



Commission Members:

Chair Pat Bailey, Jayne Foley, Daniel Herzlinger, Jennifer Fox, Robert Foster, Jon Kachmar, Kara Wooldrik, Simon Rucker, Baxter Miatke, and City Counselor Anna Trevorrow

City of Portland
Land Bank Commission Agenda

November 9, 2022

5:00 PM

On the second Wednesday of the month at 5:00 pm, the Portland Land Bank Commission will hold a meeting remotely using Zoom.

The Land Bank Commission will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Land Bank Commission. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please use the link below to join the webinar:

<https://zoom.us/j/98497248698?pwd=QjJlOUdoaitxMHZsb1V4RzRZbE50QT09>

Passcode: LandB8nk!3

Or Telephone:

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or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782**

Webinar ID: 984 9724 8698

- I. Call to Order
- II. Citizen Comment Period
 - i. Emailed citizen comment -
- III. Agenda Items
 - i. Acceptance of Meeting Minutes October 12, 2022
 - ii. New Business

The Land Bank Commission is responsible for identifying and protecting open space resources within the City of Portland. The commission seeks to preserve a balance between development and conservation of open space important for wildlife, ecological, environmental, scenic or outdoor recreational values.



- a. **Vote Use of Land Bank Funds for Contract Legal Expenses for North Deering Park**
 - b. Secretary's Report
 - c. Treasurer's Report
 - iii. Old Business
 - a. High Priority Parcel Committee Update -
 - b. Update on North Deering Funding -
 - iv. Communications and Parcel Updates
 - a. Parks Report
 - b. Land Bank Commission Report
 - c. Redlon Woods Letters -
 - d. Update on Coolidge Lots -
 - v. Commissioner requests for Agenda Items
- IV. Adjournment

The Land Bank Commission is responsible for identifying and protecting open space resources within the City of Portland. The commission seeks to preserve a balance between development and conservation of open space important for wildlife, ecological, environmental, scenic or outdoor recreational values.



Thomas Nickerson <tnickerson@portlandmaine.gov>

Public Comment: Keeping Score in the Housing vs NIMBYism Wars (using "conservation" as pretext)

2 messages

George Rheault <george.rheault@gmail.com>

Tue, Nov 8, 2022 at 11:36 AM

Reply-To: george.rheault@gmail.com

To: landbank@portlandmaine.gov

Cc: Kate Snyder <ksnyder@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Roberto Rodríguez <rrodriguez@portlandmaine.gov>, Anna Trevorrow <atrevorrow@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, Andrew Zarro <Azarro@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>

See attached a USM graduate student white paper about "The Battle of Virginia Woods" back about 15 years or so ago where 220 potential family-sized homes were taken off the table using "open space preservation" as a pretext.

It was a bit astonishing that no one mentioned this notorious NIMBY incident during the City Council's recent "workshop" highlighting the Land Bank's machinations even though I periodically remind everyone about it. Of course when you realize that the workshop was only ever intended as one-sided performance art, it is less astonishing (but more shameful).

I have asked on numerous occasions whether the City of Portland's Land Bank has ever done an honest analysis of its impact on housing opportunity since its creation in 1999.

I once again ask the Land Bank (or the City Council itself) to undertake that analysis.

You cannot say you are making a good faith effort to "balance" housing development with open space preservation when you are not in fact keeping an adequate tally of the impacts along the way (such a tally of course would include the lost homes at "Warren Green" though "Riverton Preserve" technically is not YET officially a land bank property (to my knowledge).

BACKGROUND TO ATTACHMENT

The attached case study was prepared in May 2008 highlighting a major showdown in Portland in which 220 potential units of affordable housing were whittled down to ZERO due to NIMBY opposition. Land conservation, using the Land Bank ordinance as a vehicle, was used as the excuse to kill the badly needed housing rather than achieve a truly balanced outcome for this very large site which the neighbors adamantly refused to share with any newcomers. The proposed housing was very modest, low-density housing that probably would not even have required a zone change at the time. The opponents of the housing appeared to never have welcomed any alternative development ideas that might have allowed greater density per building in order to reduce the footprint of the overall development scheme.

NB: The white paper was written by a master's student with the supervision of Richard Barringer who is generally well-regarded. The analysis still holds up very well despite some flaws (inexplicably they mis-spelled Cheryl Leeman's last name throughout). Also, I am not sure this debate received all that much media attention at the time - so the fact this document exists may be one of the few pieces of remaining evidence that a controversy ever existed there.

Source:

<https://digitalcommons.usm.maine.edu/cgi/viewcontent.cgi?article=1005&context=planning>

"Portland ME: Affordable Housing v. Open Space" (2008): Prepared by Patrick Wright with the assistance of Brett Richardson for the New England Environmental Finance Center's "Next Communities Initiative," Richard Barringer, ed., Edmund S. Muskie School of Public Service, University of Southern Maine, Portland ME, May 2008.



2008 USM-Muskie School White Paper - Affordable Housing vs Open Space.pdf

3318K

George Rheault <george.rheault@gmail.com>

Wed, Nov 9, 2022 at 10:30 AM

To: landbank@portlandmaine.gov, Thomas Nickerson <tnickerson@portlandmaine.gov>

Tom,

Thank you for getting my written comment posted to the agenda packet. Unfortunately, my cover email has been CROPPED on the right side making it hard to read the text.

Not sure what happened, but I would appreciate it if this could be fixed so no one has to struggle to read what I wrote.

Thank you!

[Quoted text hidden]

5-2008

Portland ME: Affordable Housing v. Open Space

Patrick Wright

Brett Richardson

Richard Barringer
University of Southern Maine

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Recommended Citation

Wright, Patrick; Richardson, Brett; and Barringer, Richard, "Portland ME: Affordable Housing v. Open Space" (2008). *Planning*. 6.
<https://digitalcommons.usm.maine.edu/planning/6>

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Portland ME: Affordable Housing v. Open Space¹



A case from the library of “smart growth” leadership case studies prepared by the New England Environmental Finance Center, available at efc.muskie.usm.maine.edu/docs

Abstract. Amid an acknowledged “affordable housing crisis”, a first-time developer approaches the City to release part of a tax-acquired property, promising a smart-growth development that would provide sorely needed starter homes for working families. The case highlights the complications of balancing competing interests in Portland ME. It shows where rational planning fails in the presence of strong neighborhood opposition, a disjointed city staff structure, and the absence of political will among City Councilors. It highlights the need for champions within local government when a project evokes competing interests. It demonstrates the extent to which “words matter” to policy outcomes, and who gets to define them – in this case, in the fateful difference between “preservation” and “conservation.” Finally, it suggests that NIMBY responses to development proposals may depend as much upon *how* and by *whom* it is put forward as by *what*.

¹ Prepared by Patrick Wright with the assistance of Brett Richardson for the New England Environmental Finance Center’s “Next Communities Initiative,” Richard Barringer, ed., Edmund S. Muskie School of Public Service, University of Southern Maine, Portland ME, May 2008. Aerial photo of the Portland peninsula courtesy of the Maine Office of GIS. Copyright © 2008 by the Muskie School of Public Service.

Portland. Portland is a city composed of an urban peninsula, inner-ring suburbs, and several offshore islands. The peninsula is densely developed, centered on the vibrant downtown with its historic Old Port, working waterfront, and arts district, surrounded by four distinct, high density, suburban neighborhoods. According to the city's comprehensive plan, Portland has a population of just over 64,000 people served by 31,864 housing units. The plan notes a trend towards smaller household occupancy rates and a modest increase in population. The surrounding residential suburbs in Cumberland County show a similar trend towards smaller households, but a much greater increase in population, an indicator of sprawl.

The implementation section of the Portland comprehensive plan states the need for an additional 4,267 housing units, based on population projections. The plan recommends several approaches to reaching this goal, including infill development, senior citizen housing, creation of affordable housing units, and importantly, support of market rate, single family starter-homes for middle income citizens.²

The Land Bank. As the public perception grows that Portland is near to being completely built-out, there is felt need to protect or preserve open space for the benefit of both human and natural populations.³ In 1998, an off-peninsula development in Councilor Tom Kane's district carved out a woody area long used by neighbors for passive recreation. The issue grew contentious, and Kane sought a mechanism to anticipate and avoid such conflicts in the future.

In the following year, at the urging of now-Mayor Tom Kane, a Land Bank Commission (LBC) was established to identify and inventory undeveloped land, public and private, with significant conservation value. Its official website states that the LBC

is responsible for identifying and protecting open space resources within the City of Portland. The Commission seeks to *preserve a balance* between development and *conservation* of open space important for wildlife, ecological, environmental, scenic or outdoor recreational values. The Commission responsibilities include: working for the acquisition and conservation of open space within the City; recommending to the City Council on a priority basis acquisition or conservation of significant properties; and the pursuit of gifts and funds from private and public sources for the acquisition of open space as approved by the City Council.... It is engaged in an ongoing effort to proactively protect properties from development through easement, deed restriction, or acquisition. (emphasis added)

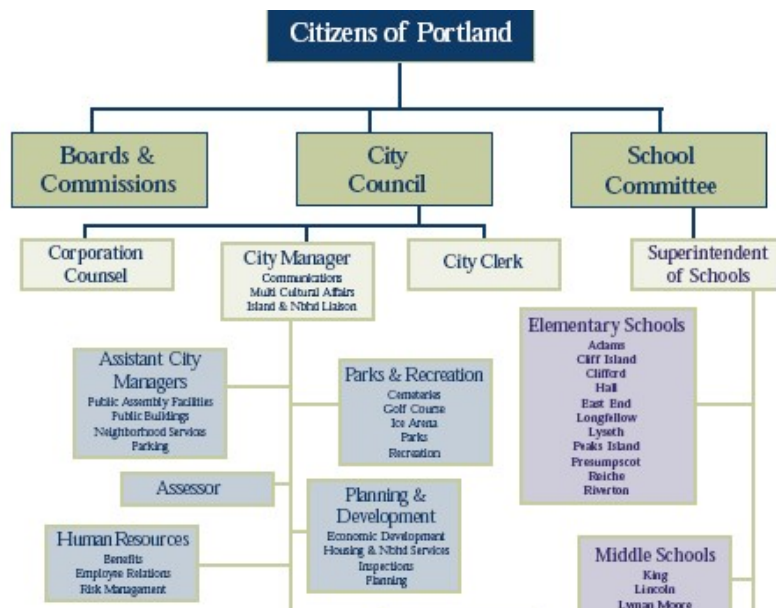
² The comprehensive plan is available online at <http://www.portlandmaine.gov/planning/complanbook.asp>

³ A recent analysis of Lewiston-Auburn ME found 12,185 acres of vacant and currently zoned residential land that could accommodate at least 8,000 new housing units. See www.brookings.edu/metro/maine.

Specifically, the LBC was created by the City Council “to ensure the conservation and preservation of limited open space with important wildlife, ecological, environmental, scenic or outdoor recreational values.”⁴ It is authorized to inventory vacant lands within the city and set priorities among them on the basis of their value for conservation and/or preservation, and of any threat to them, according to standards established by the Council. Today it annually presents to the Council a “registry” of these properties, prioritized by quality and imminence of threat.

Within the City’s departmental organization (see chart below), the LBC is accountable to the City Manager, and was originally assigned to Larry Mead, Assistant City Manager and former Director of the Parks & Recreation Department; today, after Meade’s departure to become manager of a nearby town, it reports to Denise Clavette, the City’s Parks & Recreation Director. It is chaired by Roger Berle, the highly-respected past president of Portland Trails, member of the State’s Land for Maine’s Future board, and a dedicated conservationist; he is in the last of three terms as chair.

The source of the LBC’s influence is the reputation of its member and their skill in lobbying Council members and the general public. They recently petitioned successfully for an annual appropriation of some \$50,000 to leverage the purchase of properties for the City, for which Council approval remains necessary.



⁴ See Ord. No. 659-86, § 1, 6-16-86, Article III-A, Portland Land Bank Commission.

The Parcel. A 35 acre parcel of undeveloped land in the off-peninsula Ocean Avenue neighborhood surrounding a capped landfill had been acquired by the City through tax delinquency. The parcel was recognized by the Land Bank Commission and placed on its high priority (but not *very* high priority) list for protection. In Spring 2006, a developer approached the City with a proposal to devote a portion of the parcel to affordable housing for city residents. According to Larry Meade, the proposal promptly sent the parcel to the top of the LBC's priority list for protection.

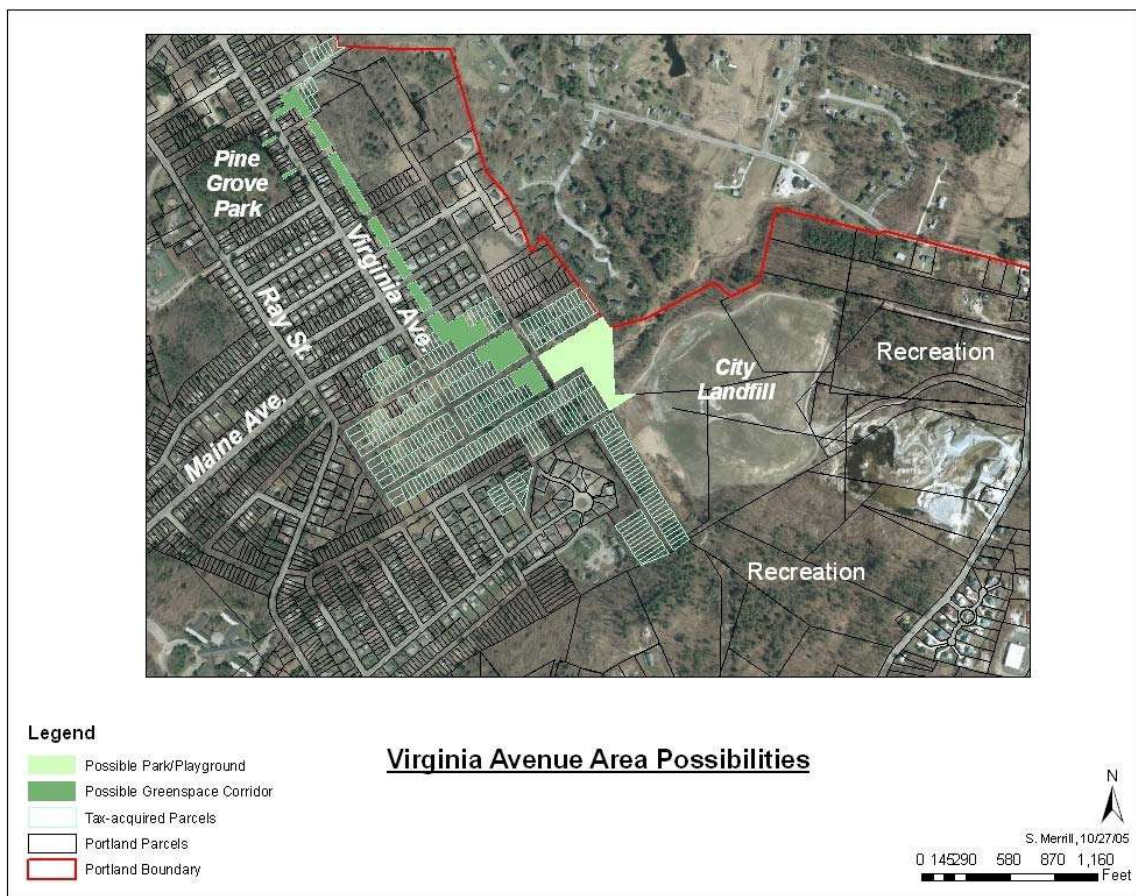


Aerial Photo Courtesy of Maine Office of GIS and Google Earth

The parcel is the largest contiguous tract of undeveloped land in the city, valued from a conservation perspective for its unique features: its proximity to the Casco Bay Estuary and mix of meadowland, mature tree growth, and wetlands make it excellent sanctuary for bird life. As a result, the Maine Audubon Society would back protection of the parcel, and environmentalists championed its diverse wildlife habitat within the city.

The Developer. The first-time developer, Sam Merrill of nearby Pownal ME, is a trained wildlife scientist and was previously executive director of a prominent, mid-coast Maine land trust. The concept plan he presented to the City (see below) proposed to balance open space and wildlife habitat with 220 appropriately-sited, affordable housing units.

As neighborhood and conservation opposition mounted, however, and especially upon the arrival of an updated wetlands map, the developer's proposal was scaled back to between 70 and 150 units, built on the most suitable land along the Virginia Avenue side of the parcel.



Note: Map prepared by the prospective developer to open conversations with the City and stakeholders. It shows 1) the "paper streets" that were part of the City's earlier vision for residential development of the area; 2) a possible green corridor to connect existing open spaces; and 3) a possible new playground location. Subsequent environmental analyses showed wetland configurations would dictate locations and densities of any development.

The developer's revised proposal might have generated the optimum value for the site: critical habitat would be preserved along with the recreational opportunities treasured by

neighbors; and the City would be closer to its goal of more family-oriented, below-market housing units within the city limits. Ultimately, however, the housing proposal failed due to a confluence of local and environmental interests that overrode the broader public interest in the express City goal.

The Neighbors. Even in its reduced form, the neighbors opposed the proposed development. For years they had relied on the parcel for various forms of active and passive recreation. Their collective voice spoke out to preserve the land. City Councilor Cheryl Lehman, who represents the district, became their champion.



Access point to recreational resource treasured by neighbors

Photo by Patrick Wright

In an interview a year later, Lehman recalled several reasons that the development proposal did not suit the land. It was, in a word, too “conceptual.” The developer, on the other hand, had purposefully submitted the proposal in concept form, expecting to flesh out details through a consensus-building process with neighbors and other stakeholders, once the City had given preliminary approval. Lehman’s response was, “The only thing the neighbors would have told him is, “We want open space!”

Lehman was also concerned that the developer had no prior experience in housing development. Though he was partnered on the project with a well-established affordable housing group, his inexperience was one more roadblock for Lehman and the neighbors. Finally, Lehman complained that the proposed development form – “cluster” housing – would be out of keeping with the first-wave suburban character of the neighborhood.

When asked for her solution to the affordable housing issue in Portland, Lehman offered that the Greater Portland region *as a whole* needs more affordable, single family, “starter”

homes; and that it should be built outside the City of Portland, where undeveloped land is more plentiful and less expensive.

The Project Champions. Despite push-back from the neighbors, the developer's proposal appeared to be gaining traction. He had built a coalition in its support, including the Trust for Public Land and the popular Portland Trails organization.

Leading the support for the project was Karen Geraghty, at-large City Councilor and chair of the Council's Housing Committee. Working against the project was that its future occupants, or beneficiaries, were not yet personally identified and present, much less organized. While there are advocates for affordable housing, they were not as passionate or well-organized as the citizens in the neighborhood. When Geraghty spoke out for the project, it was without an organized citizens' group behind her to "beat the drum".

Other Council members became project champions, as well, though the developer did not secure a champion on the City Hall staff. Wendy Cherubini, the City's housing specialist and advocate at the time, left early in the project for another position outside city government. Lee Urban, the City's Director of Planning and Development, was generally aware of the project proposal, but remained largely uninvolved in discussions with City Councilors and others about the proposal.

The debate between Councilors Geraghty and Lehman became heated at times. At what would be the final Council meeting on the proposal, Lehman moved that before the Council might make a decision, the neighbors should have another series of meetings to clarify their position about housing development in the area. Despite the City's well-documented need for affordable housing, the rest of the Council was unwilling to stand against Lehman and the neighbors; so, development of the City-owned land was tabled. It subsequently became clear that the issue could not be resolved before current Council terms expired; and Geraghty had decided not to seek re-election to the Council.

By mid-2006, the developer had dropped the proposal, citing the additional investment of time and money needed to see it through. The uncertain will of the Council to pursue new housing within the city limits presented too much risk for him to continue.

Postscript. In February 2007, following the election of new City Council members, Councilor Lehman and the Land Bank Commission suggested that the Virginia St. parcel be placed into the City's Land Bank; the motion passed unanimously. In response, at-large Councilor Jill Duson, now chair of the Housing Committee, moved that the Land Bank set aside the most build-able portion for future consideration as housing; the motion failed, 5-2. While the designation of the parcel as a holding of the Land Bank does not place the land into permanent preservation, its designation is another political barrier to its development.

TEACHING NOTES:

Important ideas illustrated in the Portland case include:

1. Organization and accountability matter: The placement of the Land Bank in the City's organization compromised the opportunity to advance the express needs of the City.
2. Public leadership matters. The loss of the Housing Committee chair's leadership compromised the project. Where was the head of the Planning and Development Office?
3. Influence matters. Potential influence is made actual only through its skillful, concerted application. How else might the developer have exerted influence? Were "back channels" used effectively in this case?
4. Words matter! As Benjamin Disraeli is quoted as having said "It is by words that we govern;" and how words are interpreted matters. For 100 years there has been maintained a distinction in land management circles between "preservation" (or, maintenance in its original or existing state) and "conservation" (or, planned use according to established principles, as "wise use" or "multiple use"). How did the preservation community come to capture the Land Bank?
5. Planning does not equal implementation. Why did the City's comprehensive plan intentions, so clearly stated, not translate into policy "on the ground?"
6. Timing matters. Turnover on the Council came at a bad time. The are needed through successive administrations.
7. Trust is the coin of the realm when it comes to overcoming resistance to change. Did the developer enjoy trust? How might he have gained it?
8. Are NIMBY'S always what they seem? Public recreational use of the Virginia Ave. property occurred spontaneously, without planning on the City's part, and became a rallying-cry for opponents to development. As open land becomes increasingly scarce in Portland's inner suburbs, access to recreational opportunity is increasingly valuable, and any threat to it is likely to meet resistance. How might the developer have overcome this resistance?



Commission Members:

Chair Pat Bailey, Jayne Foley, Daniel Herzlinger, Jennifer Fox, Robert Foster, Jon Kachmar, Kara Wooldrik, Simon Rucker, Baxter Miatke, and City Counselor Anna Trevorrow

City of Portland
Land Bank Commission Agenda

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Webinar ID: 984 9724 8698

- I. Call to Order
- II. Citizen Comment Period
 - i. E-mailed citizen comments - Please see attached ***

*****PUBLIC COMMENT POLICY**

To submit written public comment on an agenda item, email landbank@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Land Bank Commission meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

George - Emailed in a comment before the deadline. It was overlooked. Feels there is confusion about the amount of acreage. Pat - Advised that name calling is not permissible. Pat - Opened for comments. Ethan - Provided clarity on the North Deering acreage. Deeds limitations are a hurdle. Our proposal - purchase the property and make it a park. Kara - has advised that although Portland Trails has an easement, it would not be a commenting trail.

III. Agenda Items

i. **Acceptance of Meeting Minutes: September 12, 2022**

Acceptance of meeting minutes - 9/12/22 -

Jon K motioned to accepted

Daniel seconded - unanimous approval

i. New Business

- a. Secretary's Report - Pat - Skipped to secretary report, Simon would not be in attendance. We should get the accounting of the park purchases soon.
- b. Treasurer's Report -
- c. Updated scorecard for the Coolidge/Davenport parcels – Updated Scorecard - Pat - reviewing scorecard Daniel - Went out to review the properties, update the scorecards. Mostly reaffirmed what others confirmed. Dole Brook is part of the wetlands in the area, which is valuable. Eastern properties are less impacted. Highest values are the highest, but Coolidge is the least valuable, many invasive species. Doug - There is a culvert under the berm, it is connected through groundwater. Pat - Any other comments. Should we make a motion to accept this accept this TAPIC parcel to be accepted into the landbank, proceeding with due diligence Jon K - This is just due diligence, not additional resources. Pat - There could be additional due diligence -environmental and potential city review, then city council review. Ethan - That is confirmed. We can only use conservation property. Kara - Could Daniel or Doug confirm on the maps, is there a parcel between the lands we are looking for. Daniel - Between Magenta and Green, North Deering. I believe that it is a paper street. Ethan - This was discussed by TAPCM meeting, there is interest in this. Doug R was conferenced and storm water was considered. Highlighting that his area is not developable, to address the affordable housing concerns. Have we explored the property to confirm if they are developable? Study is needed for a potential alternative approach. Daniel - I broke down the parcels to help address this concern. I tried to make sure I evaluated the wetlands aspects of the property. Ethan - The LB can spend funds in due diligence, we can spend funds to get that space mapped. There could be more wetlands. Doug - Yes, we should review, and we need to evaluate to determine the full scope of the wetlands in the area. Ethan - TAPC would like more information. What is the extent? Is a hybrid option possible? Jon - I agree, the due diligence needs to take place. Pat - We should report and express interest to the City, Daniel can you please do the next phase of mapping the waterways? What service provides this mapping service? Daniel – Yes, we can make this happen. Pat - Can you proceed? Daniel/Ethan - Yes we will get together. Doug - It might be inappropriate for the LB to determine the issue. Ethan - In principle, maybe, but no one else is pushing forward. Pat - I think we should proceed. How much should it cost? Daniel - 2-3K Jon - With the split in the potential purpose of the land, could there be a split in the cost. Daniel - Potentially, we need to research more, but the yellow ones might be the best to focus on. Pat - We will evaluate the DD, reach out to other depts, as we do not want it to languish.

- ii. Old Business - Pat - Opened the floor for old and new business. Public might reach out to get an easement through Redlon. Ethan asked for clarification. Pat stated the public wants to make it more official, plaques, benches, and put the trail on some maps. Any other items? None. Moved on to Parks Report.

iii. Communications and Parcel Updates

- A Parks / Land Bank Report - Jon - Parks commission meeting - lots of discussion about the

unhoused in Deering Oaks. Recent media coverage. Extreme challenge to the PRF department, not a lot of assistance from other departments. This may have changed. The Parks Commission might write a letter to advocate for support and funding of the Department. Ethan - Emerald Ash Borer are present in our trees, and return periodically. 3 years ago, first noticed. We have many ash trees, and they are at risk. Ethan is looking into the LB properties, to determine what impact the pests have on those trees. We will potentially include it in the budget. Could be 100s of thousands. We are looking at organic pesticides. Riverton Trolley Park, Land and Water Conservation funds are provided to the park costs.

- d. Davis Family Pines property - Pat - Davis Pines Property - Several new commissioners since we did the scorecard, do we want to review this? Pat - it is a high priority, but the owners have changed. Everyone should check them out. Jon - this is a 10 acre property, undeveloped, 5 acres of old growth white pine. 1 of 11 old growth sites in Maine. It is significant. 150 - 200 years old. Pat - I was under the impression this would be a donation, and the parcel would be to preserve the tree.

- e. Tax Acquired Property Committee update –

- iv. Commissioner requests for Agenda Items - Commissioner requests - Daniel - Any update on the parcel off ocean ave, is there an update there? Pheasant Hill - Pat - beautiful land, but no one wants to provide access. Jon - Neighborhood voted 6-5 to not pursue the project. Absolutely beautiful. Ethan - need to refresh their memory, but yes, access issues exist.

IV. Adjournment



CITY OF PORTLAND
Parks, Recreation & Facilities Department
Ethan Hipple, Director

CITY OF PORTLAND
Parks, Recreation & Facilities Department
Alex Marshall, Parks Director

Memorandum

TO: Parks Commission and Land Bank Commission

FROM: Alex Marshall, Parks Director, Parks, Recreation and Facilities Department

SUBJECT: Parks Division Update

DATE: November 2022

Parks Division Staffing

- Vacancy: Athletic Facilities Maintenance Worker I
- Vacancy: Park Ranger
- Vacancy: Arborist III

Veranda Street Waterfront Park

The Maine Department of Transportation is finishing up the landscaping portion of this project on MDOT property. MDOT has completed their portion of the green space that will soon become a park by grading and seeding the entire space. Parks staff will work over the next year to develop a naturalized landscaping plan that will invite folks into the space. The Maine Audubon will be one of our partners in this development.

Union Branch/Libbytown Path

Two weeks ago, City Staff and Toole Design kicked off the design process for the Union Branch/Libbytown Path that will be the next extension phase of the Bayside Trail in our quest to connect to the Transportation Center and have a circular loop trail around the Peninsula. This phase will start on the backside of the Castle Parking Lot at Deering Oaks (Forest/State/Marginal Intersection) and run to the far side of the Hadlock Field Parking Lot following the existing train tracks next to I-295. Design characteristics will include a 12' paved path, lighting, improved connectivity with adjacent Park spaces, vegetation, and fencing removal and replacement.

Lyseth Playground

The Lyseth Playground is officially open for students and the community. Thanks to Parks Project Manager Bob Massengale, this playground has great amenities for the students of Lyseth Elementary School and all others who wish to recreate in the space. The surrounding pathways and diversity in play elements make this space really engaging and fun for the kids to experiment how best to make use of the space. Stay in touch on our social media for a ribbon cutting event in November.

Brentwood Community Garden Fencing Replacement

The Brentwood Community Garden volunteered their time to demo and rebuild the garden fencing the weekend of 10/22 with materials being paid for by the City. Led by Scott Segal, this team of volunteer allstars removed the fencing on Friday, built the new fence on Saturday and attached the wire mesh on Sunday. We can't thank this wonderful group enough for the work they did to complete this project.



CITY OF PORTLAND
Parks, Recreation & Facilities Department
Ethan Hipple, Director

CITY OF PORTLAND
Parks, Recreation & Facilities Department
Alex Marshall, Parks Director

CIP Update

We have received updated submission timing of departmental CIP requests to Finance which has bumped out this communication to the December 1st meeting.

Park Projects and Department Updates

Staff are working on the following Park Improvement projects:

- Park Walkway improvements: Phase 1 of the Deering Oaks ADA walkways has been completed. Phase 2 of 3 is well on its way and should have paving done in the next month.
- Fitzpatrick Drainage Improvements: Drawings are complete. An RFP is ready to be advertised.
- Talbot School Basketball Court Reconstruction: Additional funding has been secured and the bid will be advertised in the next few weeks for a Spring/Summer 2023 completion.
- Skate Park Expansion Phase II: A design/build firm has been selected and the contract has been signed. The design and outreach portion of the project has been kicked off with a well-attended public meeting in October. <https://portland.civilspace.io/en/projects/22>
- Stroudwater Bridge: City Parks and Planning staff are working with Portland Trails and the Stroudwater Preserve Development Team to develop the plan for installation of the bridge that sits on the side of Westbrook Street before the I-95 bridge. Grant funding will be essential as City funds are limited. With volunteer help, the parks division submitted a Recreational Trails Program grant in September.
- Preble Street Field & Stormwater Project: Final design and landscaping plans are being finalized. Spring of 2023 is when the field is anticipated to return with Late Summer or Fall of 2023 as the first playable season.
- Riverton Preserve: Recreation improvement plans are in progress and will consist primarily of a trail network with other improvements. This project is intended to fulfill LWCF conversion requirements, and final approval of the improvement plan rests with the state and National Park Service, which has a public engagement process.
- Riverton Trolley Park: The LWCF grant has been submitted. We are still waiting for federal approval of the grant. The City Council has approved the \$125,000 portion of the required match and the Parks Conservancy has also concluded their fundraising efforts of the additional \$125,000+
- Western Promenade Welcome Signs: Three new historic Welcome Signs are being installed in the coming weeks
- Lower Western Prom Park Improvements: Final design improvements have been made and we are now waiting to secure additional funding to execute the entire project in the Fall of 2022 or Spring of 2023.
- Community Garden Fence and Gate Installations: We will be replacing 6 Community Garden fences and 4 sheds. We only received one bid that was substantially higher than our budget so we are revisiting funding sources and scope of work. Sheds will be replaced in tandem with the



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Ethan Hipple, Director

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Parks, Recreation & Facilities Department
Alex Marshall, Parks Director

fencing work when that is to happen.

Coolidge & Davenport Lots

Date: 10/25/22 - Updated with input from the LBC & City staff.

Parcel IDS: 348-C-1-13 & 349-C-13-21 (Northern Parcels bordering Northwood Drive) and 348-B-1-8 (Southern Parcels bordering Coolidge Ave)

Summary: Coolidge & Davenport properties are two clusters of TAPC parcels in the Dole Brook watershed. Dole Brook, which flows to the Presumpscot River, does not currently meet state water quality standards (Class B) due to the impacts of urban development and is therefore designated as an "Urban Impaired Stream" under state regulations. Parcels are forested, with a tributary to Dole Brook and associated wetlands abutting the northern parcels. The northern parcels have greater ecological value because they have been less impacted by invasive species, have some stands of mature upland forest & most importantly, they provide a riparian buffer to a tributary of Dole Brook. The southern parcels are less ecologically valuable. They are heavily colonized by invasive species & have a limited surface hydrologic connection with the tributary to Dole Brook via a buried culvert. The parcels have limited housing development potential due presence of wetlands, streams and associated regulatory setbacks/buffers. In addition, the parcels have no frontage on existing roads. Conserving these parcels will help the City to address the existing impacts of stormwater pollution caused by development in the watershed and prevent additional impairments from new development.

Priorities for Land Bank activities	YES	MAYBE	NO	Notes/Comments
Does the property have, or contribute to, healthy forest ecosystem?	x			These parcels are adjacent to forested conserved lands and would contribute to the healthy function of this ecosystem. The northern parcels have some small stands of mature upland forest (white pine, oak, hickory) with relatively few invasives and open understory. The southern parcels are more heavily colonized by invasive shrub & vine species, with less mature forest. Appears to be greater signs off of recent disturbance on the southern lots. Southern lots have some areas of shrub wetland.
Does the property have, or contribute to, healthy wetlands, streams, river, ocean, aquifers or other water bodies?	x			Dole Brook is located to the west of the parcels & portions of its associated tributary streams and wetlands may be located on these parcels. A wetland delineation & site survey would be needed to confirm. There is a high value riparian wetland bordering the tributary to Dole Brook near the northern parcels. Some of the wetland extends onto the northern parcels. The wetland is vegetated with a variety of emergent species that provide important ecological services that protect water quality and reduce stormwater runoff. There is a berm that runs between Hennessey Drive and Northwood Drive. The berm cuts off any significant surface hydrological connection between the southern parcels and the tributary to Dole Brook. A culvert that runs under the berm that may be buried with debris.
Does the property help mitigate or adapt to climate change impacts? (CO2 storage, storm impacts, tidal impacts)	x			This area is noted as a location for carbon storage due to the forest, and carbon mitigation due to the tree cover.
Does the property provide an opportunity to protect or improve an ecosystem?	x			This will increase protection for the Dole Brook and PATHS area. The riparian wetlands bordering the tributary to Dole Brook will help with downstream water quality and slow down runoff following storms. These lots are at the fragile headwaters of the watershed where the woods, fields and wetlands help to absorb precipitation and runoff from developed areas and slowly feed it into the stream. These processes help to reduce pollution and downstream flooding, two issues of growing concern as development continues to expand in this watershed. Retention of these lots would help to protect the brook and any associated wetlands, preserving the water quality and other benefits they provide, thereby reducing some of the long term burden on the City.
Does the property create a connection or link between nearby Parks, Land Bank, or conserved properties?	x			PATHS LBC parcels nearby. May be possible to create a trail network link to these other open space areas.
Does protecting the property support Portland's desired sustainable land use pattern of a dense core with developed corridors and nodes?	x			Conserving these parcels via the LBC will not impact sustainable land use. Affordable housing is a major concern for the city & region right now; therefore, the potential for housing development should be considered. From a environmental permitting & regulatory perspective, most of the parcels will fall within wetland or stream setbacks and/or buffers. The southern parcels have some areas of wetlands on the parcels themselves. The northern parcels have some areas of shallow bedrock. None of the parcels have frontage on existing roads. To develop the lots, paper streets that are shown on parcel maps would need to be built. The limitations imposed by the stream, wetlands and areas of shallow bedrock, along with steep topography to the west, would significantly increase the cost of mitigation, stormwater management and sewer utilities (e.g.: A sewer pump station might be required for some parcels). The cost of mitigating these impacts, after the fact, has consistently exceeded the short term costs of encouraging residential development growth and increased density where development currently exists, particularly where redevelopment opportunities arise in underutilized residential, commercial & industrial areas. All of these factors would make these parcels less suitable for housing development.
Does protecting the property support Portland's desire for equal access to undeveloped natural space in every neighborhood? (all residents within a 10 minute walk)		x		The maps showing income levels and people of color should be further examined. There is dense residential townhouse development along Northwood Drive. This would provide very close access to open space for these residents.
Does the property provide water access for the fishing industry OR for recreation?			x	No water access. The tributary to Dole Brook looks to be intermittent with no opportunity for recreational fishing.
Does the property provide passive recreation opportunities?	x			There is the potential for trails to connect to the PATHS system.

Other considerations

Is this a time-limited opportunity? **These are TAPC properties. Not time sensitive.**

Cost - **Needs further investigation.**

Maintenance needs, short or long term - **Needs further investigation.**

Are there opportunities for leverageing collaboration (in purchase, programming and/or maintenance) - **Neighborhood association? PATHS school?**

Is there significant stakeholder support/opposition? **Unknown**

Are there other competing land uses? **Sewer easement running from Northwood & Hennessey Drive**

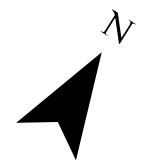
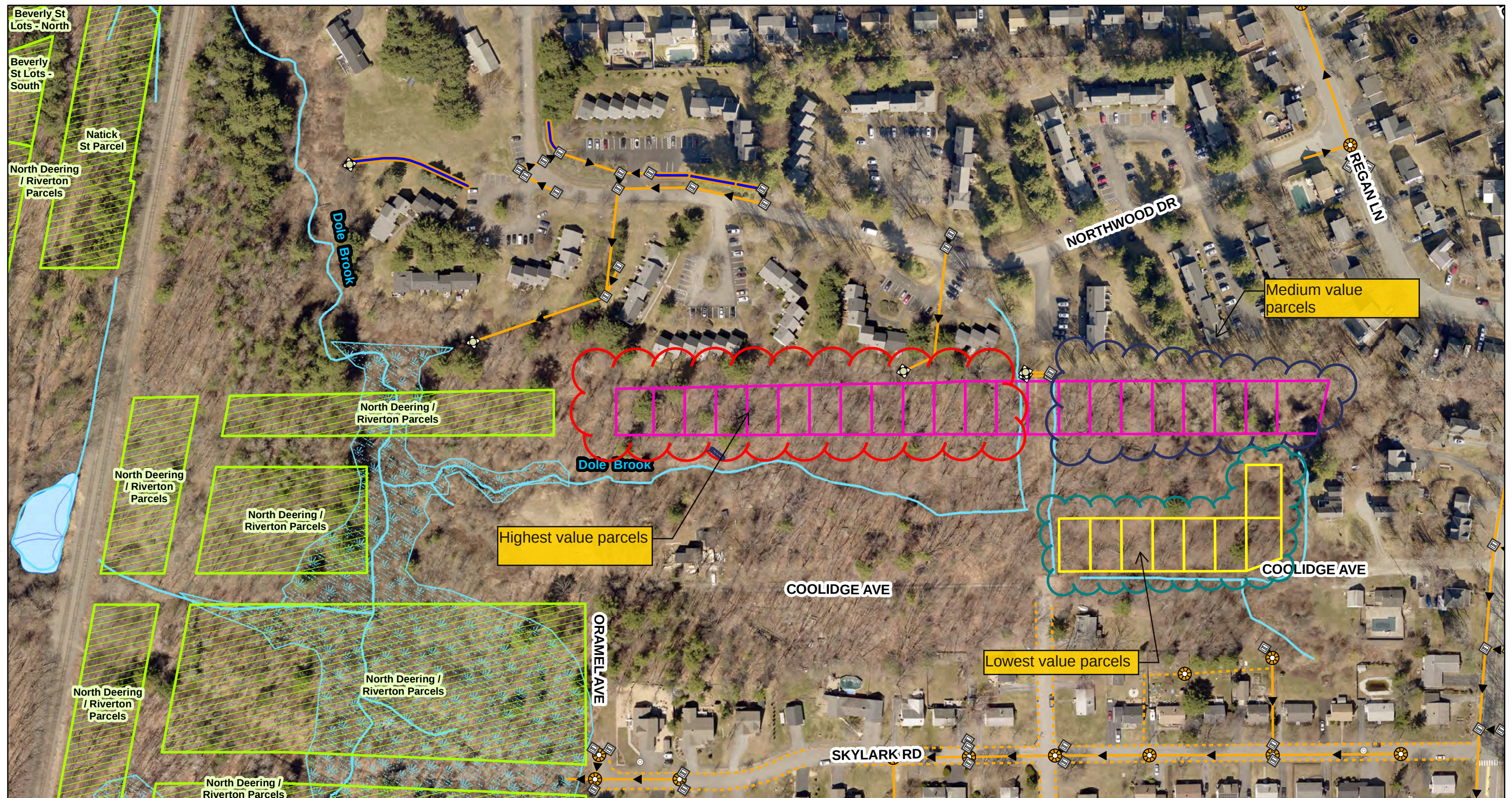
Are there opportunities to achieve multiple goals of Land Bank &/or other City entities - **Needs further investigation**

Are there underserved areas where geography is a priority for ecological health or human wellness?**Needs further investigation**

Historical significance (humans) - **unknown, would need to investigate cultural resources**

Geologic significance - **unlikely**

Is there potential for urban agricultural use - **none**



0 75 150 300 Feet
Scale: 1 Inch = 150 Feet

Coolidge Ave & Davenport Ave Lots

Map by City of Portland DPW 3/31/2022

Legend

- 348-B-1-8
- 348-C-1-13 & 349-C-13-21

- Brook; Drainage
- Mapped Wetlands*
- LandBank

*Only applies to the area west of Oramel Ave. Wetland mapping data for Davenport & Coolidge avenues is not available.