect it will have on the value of our properties. While we are not opposed to a reasonable development of the land, this particular project has no place in this neighborhood, and should not be approved for a zone change or anything else. To do otherwise would be a colossal mistake, and show a total disregard for the legitimate concerns of those of us taxpayers who live here.

Sincerely,

B. Terence & Barbara Goodwin

Jennifer Yeaton - Fwd: The Casco Heights Project Hearing

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:23 AM
Subject: Fwd: The Casco Heights Project Hearing
Attachments: City of Portlandjune9.docx

public comment

>>> Chuck NGrossman <chuckngrossman@gmail.com> Monday, June 09, 2014 5:50 PM >>>
Ms. Barhydt please find attached letter with questions for the Planning Board Hearing on June 10th.
Thank you for your attention

--

Chuck Grossman
+1-201-787-9022 (Mobile)
+1-207-518-9303 (Home)

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101

Attn: Barbara Barhydt, Development Review Services Manager

RE: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums
(formerly Graves Hill Development)

Date: June 9, 2014

Dear Portland Planning Board/City Council:

I attended the Planning Board Workshop on May 5th, 2014. At that time I presented questions for the Planning Board in regards to Casco Heights Project.

I will be out of town and unable to attend the meeting on June 10th so I would like to present my concerns and questions for the record.

Amendment to Conditional Rezoning Agreement Granted in 2004 vs. 2014 – This NEW project is not similar to the Original Project approved in 2004. The Owner Doyle has submitted Amendments to the Original project at least twice this year.

1. The first Amendment had a relatively straight line between the ROS and R5-parcels and asked for a decrease to ROS and increase to the R5-a in order to accommodate her NEW project.
2. After the Hearing a new list of Admendments have been presented for the June 10th Hearing. Now the ROS and R5-a acreage is very close to the original project. This has been achieved by redrawing the boundary between the ROS and R5-parcels. The new boundary resembles a Double S.
3. **Question: Why has the Owner redrawn the boundary line between the ROS and R5-parcels?** To me it looks like a creative way to shoehorn the project within the original Conditional Zoning Agreement.
4. Another concern is the footprints of the buildings has moved up the hill and are considerably closer to adjacent property lines. The Impervious Area on the Original Site Plan was listed as 0.16%. The Impervious Area on the Site Plan presented at the Workshop was 15.6%.
5. **Questions: How can this be considered the same project that was approved in 2004 with the changing footprint and site of the building and increased surface parking? Has the Impervious Area been increased 10 fold?**

Blasting – I would like to raise the issue of blasting and the safe guards and potential adverse effects to the surrounding properties.

1. At the last meeting the Owner Doyle could not identify the Size of Blast (Small, Medium, Large) as required by the City. When this survey is completed I hope the geology of Graves Hill and adjacent properties will be taken into account.

2. According to Prof. Mark Swanson, Geosciences Dept., University of South Maine: "The whole area has been subjected to fault-type shearing that is reflected in the overall texture of the rock. The weaker rock in this case is foliated metamorphic rocks that flank the mass of granite that makes up Graves Hill."
3. **Question: Considering this will the developer be required to post a substantial bond for any damage caused by the blasting?** In particular the blast waves that will cause vibration under the surface of the ground where the propane, electrical, water and communication pipes and conduit have been placed.

Casco Heights is Out of Character and Scale for the Neighborhood - Besides the concerns I have raised above and not seen/heard answers to I believe it is just wrong for the R-3 zoned neighborhood.

1. The Owner Doyle has asked for a project to be approved with density within the limits of an R5-a zone but has twice the number of units on half the buildable acreage of Ocean Ridge Condominiums. That translates to four times the density. The very high density raises concerns of increased traffic and need for water drainage.
2. **Question: Where are the studies and surveys for these concerns so the Planning Board can make the best decision on the NEW project?**
3. The Owner Doyle has asked for the minimum number of parking spaces allowed with R5-a zoning.
4. The Owner Doyle has not met with concerned neighbors as suggested by the Planning Board at the Workshop.

I ask the Planning Board not to approve the Amendments to the Conditional Rezoning Agreement granted in 2004. Furthermore I would like the Planning Board to look at the big picture and determine if this project is appropriate 10 years later.

Thank you for your attention and consideration.
Charles Grossman
175 Ridge Road
Portland.

Jennifer Yeaton - Fwd: Casco Heights - proposed development on Ocean Avenue in Portland

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:25 AM
Subject: Fwd: Casco Heights - proposed development on Ocean Avenue in Portland

public comment

>>> "Craig Williams" <craig@churchillcaterers.com> Monday, June 09, 2014 5:57 PM >>>
Dear Members of the Planning Board:

RE: Casco Heights Condominiums

I joined you and others last Tuesday, 3 June 2014, to meet with the developers of the subject project in order to review their plans for the development of land between the CMP power line rights-of-way and the Ocean Ridge condominium project.

I had no idea of the scope of this project (and its potentially adverse environmental impact) until this gathering; and the more I have learned – through reading and discussions with those who live in its surrounding environs – the more convinced I am that this project needs major alterations in order to be viable in this setting.

Nothing in the area comes close to approximating the size of these two (2) buildings. And when completed they will be the highest residential structures in greater Portland...they will overpower everything within sight. More importantly, the amount of site work required will necessitate months...possibly several years...of noise and disruption to daily life. No one is capable of determining the potential damage which will result from the blasting work required to make the site suit the required work of the proposed construction and surrounding landscape/hardscape. What is the developers' liability, even if our basements are photographed and the information stored for future reference?

Traffic and road conditions will be adversely affected during the various phases of construction...heavy equipment will undoubtedly wreak havoc on this section of City pavement that is always being repaired, caused not only by construction in the immediate area and heavy trucks going in and out of the Dragon facility several hundred yards away, but undoubtedly by the water that follows the ledge from the top of the ridge, flowing under the road bed, ultimately reaching the bay. Further, the potential of 150 residents' cars in and out every day once the project has been completed will have detrimental effects on this section of Ocean Avenue.

The close proximity of the proposed buildings to our residences in Alden's Walk ensures that the proposed buildings will dominate our neighborhood's skyline...and in fact may prevent some of our units from realizing the sunlight they receive now.

Please consider the various ramifications of this project and the long-term shortcomings...

perhaps they could consider constructing the units perpendicular to Ocean Avenue, rather than parallel.

Thank you for your consideration,

Sincerely,

Craig W. Williams
4 Wildwood Circle
Portland, ME 04103

Jennifer Yeaton - Fwd: Concerned About Casco Heights

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:28 AM
Subject: Fwd: Concerned About Casco Heights

public comment

>>> "James Harnar" <jharnar@maine.rr.com> Monday, June 09, 2014 6:02 PM >>>

To Portland Planning Board,

As homeowners at 11 Wildwood Circle (Alden's Walk), we are writing to express our deep concern over the proposed Casco Heights high-rise development.

We attended the recent Planning Board workshop and have familiarized ourselves with the site where the develop plans to build the high rises.

Our concerns are two fold—first of all, there is no doubt the development, as proposed, will substantially change the character of an entire neighborhood, altering forever a rare section of Portland that is wooded, peaceful and characterized by a mix of single family homes, apartments and low rise condominiums. There is no question that the large number of occupants proposed, their cars, visitors, delivery vehicles, etc. will bring noise and congestion to our neighborhood. It is clear that the high rises will be visible from Alden's Walk as well as other neighborhoods. It's also important to note that the high rises will overshadow the nearby walking trails, diminishing the opportunity for Portland residents to enjoy the wooded paths and peaceful area that now exists.

Secondly, as avid sailors on Casco Bay, we are concerned about the impact Casco Heights will have on the Portland skyline. Visitors from around the world travel here to enjoy the unique coastline of Maine. Clearly, the high rises will irrevocably change the skyline along the ridge, eliminating a rare beautiful wooded view that is the second highest point in Portland. As we continue to overdevelop wooded ridgelines, cruise ships and airplanes arriving in Portland will be greeted by a skyline littered with a jumble of buildings—just like so many other cities. As stewards of the City of Portland, we must be aware of projects that are out of character with their surroundings, as Casco Heights clearly will be.

We certainly do not object to development in this area. The landowner certainly has a right to develop the land. Single family homes or one or two story condominiums are much more in keeping with the neighborhood and will not contribute materially to overcrowding, noise and congestion. Development of this kind will minimize the impact on the view from the Bay and the overall appearance of the wooded ridgeline.

There comes a time to draw a line in the sand. Are short term construction jobs worth all that is given

up when multi-level buildings rise up from a rare, undeveloped and verdant ridgeline? Do we want to deny our children and grandchildren the opportunity to enjoy a community that offers a reasonable mix of developed and undeveloped neighborhoods in Portland? Finally, we want to point out that high priced high rises on the Peninsula—and off Ocean Avenue—do little to meet the most pressing housing needs in our community. Instead they become havens for people of means who could live anywhere.

We implore you to take all of these points into consideration and help us preserve a special part of Portland that's a peaceful, accessible respite for residents and visitors alike.

Thank you very much.

James Harnar and Kathleen McKeen
11 Wildwood Circle
Portland

Jennifer Yeaton - Fwd: Planning Board - Re: Proposed Development 802-928

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:29 AM
Subject: Fwd: Planning Board - Re: Proposed Development 802-928

public comment

>>> Stacey Hong <hong.stacey@gmail.com> Monday, June 09, 2014 9:02 PM >>>

As a homeowner on Osprey Terrace at Ocean Ridge Condominium Association, I am writing to discourage the Planning Board from approving the proposed re-zoning 802-928 Ocean Avenue (aka Graves Hill).

When rezoning of the site was considered many years ago I spoke at the meeting to discourage the rezoning. Then, and now, I do not feel that a building 100' in height, at one of the highest points in Portland, fits with the Ocean Ave neighborhood or with Portland (off peninsula). At that time I felt the decision makers could have been more thoughtful, and that they did not act in the best interest of the people of Portland then, and for future generations.

I am opposed to rezoning Graves Hill and reducing the building height to 75' and enabling the developer to construct a building closer to any abutting property line, including Ocean Ridge. If a developer is going to construct a 75' building at Graves Hill, then the developer may as well develop to the previously approved 100' height. The Planning Board and the people of Portland can then consider the 100' building. Undeveloped ground surface area at Graves Hill should be preserved.

I appreciate the desire of the landowner to maximize their return on their property, and the City's desire to increase tax revenues, but each objective should not be achieved at any cost.

I hope sensitivity is applied by the Planning Board in evaluating non-financial considerations, not simply for our community today, but for our community for years to come.

Please do not approve the rezoning request.

Sincerely,

Stacey Hong

Jennifer Yeaton - Fwd: proposed Casco Heights Condominium project zoning change

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:31 AM
Subject: Fwd: proposed Casco Heights Condominium project zoning change

public comment

>>> Asherah Cinnamon <acinnamon@meca.edu> Monday, June 09, 2014 9:38 PM >>>

To: Portland Planning Board
From: Asherah Cinnamon and Dr. Ronald Breazeale
21 Wildwood Circle
Portland, ME 04103
Re: Casco Heights Condominiums

Thank you for your hard work and dedication to the well being of Portland and its residents.

We wish to express our opposition to a zoning change requested for the proposed Casco Heights Condominium project. As abutting neighbors in the Alden's Walk condominiums, we are deeply concerned about the scale and people density of this proposed project. It would increase traffic in the area by many times the current load. As it is now Ocean Ave can get backed up during weekday travel to and from work. That road is actually quite narrow, where it meets Washington Avenue especially. And Washington Ave in this neighborhood is the only direct way to I 295 and also to the Turnpike.

The proposal is out of character with the neighborhood.

It would require extensive blasting of ledge to build. We have already experienced the negative impact of blasting on a previous home in another Maine community. There is potential damage to the foundations and structures of our property from the extensive blasting, and simply saying that photos of before and after construction will take care of this is naive! That kind of damage does not always show up until one or two years later. Compensation is at that point a pipe dream. There can be damage to water lines and gas lines also.

We are not opposed to a reasonable development of the land, but this enormous project has no place in this neighborhood, and should not be approved for a zone change.

Thank you for your ear about our concerns. We count on you to protect us, as residents and voters.

Best wishes
Asherah and Ron

Jennifer Yeaton - Fwd: Casco Heights condominium project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:32 AM
Subject: Fwd: Casco Heights condominium project

public comment

>>> Jim Fairbanks <jim@dunegrass.com> Monday, June 09, 2014 10:09 PM >>>

To whom it may concern,

I believe this project does not fit the developments in the area and will adversely affect the area property values, traffic and overall quality of living in the area. I am strongly apposed and am willing to do what I can to stop it. I can't believe the city would let such a project ruin such a unique living area.

Jim Fairbanks

Jennifer Yeaton - Fwd: Comments to the Planning Board on Casco Bay Heights project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:34 AM
Subject: Fwd: Comments to the Planning Board on Casco Bay Heights project
Attachments: R-5 Design Standards_.pdf

public comment

>>> "Carol Veilleux" <cveille1@maine.rr.com> Monday, June 09, 2014 10:48 PM >>>
Dear Planning Board members,

We would like to express our opposition to the proposed Casco Bay Heights project as you consider the amended zoning change from a similar proposal approved by the City Council in 2004. As residents of North Deering for the past 30 years, we have seen many changes in the area, the vast majority of which have kept and enhanced the quality of this residential neighborhood. The approval of this project, as currently proposed by the current/future land owners, significantly diverts from previous housing projects in numerous ways:

- 1) The size and height of the buildings and the surrounding site are completely unlike any other privately owned housing in the area. The project does not meet the **City of Portland's Comprehensive plan goals of increasing the housing stock while maintaining neighborhood characteristics and livability**.
- 2) The proposed condo unit selling prices (we have been told from \$450K to \$1M) do not align with the City's Comprehensive Plan directive to **increase affordable housing for the area's workforce. How can the Planning Board and the City Council approve a project that proposes to add 94 new housing units whose target market most likely represents less than 1% of households in the city?**
- 3) The proposed project does not align with the City's Comprehensive plan regarding the **preservation of open space. The project's mass and height will effectively result in the clear-cutting of 10 acres of the Graves Hill ridge and provide no significant buffers for two adjacent communities.** Are there no other options for the development of this site that mitigate the destruction of so much open space? If you are not familiar with the area, we urge you to take look at how Ledgewood, Alden's Walk, the Pheasant Hill Association homes, Ocean Ridge and other area projects have managed to maintain and enhance the natural landscape.
- 4) The proposed project does not meet the **required City zoning guidelines for an R5 zone** (see attached from the City of Portland, Planning Division website). While we are not a zoning expert by any means, **how does approval of this project in an R5 zone comply with the R5 published guidelines?**

Thank you for your consideration of our comments.

Carol Veilleux and Donald Kale
16 Wildwood Circle
Alden's Walk
Portland, Maine

Draft
Planning and Development Design Manual
R-5 Small Residential Lot Development Design Standards

Small Residential Lot development in the R-5 Zone shall comply with the following standards. The general intent of these standards is to achieve an attractive and comfortable neighborhood environment. Except where stated otherwise, these standards shall apply to the front façade and those portions of the building that are visible from the public way.

1. **Context:** Residential development shall include design elements that reinforce the context and existing character of the neighborhood, and enhance the streetscape. Neighborhood context refers to the existing residential development within a two block radius of the site. The more definite and easily discernable traits within an established neighborhood shall serve as a basis for a design solution.
2. **Public Realm:** The public realm of open space, sidewalks and streets shall be reinforced through appropriately scaled entries, porches, fenestration, architectural details and landscaping. The transition space between the street and the primary building entrance shall include features such as porches, stoops, covered entries, landscaping or other measures to delineate the space.
3. **Massing:** The building's massing (as defined by its size, scale, and form) shall be consistent with existing residential buildings in a two block radius.
4. **Orientation:** Principal facades, primary entrances, porches and bays shall orient to the street, not to interior blocks or parking lots. The primary entrance shall either face the street, or be located on the side with a covered porch (minimum six feet wide) that extends to the front of the building. The slope of the roof shall be either parallel or perpendicular to the street.
5. **Articulation:** Facades shall be articulated with architectural details that create visual interest consistent with the context of the neighborhood. The primary façade and all facades visible from public ways shall include at least two of the following architectural details: gables or dormers, balconies, bay windows, recessed entries, covered porches (minimum six feet wide), covered entries, or stoops. The area of fenestration shall be a minimum of 25% of the total area of street facing façades. Windows shall be included on all sides of a building. The rhythm, size and proportion of door, window and other openings shall be proportional to the overall massing of the building, and consistent with existing residential buildings in a two block radius.
6. **Garages.** Attached and detached garages shall be oriented to the side, or oriented to the street as long as the garage is set back from the primary façade by a minimum of four feet. In such case, the total width of the garage door(s) shall be less than 40% of the overall building width (however, the garage door shall not be required to be reduced to less than 9 feet wide).
7. **Roofs:** Roofs shall be peaked, unless evidence can be shown for an alternative roof form that is predominant on existing residential buildings in a two block radius. Buildings shall have a main roof form, and subsidiary roofs (except for porch roofs) shall follow the pitch and form of the main roof. Rooflines shall have a cornice treatment.

8. **Materials:** Building materials shall be consistent with the context and overall character of the neighborhood. Façade materials shall provide visual cohesion. Chimneys shall be brick, finished metal, stone or boxed in.

9. **Sound:** Provide visual and acoustical privacy between units

10. **Light and air:** Maximize natural light and ventilation with units.

PC53

Jennifer Yeaton - Fwd: We Remain Highly Concerned

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/3/2014 7:28 AM
Subject: Fwd: We Remain Highly Concerned

public comnt Casco Heights

>>> Jim Hamar <jameshamar@hanleyleadership.org> Thursday, July 03, 2014 6:51 AM >>>

To Portland Planning Board,

This is our second letter to the Board expressing our strong and growing opposition to the Casco Heights high rise. We attended an initial Planning Board this spring and will certainly be in attendance at the July 8 hearing.

The more we learn about this proposal and its unfortunate impact, the stronger our opposition as grown. With this letter we want to restate with greater emphasis, key points from our June 10 letter to the Board:

As homeowners at 11 Wildwood Circle (Alden's Walk), we are writing to express our deep concern over the proposed Casco Heights high-rise development.

We attended the recent Planning Board workshop and have familiarized ourselves with the site where the developer plans to build the high rises.

Our concerns are two fold—first of all, there is no doubt the development, as proposed, will substantially change the character of an entire neighborhood, altering forever a rare section of Portland that is wooded, peaceful and characterized by a mix of single family homes, apartments and low rise condominiums. There is no question that the large number of occupants proposed, their cars, visitors, delivery vehicles, etc. will bring noise and congestion to our neighborhood. It is clear that the high rises will be visible from Alden's Walk as well as other neighborhoods. It's also important to note that the high rises will overshadow the nearby walking trails, diminishing the opportunity for Portland residents to enjoy the wooded paths and peaceful area that now exists.

Secondly, as avid sailors on Casco Bay, we are concerned about the impact Casco Heights will have on the Portland skyline. Visitors from around the world travel here to enjoy the unique coastline of Maine. Clearly, the high rises will irrevocably change the skyline along the ridge, eliminating a rare

beautiful wooded view that is the second highest point in Portland. As we continue to overdevelop wooded ridgelines, cruise ships and airplanes arriving in Portland will be greeted by a skyline littered with a jumble of buildings—just like so many other cities. As stewards of the City of Portland, we must be aware of projects that are out of character with their surroundings, as Casco Heights clearly will be.

We certainly do not object to development in this area. The landowner certainly has a right to develop the land. Single family homes or one or two story condominiums are much more in keeping with the neighborhood and will not contribute materially to overcrowding, noise and congestion. Development of this kind will minimize the impact on the view from the Bay and the overall appearance of the wooded ridgeline.

There comes a time to draw a line in the sand. Are short term construction jobs worth all that is given up when multi-level buildings rise up from a rare, undeveloped and verdant ridgeline? Do we want to deny our children and grandchildren the opportunity to enjoy a community that offers a reasonable mix of developed and undeveloped neighborhoods in Portland? Finally, we want to point out that high priced high rises on the Peninsula—and off Ocean Avenue—do little to meet the most pressing housing needs in our community. Instead they become havens for people of means who could live anywhere.

We implore you to take all of these points into consideration and help us preserve a special part of Portland that's a peaceful, accessible respite for residents and visitors alike.

Thank you very much.

James Harnar and Kathleen McKeen
11 Wildwood Circle
Portland

PC 54

Jennifer Yeaton - Fwd: Opposition and concern regarding Casco Heights Development.

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 8:23 AM
Subject: Fwd: Opposition and concern regarding Casco Heights Development.
Attachments: Casco Ocean Ridge 2 Buckland-2.pdf

public comment - can you please orient this correctly. Thanks.
>>> Tom Buckland <twb61@roadrunner.com> Friday, July 04, 2014 8:41 AM >>>
Attention Planning Board,

Attached find letter of opposition and concern regarding Casco Heights Development.

June 23 2014

Thomas & Sheila Buckland
95 Ridge Road
Portland, ME 04103

To: Portland Planning Board,

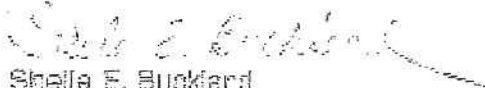
As residents of Portland we oppose the Casco Heights development. The proposed project is completely out of character with the Neighborhood. The density of the project would effect neighborhood livability and negatively impact the safety of traffic that travels on Ocean avenue and Washington Street. To build in the location would require tremendous blasting efforts and possibly endanger surrounding structures.

These are just some of the reasons we oppose the Casco Heights development project and do not support it.

Sincerely,



Thomas W. Buckland



Sheila E. Buckland

PC 55

Jennifer Yeaton - Fwd: July Public Comments

From: Barbara Barhydt
 To: Yeaton, Jennifer
 Date: 7/7/2014 8:36 AM
 Subject: Fwd: July Public Comments
 Attachments: AM Comment 6-6-14.pdf; AM public comment 5-3.pdf

public comment - please include attachments

>>> "Antoinette Mancusi" <amancusi@coastalcounties.org> Saturday, July 05, 2014 7:48 AM >>>
 Dear Planning Board:

I am re-submitting my previous comments as a restatement of my disapproval of the Casco Heights project (as is being proposed).

I am also hopeful that the City is examining how to mitigate the potential damage of this terrible zoning decision which was made in 2004. Since this was a "conditional" agreement it should have had an end date (a date by which if not fulfilled the agreement would become void and the zone would revert back to an R3 zone.) How could the City have entered into a "conditional" zoning decision which is good in perpetuity? This makes no sense and goes against sound land use planning and moreover, sound public policy.

Thank you,

Antoinette Mancusi
 Owner at Ocean Ridge Condominium Assoc. (ORCA)

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

June 6, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

Per my earlier comment (5/4/14), which I yet again attach for your consideration, I am an owner of a home at the Ocean Ridge Condominium Association (ORCA) and am terribly concerned with the proposed Casco Heights project. (Please refer to my earlier comment for specific concerns with the project.)

I have another concern which I am hopeful the Planning Board can allay. I do not understand why the planning board is entertaining changes (revisions) to a conditional rezoning agreement when the plan put forth in 2004 (on which the conditional rezoning agreement was based) is no longer the plan being proposed by the builder. I am confounded as to how these revisions could possibly be approved, if for example, using the height revision, the height of the building being proposed currently does not apply to the building (site plan) provided in 2004. Doyle has put forth a completely different site plan.

As Section 7, from page 5 of Doyle's "red-line" agreement (see below) provides, the plans are now by Sebago Technics and Archetype PA. These are not the 2004 Richardson Associates plan. How, therefore, can the planning board accept changes to a plan (on which the conditional rezoning agreement was based in 2004) when the plan NO LONGER EXISTS?

Was not the conditional rezoning agreement based on the 2004 site plan? Since the 2004 site plan is no longer the "plan", how could current proposed considerations regarding the building i.e., it's height, go forward presently?

Incidentally, despite the planning board directing Ms. Doyle (at the May 6th meeting) to speak to the ORCA residents in order to address our concerns prior to revising her plan, much to our chagrin Ms. Doyle developed her current plan without meeting with us.

Section 7. from page 5 of Doyle's "red-line" agreement:

Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel).

Archetype PA, date
TBD

Sebago Technics,
Date TBD

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of GRAVES HILL, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southward of the location shown on the attached site plan without any further amendment to this

07/Penny/Contract/Rezoning/Graves Hill to Council 2.15.04

I would greatly appreciate any clarification you might be able to provide.

Sincerely,



Antoinette Mancusi

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

May 4, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

As a resident of the Ocean Ridge Condominium Association (ORCA) I am extremely concerned about the proposed Casco Heights project. Clearly, the planning board/city council, by virtue of the City of Portland Code of Ordinances, Chapter 14, DIVISION 1.5. CONDITIONAL OR CONTRACT ZONING Sec. 14-60, has the authority to impose conditions and restrictions on such a project. I am hopeful that the board/council will reflect upon the negative consequences that this project will have on ORCA and the surrounding neighborhood and impose conditions/restrictions that will protect us.

First, it is vital to acknowledge the extraordinary difference in backdrop that exists between the original 2004 decision (granting the conditional contract zoning agreement) and TEN years later—2014. There are currently 46 family homes directly adjacent to the proposed project. We exist now. We did not then. The feasibility of this project must be analyzed under the current context—not the context that existed an entire decade ago.

Moreover, the developer's proposed amendments have moved the structures so close to our homes that there would be an enormous negative impact on ORCA. I urge the Planning Board and City Council to utilize their authority to set conditions and restrictions permissible under Sec. 14-62. The conditions and restrictions imposed must:

- 1) Restrict the scale and density of this development; it's a monolith. It is too large given the tract of buildable land and natural surroundings. The proposed height is still too tall — it is not compatible with ORCA nor is it compatible with our neighborhood.
- 2) Preserve our open space and buffers, and protect our natural areas and historic sites; the proposed project does not provide a sufficient buffer. It's too too close to ORCA. The current proposal would also require a magnitude of blasting that is of great concern to us. Moreover, Ms. Doyle, the developer/owner, specifically told us at the first neighborhood meeting that the USGS marker representing the 3rd highest point in our City would be blasted. She remarked it would just be moved! How could this be reasonable and consistent with the City's comprehensive plan?

PC56

Jennifer Yeaton - Fwd: Casco Heights Planning Board Public Hearing on June 10

From: Barbara Barhydt
 To: Yeaton, Jennifer
 Date: 7/3/2014 2:26 PM
 Subject: Fwd: Casco Heights Planning Board Public Hearing on June 10

Public comment

>>> Jean Mattimore <jeanmattimore@gmail.com> Thursday, July 03, 2014 2:23 PM >>>

Dear Ms. Barhydt,

I'm resubmitting my previous comments in anticipation of the Planning Board hearing on July 7 on 802-828 Ocean Avenue. I wanted to communicate to the Board that my concerns and questions remain as stated previously.

Thank you,
 Jean Mattimore
 147 Ridge Road

----- Forwarded message -----

From: Jean Mattimore <jeanmattimore@gmail.com>
 Date: Mon, Jun 9, 2014 at 1:33 PM
 Subject: Casco Heights Planning Board Public Hearing on June 10
 To: bab@portlandmaine.gov

Dear Ms. Barhydt,

I've included the May 5 message I sent to you prior to the Planning Board's workshop on this project on May 6. I attended the workshop and also tagged along on the site visit on June 3, at which we received updated plans for the site. The visit and discussion of the proposed plan heightened the concerns I sent earlier and emphasized a few, as follows:

- Now I appreciate how much of the ridge would need to be blasted to achieve the design proposed, although the design itself still seemed to lack details that could affect the impact on the ridge and neighboring properties. Will more of these specifics be clarified before the Board votes on the amendment as was the case in the original plan approved? This would be important since, as I understood from the discussion, it is this plan that would be part of the Board's review of the amendment on June 10 and possible recommendation.
- The drawing of the blueprint for the proposed complex shows more clearly to me why this project is incompatible with the surrounding area. This point is not about aesthetics--which we've been told often are a discussion for a later date--but about the underlying plan for these structures, which would be so completely different from everything surrounding them and appear quite close to some other structures. There will be only 4 fewer units than were originally planned, so these structures will still have many more units than and be up to twice the height of Ocean Ridge and other communities surrounding the site. The size and population density--and related traffic--is unique in the area and would be disruptive.
- While the developers indicated that surrounding properties would be "camera-ed" before the project begins for comparison--and compensation, I assume--for repairs required post-construction, I wonder how the many units built on slabs rather than foundations (mine included) can even accomplish that

Although I attended the first neighborhood meeting, very little information was provided by Ms. Doyle. As a result, I am unable to comment on other elements of this proposed project that will certainly come into play such as:

- Specifications for the design and layout of buildings and other improvements;
- Schedules for commencement and completion of construction;
- Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
- Contributions toward the provision of municipal services required by the development; and
- Provisions for enforcement and remedies for breach of any condition or restriction.

I reserve judgment/commentary on these elements until the time we have more information.

As an aside, on the matter of the neighborhood meeting, let me say that I was quite disappointed that Ms. Doyle felt it necessary to utilize scare tactics on the meeting's attendees. She, in essence, described our options as being threefold; the original 2004 building plan, the 2014 proposed plan (at issue currently) or, potential clear cutting to build a multitude of homes. I find all these options utterly unacceptable given the aforementioned reasons and implore the Planning Board/City Council to utilize its authority in controlling any such project on Graves Hill.

Sincerely,



Antoinette Mancusi

structural comparison. This may be my lack of knowledge, but is a significant concern.

- o Given the time and aggravation the ORCA Board has gone through to get promised construction requirements met here, I'm concerned any reparations would be prolonged, disruptive and costly to us (legal fees were involved before). I know this might seem like predicting a worst case, but the ORCA folks who were here at that time have very clear knowledge of these issues and we're still fixing some years later.

Again, thanks to you and the Board for the consideration being given to the proposed amendment and related issues, as this proposal would have a profound effect on this section of Portland and have what still appears to be a negative impact on surrounding properties.

Jean Mattimore
147 Ridge Road

TO: Barbara Barhydt, Development Review Manager, Planning Division

Dear Ms. Barhydt,

As an owner in the Ocean Ridge condominium community, I'd like to express several concerns about the proposed development being considered. They also relate directly to the mission of the Planning Division as stated on your website:

"We plan Portland's future by building upon the City's distinct historic, cultural and natural assets to achieve a livable and sustainable built and natural environment, exemplified by dignified and engaging public spaces, a strong sense of community, and a diversity of healthy neighborhoods and business districts comprising a vibrant urban center."

- o The proposed development will add significant traffic to the already heavily traveled Ocean Avenue and surrounding roads, challenging the safety and sense of community in the area.
- o The addition of so many units in an already densely populated area can affect the livable quality of the neighborhood and some of its valuable natural environment.
- o The design, scale and density of the proposed plan is inconsistent with the character of other buildings in the area, including other condominium communities such as Ocean Ridge.
- o The blasting this project will require could materially affect the stone ridge we would share. That, in turn, could have a substantial impact on our homes.
- o These factors could affect the value and sustainability of our property.

Thank you for including these comments as the Planning Board considers this proposal at its workshop.

Jean Mattimore

147 Ridge Road

Portland, ME 04103

PC57

Jennifer Yeaton - Fwd: Planning Board Hearing July 8th on rezoning 802 Ocean Ave.

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/3/2014 4:31 PM
Subject: Fwd: Planning Board Hearing July 8th on rezoning 802 Ocean Ave.

public comment for casco heights

>>> Glenn Turner <ghturner35@gmail.com> Thursday, July 03, 2014 4:28 PM >>>
To: the Planning Board of the City of Portland

I am writing again to voice our objections to the proposed plans for the two high-rise condominiums which will be situated between the Alden Walk condominium development and the Ocean Ridge development.

My wife, Caroline Loupe, and I agree with the comments sent to you in an email from Wayne Goodman. I won't belabor those points.

It's would be an incongruous development between Alden Walk and Ocean Ridge. It would destroy views of the nearest neighbors because of the proximity and height. It would dominate the skyline. During, and probably after, construction it would decrease the value of neighboring condos. Condo owners would take a loss if they tried to sell their properties. There's the question of whether the City of Portland would revise our taxes downward if the project went forward. Five years of building and blasting. Who would want to move close to that? There is significant rock to be blasted for this size building. I would expect collateral damage, damage that might take years to discover, and the prospect of costly litigation.

Moreover, if the city is looking for affordable housing, prices of over \$400,000 are not it. Nor is the impact of the number of units and drivers inconsiderable. Congestion in our area, especially at peak hours, is such that we don't directly drive to Washington Ave. but skirt through Ledgewood over to the traffic light at Ocean and Washington to have a fighting chance. Even then it's dicey.

We strongly urge you to advise the City Council to reconsider this entire development that is compatible with the neighborhood and with less potential damage to surrounding buildings and the natural environment.

Sincerely,

Glenn H. Turner
Caroline M. Loupe
3 Wildwood Circle
Portland, ME 04103

PC58

Jennifer Yeaton - Fwd: Casco Bay Heights Project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 10:04 AM
Subject: Fwd: Casco Bay Heights Project

public comment

>>> "Craig Williams" <craig@churchillcaterers.com> Monday, July 07, 2014 9:52 AM >>>
In re: Casco Bay Heights Project

Dear Members of the Portland, Maine Planning Board:

I do not envy your jobs, particularly with the responsibility of oversight for this specific project; nevertheless, I want to reiterate my concerns (shared by many homeowners in the areas abutting the referenced proposed project), which I expressed in a letter on 9 June 2014, as follows:

Nothing in the area comes close to approximating the size of these two (2) buildings. And when completed they will be the highest residential structures in greater Portland...they will overpower everything within sight. Driving along I-295 from either direction, the buildings will loom large over the few currently visible residential projects (though not as large, these structures will appear visually in context to be nearly as large as the Maine Medical Center does when approaching Portland from the south).

More importantly, the amount of site work required will necessitate months...possibly several years...of noise and disruption to daily life. No one is capable of determining the potential damage which will result from the blasting work required to make the site suit the required work of the proposed construction and surrounding landscape/hardscape. What is the developers' liability, even if our basements are photographed and the information stored for future reference?

Traffic and road conditions will be adversely affected during the various phases of construction...heavy equipment will undoubtedly wreak havoc on this section of City pavement that is always being repaired, caused not only by construction in the immediate area and heavy trucks going in and out of the Dragon facility several hundred yards away, but undoubtedly by the water that follows the ledge from the top of the ridge, flowing under the road bed, ultimately reaching the bay. Further, the potential of 150 residents' cars in and out every day once the project has been completed will have detrimental effects on this section of Ocean Avenue.

And, this will not bring new affordable housing to the greater Portland community, with units being priced between \$400,000 and \$1,000,000. I am all for growth when it conforms with the tenets that everyone can support; in this case, I believe strongly that the original conditional zoning be reversed – and that the parcel be reserved for single family development and/or retained as open space for all.

Thank you for your consideration.

Craig W. Williams
4 Wildwood Circle
Portland, ME 04103
(President, Alden's Walk Homeowners' Association Board)

PC 59

Jennifer Yeaton - Fwd: Planning Board Meeting July 8, 2014 - Conditional Rezoning of 802-828 Ocean Avenue

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 11:56 AM
Subject: Fwd: Planning Board Meeting July 8, 2014 - Conditional Rezoning of 802-828 Ocean Avenue

public comment for Casco Heights

>>> Paulette Tidd <pstidd1011@gmail.com> Monday, July 07, 2014 11:48 AM >>>
Members of the Portland Planning Board:

I am very concerned about the effect that this development will have on Ocean Ridge Condominium where I live. I am particularly concerned about the **effect that the blasting could have on our underground propane storage tanks**. If the blasting should damage these tanks in any way, the result could be catastrophic on our community.

In addition I think that this development will have a negative impact on:

- damage to our units from the blasting
- parking in the neighborhood since 1 space for a 1 bedroom unit is not adequate to handle some residents' needs, visitors to these apartments, and service people who will need to go to these apartments
- the amount of traffic on Ocean Avenue and Washington Avenue
- the character of our neighborhood since this development is totally out of line with the other structures in the neighborhood
- the noise level in the neighborhood both during construction and afterwards
- the narrow width of the buffer of natural vegetation that will be left between our community and this development
- the shadows that this development will cast on our neighborhood

Sincerely,

Paulette S. Tidd
182 Ridge Road
Portland ME

PC60

Jennifer Yeaton - Fwd: Casco Hights Condo project.

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/8/2014 8:06 AM
Subject: Fwd: Casco Hights Condo project.

public comment

>>> Jim Fairbanks <jim@dunegrass.com> Monday, July 07, 2014 10:34 PM >>>

This will be my second email apposing this project. It does not meet zoning and will be an extremely negative impact on the area.

PC 61

Jennifer Yeaton - Fwd: Casco Heights Proposal

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/8/2014 8:28 AM
Subject: Fwd: Casco Heights Proposal
Attachments: SAVEORCA3.doc

public comment

>>> Sabrina Nickerson <snickerson@windhamraymondschools.org> Tuesday, July 08, 2014 8:20 AM >>>

Hello,
Please accept my comments attached for tonight's planning board meeting,
Thank you,
Sabrina Nickerson

Sabrina T. Nickerson
Grade 5 Teacher
Manchester School
709 Roosevelt Trail
Windham, Maine 04062
207-892-1830

July 8th, 2014

To: Portland Planning Board

From: Sabrina Nickerson, Resident at Ocean Ridge Condominiums

Dear Planning Board,

As a resident of Ocean Ridge Condominiums, I am writing today because I truly believe Portland residents need to protect the natural environment, beauty and historical value of their neighborhoods. As much as possible we want to preserve our surrounding hardwood stands of oak, and maple, rare plants such as Lady Slippers, and vernal pools that are essential breeding habitats for blue spotted salamanders, wood frogs, and fairy shrimp. (<http://www.maine.gov/dep/water/wetlands/vernal.html>) Our neighborhood, historically known as Grave's Hill also includes the 3rd highest peak in the city of Portland. We therefore wish to maintain the unique forest habitat and the character and architectural style of our Ocean Avenue Neighborhood.

Given the Casco Heights Project proposal, I must ask the following questions to the all of the members of the Planning Board if this type of building construction is truly responsible land use and smart and considerate growth for our already heavily trafficked neighborhood:

- 1) Is the proposed development in character with the surrounding architecture, the scale, density and livability?
- 2) Will the board please consider that the current footprint and proposed height of the tower-like structure will create visual blight and most assuredly block much needed sunlight and solar gain for our Ocean Ridge homeowners.
- 3) Will the Planning Board reconsider and require that Casco Heights' readjust their buffer zone which was adjusted to 80 feet when a new plan was proposed a few years later when Ocean Ridge Condominiums were not yet constructed.
- 4) How much damage to our existing homes will be realized with extended and prolonged amounts of blasting during Phase 1 and then during Phase 2 of this building project?
- 5) Should any damage occur during or after this prolonged blasting, what kind of assurance do we have that the developers will take responsibility and fix any related damages?
- 6) Last but certainly not least, given the proposed changes in the footprint of the two large buildings and adjoining parking lots, I would ask the planning board to promote the optimum building construction that would consider the preservation of this unique hardwood forest, the vernal pools and the third highest peak known historically as 'Graves Hill'.

Respectfully submitted,

Sabrina T. Nickerson

54 Ridge Road , Portland, Maine

FCled

Jennifer Yeaton - Fwd: FW: Comments on Casco Bay Heights project for July 8 Planning Board Meeting

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 2:32 PM
Subject: Fwd: FW: Comments on Casco Bay Heights project for July 8 Planning Board Meeting

public comment

>>> "Carol Veilleux" <cveille1@maine.rr.com> Monday, July 07, 2014 2:29 PM >>>

Hi Barbara,
I tried to send this last night, but I got an error message. Hope my comments can still be included in the Planning Board package. Thank you.

Carol Veilleux

From: Carol Veilleux [mailto:cveille1@maine.rr.com]
Sent: Sunday, July 06, 2014 8:30 PM
To: 'bab@portlandmaine.gov'
Subject: Comments on Casco Bay Heights project for July 8 Planning Board Meeting

Dear Planning Board Members,
Attached below are the comments I submitted for the last Planning Board Meeting that addressed the Casco Bay Heights project. I would like to re-submit them as you re-consider the proposed amendment and making a recommendation to the City Council. I believe the fundamental issues regarding the neighborhood opposition to this project continue to be those you have thoroughly discussed:

- 1) The original conditional zoning was approved for this site 10 years ago. For some unknown reason, the Council at that time, **did not include any end-date to this conditional zoning** which has prevented the Planning Board from recommending any substantial changes to the proposed project in terms of scale and height. **Would the Planning Board consider recommending to the council that the original conditional zoning be reversed, given the current realities of the now existing neighborhoods near this project?** The zoning should then revert to and/or ROS and R3.
- 2) Your decision to table the vote on this project, as expressed by all of the Planning Board members present at the last meeting, was due to the Board's complete dissatisfaction with the scope and height of the project. **Since the developer has not submitted any new plans to address these issues, we expect that your opposition to the scale and size of the project remains.** The Board continues to be hampered by the issue raised in my previous point in its efforts to a make a recommendation to the City Council.
- 3) I believe that the property known as the **Graves Hill parcel** (Casco Bay Heights project) is currently on the list of **high priority open space parcels** for the City's Land Bank program. Should this be the case, then a reversal of the original conditional zoning of 2004 is warranted and all efforts be made by the City and its residents to preserve this parcel as open space for the benefit of the entire community.

Thank you for your consideration.

Carol Veilleux
16 Wildwood Circle
Portland, Maine

From: Carol Veilleux [mailto:cveille1@maine.rr.com]
Sent: Monday, June 09, 2014 10:48 PM

PC63

To: 'bab@portlandmaine.gov'

Subject: Comments to the Planning Board on Casco Bay Heights project

Dear Planning Board members,

We would like to express our opposition to the proposed Casco Bay Heights project as you consider the amended zoning change from a similar proposal approved by the City Council in 2004. As residents of North Deering for the past 30 years, we have seen many changes in the area, the vast majority of which have kept and enhanced the quality of this residential neighborhood. The approval of this project, as currently proposed by the current/future land owners, significantly diverts from previous housing projects in numerous ways:

1) The size and height of the buildings and the surrounding site are completely unlike any other privately owned housing in the area. The project does not meet the **City of Portland's Comprehensive plan goals of increasing the housing stock while maintaining neighborhood characteristics and livability.**

2) The proposed condo unit selling prices (we have been told from \$450K to \$1M) do not align with the City's Comprehensive Plan directive to **increase affordable housing for the area's workforce.** How can the Planning Board and the City Council approve a project that proposes to add 94 new housing units whose target market most likely represents less than 1% of households in the city?

3) The proposed project does not align with the City's Comprehensive plan regarding the **preservation of open space.** The project's mass and height will effectively result in the **clear-cutting of 10 acres of the Graves Hill ridge and provide no significant buffers for two adjacent communities.** Are there no other options for the development of this site that mitigate the destruction of so much open space? If you are not familiar with the area, we urge you to take look at how Ledgewood, Alden's Walk, the Pheasant Hill Association homes, Ocean Ridge and other area projects have managed to maintain and enhance the natural landscape.

4) The proposed project does not meet the **required City zoning guidelines for an R5 zone** (see attached from the City of Portland, Planning Division website). While we are not a zoning expert by any means, how does approval of this project in an R5 zone comply with the R5 published guidelines?

Thank you for your consideration of our comments.

Carol Veilleux and Donald Kale
16 Wildwood Circle
Alden's Walk
Portland, Maine

PC64

Jennifer Yeaton - Fwd: Delivery Status Notification (Failure)

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/8/2014 1:44 PM
Subject: Fwd: Delivery Status Notification (Failure)

public comment

>>> George Campbell <georgencampbelljr@gmail.com> Tuesday, July 08, 2014 1:30 PM >>>

> Members of Planning Board and Staff- I write in support of the request
 > to amend the existing contract zone.

>

> Although, I now live on Clifford St in Portland, I was at the time
 > of the original contract zone approval a resident of Alden's Walk, in
 > fact my townhouse was the very closest to the site.

>

> After hours of attending hearings, listening to all sides of the
 > contract zone, I became an ardent supporter of the Graves Hill
 > Project.

>

> Why? The contract zone gave opportunity for the City to work
 > directly with the developer and ensure we would get a much more
 > desirable project than the underlying R-3 Zone allowed. More desirable
 > because our City added 8 acres of open space and created essential
 > deeded connections to other open space. In addition, trees and other
 > vegetation was much more preserved, unlike the Ocean Ridge proposal
 > for example.

>

> There were many other important points that helped me become a
 > project advocate- the quality of the developer; the design of
 > buildings; support from key conservation groups; and the ability of
 > Planning Board and City Council to have direct and effective input in
 > shaping the proposal- rather than reacting to a site plan under R-3.

>

> The amendment requests of the current development team adheres to the
 > principles and core concepts of the contract zone, while actually
 > reducing height, expanding opportunities for housing beyond the high
 > end only market; and offers specific changes that are readily
 > analyzed.

>

> As a former City Councilor, Chair of the Eastern Promenade Master
 > Planning Committee, and current active member of Friends of the
 > Eastern Promenade I have long come to understand the value of
 > dedicated open space. These amendments give you a chance to add to our
 > open space inventory while allowing the private developer to create
 > a place that can long serve as home to Portlanders of many economic
 > stripes.

- >
- > Please vote yes to recommend amending the contract zone to the
- > Portland City Council.
- >
- > Regards, George Campbell
- >
- > ----- Message truncated -----
- >

Lannie Dobson - Re: Fwd: Casco Heights Condominiums

From: Lannie Dobson
To: Barbara Barhydt
Subject: Re: Fwd: Casco Heights Condominiums

>>> Barbara Barhydt Tuesday, July 01, 2014 10:56 AM >>>
public comment

>>> Terence Goodwin <tgoodwin1232@gmail.com> Friday, June 27, 2014 6:42 PM >>>
This proposed development should not be approved. It is totally out of character with the neighborhood, and therefore not in compliance with the city's standards for community planning. In addition, it is a serious threat to the integrity and safety of the neighboring buildings and their occupants because of the required heavy blasting. Ocean Ridge, for example, has buried propane tanks and lines which stand a good chance of being damaged, presenting a very real threat of the type of gas explosion such as we saw recently in Yarmouth.

Terence & Barbara Goodwin
1 Wildwood Circle
Portland, ME 04103