



Commission Members:

Chair Pat Bailey, Jayne Foley, Daniel Herzlinger, Jennifer Fox, Robert Foster, Jon Kachmar, Kara Wooldrik, Simon Rucker, Baxter Miatke. **Staff:** Ethan Hipple, Doug Roncarati, Michael Goldman and Samara Ray.

City of Portland
Land Bank Commission Minutes
February 9, 2022
5:00 PM

I. Call to Order - Pat called the meeting to order and George Reault put his hand up.

II. Citizen Comment Period

George was wondering if there would be public comment at the action items on the agenda. Ethan stated that the public comment at the beginning of each meeting and the chair can offer a comment period on action items. Micheal Goldman confirmed it is usual practice to allow public comment on action items.

George R. wanted to make it clear that in the Land Bank Ordinance it is their responsibility to balance development and conservation. To his knowledge he has not seen a Land Bank Report wrestle with this, he suggested he would keep a running tally of how many transactions have displaced housing opportunities. He thinks this would give an inventory of how this Commission has protected parcels since 1999. Conservation is important but we are in the middle of a housing crisis. Dig in to understand what is the impact of over 2 decades of Land Bank work.

Working for the acquisition and conservation of open space in the City. The Land Bank does not analyze development opportunities, a City evaluation is done and sometimes outside sources are used. It is up to city staff upon the LB recommendation along with the City council if the parcels are better used for housing or open space. There is a priority rating system. They are not in the business of analyzing properties for business potential.

III. Agenda Items

i. Acceptance of Meeting Minutes: January 12th 2022 Action Item

A motion was made to approve and the minutes were approved unanimously.

ii. Parcel Updates

a. HP-3 High priority parcel Kensington St (listed as Windsor Ter)*

***The Commission may go into executive session pursuant to 1 M.R.S. 405(6)(C) to discuss real estate negotiations and the City's legal rights and duties.**

Pat requested the old Land Bank parcel map to be put up, Doug said he has a better map. This was a high priority parcel that is right off the highway as you are heading towards Falmouth and it went up for sale 10 days ago. Pat stated it is challenging to work quickly in an aggressive housing market. This property was sold quickly and it is now off the market. Pat encouraged Commissioners to look at the list of High Priority parcels and compare them with the parcel map so we can act quickly if anything changes with them.

Jumped to discuss the Hale Parcel.

b. Redlon Woods*

***The Commission may go into executive session pursuant to 1 M.R.S. 405(6)(C) to discuss real estate negotiations and the City's legal rights and duties.**

George wanted to comment and ask what parcels we are going into the executive session for? Pat said there are 5 parcels on Motley street and Berry parcels, the 5 parcels owned by Coastal oaks and the properties within the Land Bank.

A motion was made to go into executive session and all Commissioners voted in favor of that. Executive session began at 5:47pm and it ended at 6:04pm.

iii. New Business

a. Secretary's Report - Simon wanted to mention the Bayside Garden. The garden is on leased land and they were looking to see if it could be City owned land. The Trust for Public Land does not want to move forward with it. Simon will circle back and tell them that TLP and the City of Portland are not interested in working on this right now. If anyone has any other ideas please let him know. At the last meeting there was talk about updating maps for the Annual Report next year. Doug is on board with this, a lot of the mapping needs a lot of updates. Dan will take the lead and Public Works will help with updates on the map. Doug discussed how Public Works has assisted with the Land Bank mapping in the past. Pat noted that this is an extensive project that catalogs who own the properties so we can start communication with them about these parcels. Then the commission can make a commitment to keeping the land as open space. There are a few parcels that are privately owned and in the Land Bank, some of those are owned by Portland Water District and some of them have active Portland Trails on them or Riverton Rail Trail, if the land owner is willing they can fall into the Land Bank.

b. Treasurer's Report

Baxter noted that the total available matched what he has. Approved funds in Sept for North Deering Park Project to keep noted that these funds are approved and this is not reflected on the Parks Department. There are items from years back that do not have information attached to them. Could Pat go through and identify what these parcels are? She said this has already been done and there are old spreadsheets that have property expenditures.

iv. Communications and additional Parcel Updates

a. Parks Report-

Ethan wanted to highlight Dougherty Field. This playground has been very run down. This playground renovation has been delayed for many years. The playground will be going in this spring and summer and there is workforce housing that will also be going up in the area as well.

b. Parks Commission Report

There is an effort to strengthen the tree ordinance by the group called the Portland Protectors. 165 Sheridan Street proposed development that will require permissions to put soil nails under Fort Sumner, there are discussions about license agreements and the Parks Commission, there are currently 2 openings on the parks commission. The Green Space Gathering may focus on tree canopy enhancement as a focus of the Green Space gathering. Baxter brought the Land Bank Annual Report to the City Council and Ethan shared he did a great job.

c. Hale Parcel- Action Item*

***Vote to recommend that the City Council approve the purchase and sale agreement to acquire property adjacent to the Riverton Trolley Park (834 Riverside Street) and to recommend that the Council designate such parcels as Land Bank property interests.**

The purchase and sale agreement has been drafted and we need a formal vote to bring this to Council. The owner of the parcel is Hale, the property is adjacent to the Riverton Trolley Park. Allagash has sent a commitment letter that will go along with the P and S agreement if approved by the Land Bank tonight. It is scheduled to go to the City Council on 2/28 for the first reading and 3/7 for the second reading. There is a housing community that is close to the Riverton Park and the Portland Housing Authority has submitted plans to the City of Portland to redevelop and renovate and add 40 affordable units and there is the grant program for recreational improvements to the Riverton Trolley Park.

Pat requested that someone make a motion to vote to approve the Purchase and Sale agreement and recommend that the Council approves it in conjunction with the donation from Allagash. Simon made a motion to bring the Purchase and Sale agreement to the City Council, Jon seconded. Michael reminded that there should be public comment. George R commented that he wished that all Land Bank Commission urge the City Council to examine this property for development. Maybe they would like something other than conservation land. It was meant to be a residential subdivision. Allagash is helping purchase the property but he is not sure if they care if it is developed or kept as open space. Hope that they can make it clear that it does not have to be open space. Jon said that the city did review this property for development in November of 2020. The recommendation was to move forward with the Land Bank and keep it as open space. The idea is to make it part of Riverton Trolley Park.

A roll call vote was performed with all members voting in favor of the motion
Motion passed unanimously.

d. 165 Sheridan Street Site Plan

Dan and Baxter reviewed the plans from the public website. Kara pointed out a concern. The developer approached the parks department some time ago. Same property where they wanted to build above the park and the view shed was protected. This plan is to build a building into the hillside and retain pilings into their own property or lateral soil nails into our property. They brought a site plan to us the Land Bank would have to review and approve as it would be subterranean encroachment. The developer knows the steps, Parks staff are not in favor of it. It was presented to the Parks Commission at the Feb meeting. Concerns are that there may be future maintenance. Pat advised that Dan and Baxter continue to review the issues.

In March the Parks Commission will vote on their advisory opinion. In the past dispositions on city land determinations from the land bank were seen as final. Doug said that The City could require a geotechnical engineer at the expense of the applicant. The Parks Commission is concerned that there is no proposed fee or compensation or good faith effort to recognize that.

They did not want to create a public nuisance by putting in pilings.

v. Commissioner requests for Agenda Items

Simon requested a reminder to be sent around a week before for agenda requests. Samara said she can email the Commission before each Month's agenda is made to get input from Commissioners.

IV. Adjournment

Pat adjourned the meeting.