

Land Design Solutions

Land Planning, Site Planning and Landscape Architecture

RE: Sidewalk Waiver Request
Old Barn Estates - 1062 Ocean Avenue & Ledgewood Drive
January 2, 2013

Per Chapter 14, Section 14-506, (b) of the City of Portland Land Use Code we respectfully request a waiver for sidewalks and curbing for the following project areas:

1. South side of the proposed subdivision street (see attached sketch Sidewalk Segment #1). The proposed subdivision street is a dead end street with 12 residential house lots having frontage. The paved street width is proposed to be 28 feet wide with a 6' wide grassed esplanade and 5' wide walk on one side, and a grassed ditch for stormwater conveyance on the other side. Conditions which we believe exist allowing the Planning Board to waive the requirement for a sidewalk and curb on one side of the proposed street are:
 - There is a safe alternative walking route which will be established with the construction of the walk on the opposite side of the proposed street. The street is a dead end with no opportunity for a future road connection do to the abutting property being open space land, in perpetuity, owned by the Falmouth Land Trust.
 - Constructing the sidewalk and curbing on both sides of the proposed street will require the full build out within the street R.O.W. with paved surface. By allowing only one side to have the sidewalk we are able to utilize a grassed roadside swale which is not only of benefit from a stormwater perspective, but also allows the potential for less impacts to existing topographic features and allows the landscape to abut the street giving a more rural landscape feel to the development.
 - Runoff from the street does not require curbing for stormwater conveyance.
2. South side of Ledgewood Drive (located within the Town of Falmouth R.O.W.) in front of Lot 13, Lot 15 open space, Lot 16 open space and Lot 14 (see attached sketch Sidewalk Segment #2). Conditions which we believe exist allowing the Planning Board to waive the requirement for a sidewalk and curb on one side of the proposed street are:
 - There is a safe alternative walking route since the Town of Falmouth constructed a sidewalk on the north side of Ledgewood Drive this past fall. To our knowledge there are no plans to construct an additional sidewalk on the south side of Ledgewood Drive at this time. The proposed subdivision sidewalk is proposed to connect to the newly constructed Ledgewood Drive sidewalk via a painted crosswalk as part of this project.

- Constructing the sidewalk and curbing on the south side of Ledgewood Drive would require the filling of Wetlands and potentially the construction of a retaining wall along Lot 14 where the existing house structure is less than 10 ft. from the edge of the pavement.
3. West side of Ocean Avenue in front of Lot 14. There is currently no sidewalk in this area of Ocean Avenue (see attached sketch Sidewalk Segment #3).
- Without other sidewalks in this area there is little expectation for pedestrian usage.
 - Given the topography along the front of the site, construction of a sidewalk would potentially require a retaining wall or the loss of an already limited amount of landscape area.