

---

## DPW subdivision application for Bayside

---

**Jennifer Thompson** <jlt@portlandmaine.gov>  
To: Helen Donaldson <hcd@portlandmaine.gov>

Fri, Mar 9, 2018 at 12:55 PM

Hi Nell - I write to address a couple of points that are called out in the notes on the proposed subdivision plan for the City's property down on Hanover Street.

First, Note 7 notes that a portion of land adjacent to Kennebec Street was conveyed to the City by quit claim deed and conveys a right of way for the purposes of a railroad. To the extent this note raises questions about the City's right, title and interest to that portion of the land and its ability to use that portion of land for uses other than those associated with a railroad, the City claims ownership in fee in that strip of land under a claim of adverse possession. The support for that claim is outlined in an Affidavit by William Scott, attached. As you and the Board are aware, the Law Court has previously held that a claim of adverse possession is sufficient to evidence of right, title, and interest to constitute standing to apply for a land use approval. (*Southridge Corp. v. DEP* 655 A.2d 345 (Me. 1994), attached). Therefore, the City has sufficient RTI to subdivide the property as proposed.

Second, Note 6 suggests a "title opinion" should be obtained regarding the existence of a public easement in the discontinued street. Having reviewed the City's records with respect to the discontinuance of the portion of Lancaster Street implicated by Note 6 (attached) and by operation of 23 MRSA 3026-A(2), I can confirm that the City did retain a public easement in the portion of Hanover Street discontinued in 1981.

Finally, as noted in Note 8 and as expressly noted in the 1981 discontinuance, the City also retained a sewer easement in the the portion of Lancaster Street depicted on the subdivision plan and still exists to this day.

I hope this is helpful. If you or the Board have any questions, please do not hesitate to let me know.

Jennifer L. Thompson  
Associate Corporation Counsel  
City of Portland  
[207.874.8915](tel:207.874.8915)

---

### 4 attachments

-  **201803091238.pdf**  
87K
-  **201803091236.pdf**  
81K
-  **201803091246.pdf**  
82K
-  **Southridge Corp. v. Board of Env'tl. Protection\_ 655 A.2.pdf**  
95K

## AFFIDAVIT OF WILLIAM SCOTT

I, William G. Scott, being first duly sworn, depose and state as follows:

1. My name is William G. Scott and I am a resident of South Portland, Maine, County of Cumberland, and State of Maine. I make the statements herein based upon my personal knowledge.
2. I am currently employed as the Chief Surveyor for the City of Portland ("City") and have been employed in that capacity from January 2017 to date.
3. Prior to serving as Chief Surveyor for the City, I worked for the City as a Project Engineer, a Senior Surveyor and an Engineering Technician.
4. I have been employed by the City continuously for 27 years, from October 22, 1990 to date.
5. During my 27 years working for the City, the City has occupied the land and building located at 82 Hanover Street in Portland.
6. Specifically, the City's Department of Public Works operated a garage and plow truck bay located at 82 Hanover Street that was used to store City vehicles and machinery through Winter 2017.
7. In addition to its use of the building located at 82 Hanover Street, the City of Portland has used a portion of the land as an open surface parking lot to support the garage/snow plow bay's operations (the "Parking Lot").
8. The Parking Lot is comprised of the strip of land between the 82 Hanover Street building and the southerly side of Kennebec Street and is labeled "parking area" on the plan attached hereto as Exhibit A.
9. I have observed the City using the Parking Lot for parking and cleaning City-owned vehicles and equipment, continuously and uninterrupted since before 1997.
10. The use of the Parking Lot has appeared to me to have been controlled exclusively by the City and limited to City of Portland employees and other authorized users since before 1997.
11. The Parking Lot is included in property released to the City from the State of Maine by Governor's Deed dated September 26, 2005 recorded in the Cumberland County Registry

of Deeds, Book 23202, Page 38, and was included in a Release Deed from the Portland Terminal Company to the State of Maine dated September 4, 2001, recorded in the Cumberland County Registry of Deeds, Book 16707, Page 206. I have reviewed records in the City's Department of Public Works archives and found no records granting the City permission to use the Parking Lot for parking purposes.

Dated at Portland, Maine this 70 day of February, 2018.

By: William G. Scott  
William G. Scott

February, 2018

STATE OF MAINE  
CUMBERLAND, ss.

Personally appeared the above-named William G. Scott and swore the above statements were true based on his own personal knowledge.

Before me,

[Signature]  
~~Notary Public~~/Attorney at Law  
Jennifer L. Thompson  
Print Name

- NOTES**
- 1) This plan and map were prepared by the City of Portland Planning Department.
  - 2) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 3) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 4) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 5) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 6) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 7) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 8) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 9) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.
  - 10) The City of Portland Planning Department is not responsible for the accuracy of the information provided by the applicant.

- LEGAL REFERENCES**
- 1) Chapter 11 of the Maine Revised Statutes (M.R.S.)
  - 2) Chapter 12 of the Maine Revised Statutes (M.R.S.)
  - 3) Chapter 13 of the Maine Revised Statutes (M.R.S.)
  - 4) Chapter 14 of the Maine Revised Statutes (M.R.S.)
  - 5) Chapter 15 of the Maine Revised Statutes (M.R.S.)
  - 6) Chapter 16 of the Maine Revised Statutes (M.R.S.)
  - 7) Chapter 17 of the Maine Revised Statutes (M.R.S.)
  - 8) Chapter 18 of the Maine Revised Statutes (M.R.S.)
  - 9) Chapter 19 of the Maine Revised Statutes (M.R.S.)
  - 10) Chapter 20 of the Maine Revised Statutes (M.R.S.)

- LEGEND**
- Proposed Street
  - Existing Street
  - Proposed Right-of-Way
  - Existing Right-of-Way
  - Proposed Lot Line
  - Existing Lot Line
  - Proposed Easement
  - Existing Easement
  - Proposed Utility
  - Existing Utility
  - Proposed Structure
  - Existing Structure
  - Proposed Parking
  - Existing Parking
  - Proposed Landmark
  - Existing Landmark

- GENERAL NOTES**
- 1) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 2) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 3) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 4) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 5) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 6) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 7) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 8) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 9) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 10) The applicant is responsible for obtaining all necessary permits from the City of Portland.

- GENERAL NOTES**
- 1) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 2) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 3) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 4) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 5) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 6) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 7) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 8) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 9) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 10) The applicant is responsible for obtaining all necessary permits from the City of Portland.

- GENERAL NOTES**
- 1) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 2) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 3) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 4) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 5) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 6) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 7) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 8) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 9) The applicant is responsible for obtaining all necessary permits from the City of Portland.
  - 10) The applicant is responsible for obtaining all necessary permits from the City of Portland.

**OWNER OF RECORD**

City of Portland  
 Planning Department  
 125 City Hall Street  
 Portland, ME 04103

**DATE OF RECORD**

12/15/2023

**SCALE**

1" = 20'

**PLANNING DEPARTMENT**

125 City Hall Street  
 Portland, ME 04103

**DATE OF RECORD**

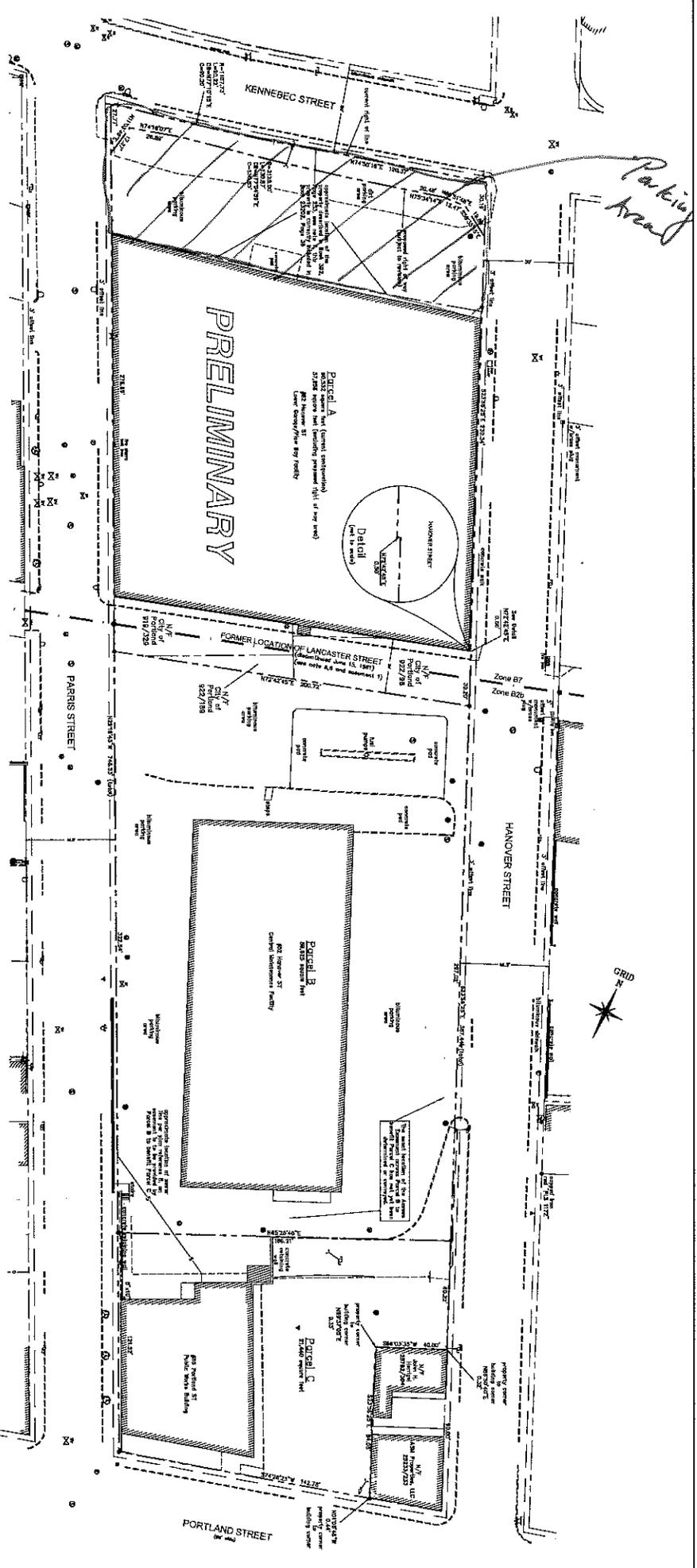
12/15/2023

**SCALE**

1" = 20'

**PLANNING DEPARTMENT**

125 City Hall Street  
 Portland, ME 04103



**PRELIMINARY**

Parcel A (former location of Lancaster Street)  
 Parcel B (former location of Lancaster Street)  
 Parcel C (former location of Lancaster Street)

Kennebec Street  
 Handover Street  
 Portland Street  
 Paris Street

City of Portland  
 Planning Department  
 125 City Hall Street  
 Portland, ME 04103

12/15/2023

1" = 20'

PLANNING DEPARTMENT  
 125 City Hall Street  
 Portland, ME 04103

12/15/2023

1" = 20'

PLANNING DEPARTMENT  
 125 City Hall Street  
 Portland, ME 04103



**User Name:** Jennifer Thompson

**Date and Time:** Friday, January 19, 2018 4:04:00 PM EST

**Job Number:** 59807700

## Document (1)

1. [Southridge Corp. v. Board of Env'tl. Protection, 655 A.2d 345](#)

**Client/Matter:** -None-

**Search Terms:** "funtown" & "adverse possession"

**Search Type:** Terms and Connectors

**Narrowed by:**

**Content Type**  
Cases

**Narrowed by**  
Sources: ME; Cases



Cited

As of: January 19, 2018 9:04 PM Z

## [Southridge Corp. v. Board of Env'tl. Protection](#)

Supreme Judicial Court of Maine

November 3, 1994, Argued ; March 2, 1995, Decided

Decision No. 7161, Law Docket No. Ken-94-400

### Reporter

655 A.2d 345 \*; 1995 Me. LEXIS 42 \*\*

SOUTHRIDGE CORP. v. BOARD OF ENVIRONMENTAL PROTECTION et al.

**Disposition:** [\*\*1] Judgment vacated. Remanded for entry of a judgment affirming the decision of the Board of Environmental Protection.

### Core Terms

**adverse possession**, after-the-fact, parcel, implicated, deprived, occupied

### Case Summary

#### Procedural Posture

Defendant, the Board of Environmental Protection (BEP) and an individual, appealed a judgment of the Superior Court of Kennebec County (Maine), which vacated the BEP's decision affirming the Department of Environmental Protection's (DEP) grant of an after-the-fact permit and remanded the matter to the BEP for further proceedings to determine the individual's administrative standing in an action by plaintiff putative landowner to quiet title.

#### Overview

The individual owned land on which was situated an amusement park. Plaintiff sought to quiet title. The DEP determined that the park was in violation of the Natural Resources Protection Act, Me. Rev. Stat. Ann. 38, § 480-C, and the Site Location of Development Law, *Me. Rev. Stat. Ann. tit. 38, § 483-A*. The DEP permitted the individual to apply for an after-the-fact permit, which was approved. Plaintiff appealed to the BEP on the basis that the individual had failed to demonstrate title in the parcel. The BEP affirmed the order granting the permit. Plaintiff appealed and the individual sought dismissal. The superior court declined to dismiss, but found that the individual failed to demonstrate sufficient interest to

maintain standing and remanded to the BEP. The BEP and individual appealed. In remanding, the court found that the individual had no legal authority to bind the owners of the park. In remanding for entry of a judgment affirming the BEP's decision, the court held that the long established practice of the park on the land, unchallenged by plaintiff, provided sufficient evidence of interest to support the determination that the individual had standing to seek the permit.

#### Outcome

The court vacated that portion of the judgment remanding to the BEP and remanded to the superior court with instructions to enter judgment affirming the decision of the BEP.

### LexisNexis® Headnotes

Environmental Law > Natural Resources & Public Lands > General Overview

**[HN1](#)** [↓] **Environmental Law, Natural Resources & Public Lands**

See *Me. Rev. Stat. Ann. tit. 38, § 480-C* (1989 & Supp. 1994).

Contracts Law > Types of Contracts > Lease Agreements > General Overview

Environmental Law > Natural Resources & Public Lands > General Overview

**[HN2](#)** [↓] **Types of Contracts, Lease Agreements**

See *Me. Rev. Stat. Ann. tit. 38, § 483-A* (Supp. 1994).

Administrative Law > Judicial  
Review > Reviewability > Reviewable Agency  
Action

Environmental Law > Administrative Proceedings &  
Litigation > Judicial Review

Administrative Law > Judicial Review > General  
Overview

Administrative Law > Judicial  
Review > Reviewability > General Overview

Administrative Law > Judicial  
Review > Reviewability > Jurisdiction & Venue

Administrative Law > Judicial  
Review > Reviewability > Standing

### [HN3](#) **Reviewability, Reviewable Agency Action**

Any person who is aggrieved by final agency action shall be entitled to judicial review thereof in the Superior Court, *Me. Rev. Stat. Ann. tit. 5, § 11001(1)*. Other than a party to the original proceeding, any person aggrieved shall have 40 days from the date the decision was rendered to petition for review. *Me. Rev. Stat. Ann. tit. 5, § 11002(3)*. The petition for review shall be served by certified mail, return receipt requested, upon the agency, all parties to the agency proceeding, and the Attorney General. *Me. Rev. Stat. Ann. tit. 5, § 11003(1)*.

Environmental Law > Assessment & Information  
Access > Audits & Site Assessments

Environmental Law > Natural Resources & Public  
Lands > General Overview

### [HN4](#) **Assessment & Information Access, Audits & Site Assessments**

The Department of Environmental Protection will review an application for a permit only when the applicant has demonstrated sufficient title, right or interest in all of the property which is proposed for development or use.

Environmental Law > Assessment & Information  
Access > Audits & Site Assessments

Environmental Law > Natural Resources & Public  
Lands > General Overview

### [HN5](#) **Assessment & Information Access, Audits & Site Assessments**

An applicant for a license or permit to use property in certain ways must have the kind of relationship to the site that gives him a legally cognizable expectation of having the power to use that site in the ways that would be authorized by the permit or license he seeks.

**Counsel:** Attorney for Appellant: Robert H. Furbish, Esq. (orally), SMITH, ELLIOTT, SMITH & GARMEY, P.A., Portland, Maine (for Kenneth Cormier).

Margaret Bensinger McCloskey, Esq., Assistant Attorney General, Augusta, Maine (for Board of Environmental Protection).

Attorney for Appellee: Alton C. Stevens, Esq. (orally), MARDEN, DUBORD, BERNIER & STEVENS, Waterville, Maine.

**Judges:** Before WATHEN, C.J., and ROBERTS, GLASSMAN, CLIFFORD, RUDMAN, DANA, and LIPEZ, JJ. All concurring.

**Opinion by:** RUDMAN

## Opinion

---

[\*346] RUDMAN, J.

The Board of Environmental Protection (BEP) and Kenneth Cormier appeal from the judgment of the Superior Court (Kennebec County, *Mills, J.*) (1) vacating the BEP's decision affirming the Department of Environmental Protection's (DEP) grant of an after-the-fact permit and (2) remanding the matter to the BEP for further proceedings to determine Cormier's administrative standing. In light of the stipulation offered during oral argument before this court and subsequently confirmed in writing, further proceedings before the BEP are unnecessary. We therefore vacate that portion of the judgment [\*\*2] remanding to the BEP. Further, because we disagree with the Superior Court that the pending *adverse possession* suit deprived Cormier of administrative standing to seek an after-the-fact permit, we remand to the Superior Court with instructions to enter a judgment affirming the decision of the BEP.

*Funtown*, situated on land owned by Cormier Landco

and operated by Dalcour Amusement Corporation, is an amusement park, located on a 19.5 acre parcel of land in Saco. The land occupied by **Funtown** includes the .67 acre parcel currently the subject of a dispute between Cormier Landco and the Southridge Corporation. Cormier Landco claims title to the disputed parcel by **adverse possession**. The action to establish that claim remains unresolved.<sup>1</sup>

In February 1990, the DEP determined that the corporate entities controlling the land and the facilities comprising **Funtown** were in violation of the Natural Resources **[\*\*3]** Protection Act, [38 M.R.S.A. § 480-C](#)<sup>2</sup>, and **[\*347]** the Site Location of Development Law, [38 M.R.S.A. § 483-A](#).<sup>3</sup> The DEP permitted Cormier on behalf of **Funtown's** corporate owners to apply for an after-the-fact permit to remedy the violations.

**[\*\*4]** Despite knowledge of the title dispute involving a

<sup>1</sup> The **adverse possession** action remains pending before the Superior Court, and its merits, therefore, are not before us.

<sup>2</sup> [38 M.R.S.A. § 480-C](#) sets forth in pertinent part:

1. Prohibition. **HN1**  No person may perform or cause to be performed any activity listed in subsection 2 without first obtaining a permit from the department or in violation of the conditions of a permit, if these activities:

A. Are in, on or over any protected natural resource; or

B. Are on land adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operate in such a manner that material or soil may be washed into them.

2. Activities requiring a permit. The following activities require a permit:...

C. Filling, including adding sand or other material to a sand dune. ...

[38 M.R.S.A. § 480-C](#) (1989 & Supp. 1994).

<sup>3</sup> [38 M.R.S.A. § 483-A](#) provides in part:

**HN2**  No person may construct or cause to be constructed or operate or cause to be operated, or, in the case of a subdivision, sell or lease, offer for sale or lease or cause to be sold or leased, any development that may substantially affect the environment without first having obtained approval for this construction, operation, lease or sale from the department.

[38 M.R.S.A. § 483-A](#) (Supp. 1994).

small portion of the property **Funtown** occupies and the pending **adverse possession** action, the DEP approved Cormier's after-the-fact permit application. The DEP found the owners had demonstrated sufficient title, right or interest to the parcel implicated by the **adverse possession** dispute to allow it to consider the permit application.

Southridge, along with another adjacent landowner, appealed to the BEP on the basis that the owners had failed to demonstrate title, right or interest in the parcel implicated by the **adverse possession** dispute. Southridge argued that this dispute deprived Cormier of administrative standing to seek a permit as to the entire parcel **Funtown** occupies. The BEP affirmed the DEP's order granting the after-the-fact permit.

Thereafter, Southridge appealed to the Superior Court, see M.R. Civ. P. 80C; [5 M.R.S.A. §§ 11001-11008](#) (1989 & Supp. 1994), alleging that the pending **adverse possession** action implicating a portion of the land deprived Cormier of administrative standing to seek a permit as to all of the property. Although Southridge named neither Cormier nor the owners in the appeal, Cormier's attorney **[\*\*5]** was sent a copy of Southridge's petition for review by certified mail. Cormier, as agent for the owners, intervened on behalf of the **Funtown** interests and sought dismissal of the petition on the basis that he was not made a party within the original appeal period.<sup>4</sup> We agree with the cogent reasoning of the Superior Court when it declined to dismiss Southridge's petition.

In this case, the petition for review containing all of the statutorily mandated information was filed within the appeal period on April 8, 1993. [5 M.R.S.A. § 11002\(2\)\(3\)](#) (1989). Once Cormier moved to intervene and his motion was granted, he was permitted to file briefs and fully participate in this appeal. Therefore, his motion to intervene served the same purpose as a motion to join and he was not prejudiced in any way by the plaintiff's failure to join him as a party. Accordingly, the petition will not

<sup>4</sup> **HN3**  "Any person who is aggrieved by final agency action shall be entitled to judicial review thereof in the Superior Court [5 M.R.S.A. § 11001\(1\)](#). Other than a party to the original proceeding, any "person aggrieved shall have 40 days from the date the decision was rendered to petition for review." [5 M.R.S.A. § 11002\(3\)](#). "The petition for review shall be served by certified mail, return receipt requested, upon . . . the agency: . . . all parties to the agency proceeding; and . . . the Attorney General." [5 M.R.S.A. § 11003\(1\)](#).

be dismissed.

[\*\*6] The court, however, found that Cormier had failed to demonstrate sufficient title, right or interest in all of the property occupied by Funtown to maintain standing to seek the after-the-fact permit. First, the court found that the BEP's reliance on the affirmation of an attorney in finding that Cormier maintained sufficient interest in the property implicated by the pending adverse possession action was improper on the basis that "such evidence neither falls within the categories enumerated in the regulation nor demonstrates a legally enforceable interest which is not revocable at the will of the owners." Further, the court questioned Cormier's standing to seek a permit given the absence in the record before it of sufficient proof as to whom among Cormier, Cormier Landco, and Dalcors had title to the remainder of the property. The court remanded [\*348] the case to the BEP for further proceedings to determine the ownership rights to that portion of the property that is not implicated by the pending adverse possession action.

#### *The Remand*

Although Cormier individually has no legal authority to bind the owners and operators of Funtown, the after-the-fact permit was issued in his name. [\*\*7] The stipulation, however, offered by Cormier's counsel at oral argument alleviates the need for further proceeding before the BEP. Both the owners of the real estate occupied by Funtown and the operators of the amusement park agree to be bound by our actions and those of the BEP.

#### *Standing*

[HN4](#) [↑] The DEP will review an application for a permit only when the applicant has demonstrated "sufficient title, right or interest in all of the property which is proposed for development or use." As we explained in [Murray v. Town of Lincolnville, 462 A.2d 40, 43 \(Me. 1983\)](#), [HN5](#) [↑] an "applicant for a license or permit to use property in certain ways must have 'the kind of relationship to the . . . site,' that gives him a legally cognizable expectation of having the power to use that site in the ways that would be authorized by the permit or license he seeks." (citing [Walsh v. City of Brewer, 315 A.2d 200, 207 \(Me. 1974\)](#)).

We disagree with Southridge's contention that the

record does not sufficiently demonstrate Cormier Landco's interest in the property. Funtown's septic system has existed on the disputed parcel for a long period of time. [\*\*8] This long established business practice, unchallenged by Southridge for many years provides sufficient evidence of interest to support the administrative determination that Cormier and the entities he represents had standing to seek the after-the-fact permit. See [Murray, 462 A.2d at 43](#).

In *Murray*, we found that a purchase and sale agreement, conditioned upon the seller's acquisition of any necessary subdivision approval conferred on the purchaser sufficient interest in the property to have the requisite standing to petition the BEP for approval to build on the property. [Murray, 462 A.2d at 43](#). We commented that the fact that the [purchasers] could opt out of the purchase in certain circumstances does not deprive them of standing, any more than the owner of property in fee simple could be said to lack standing because he has the right to sell his land at any time." [Murray, 462 A.2d at 43](#).

We fully acknowledge that it is possible that Cormier may not prevail in his adverse possession claim to the Southridge property. Should this happen, his permit might be revoked. This possibility, however, [\*\*9] neither deprives Cormier and those he represents of their current interest in the land nor their administrative standing. We discern no substantive difference between the interest asserted in *Murray* and Cormier's asserted interest in the disputed property.

The entry is:

Judgment vacated. Remanded for entry of a judgment affirming the decision of the Board of Environmental Protection.

All concurring.

---

End of Document

# City of Portland, Maine

IN THE CITY COUNCIL

ORDER DISCONTINUING THAT PORTION OF  
LANCASTER STREET BETWEEN HANOVER STREET AND PARRIS STREET

#56  
6/15/81

**Ordered,** that a portion of Lancaster Street be and hereby is discontinued as set forth below:

## LANCASTER STREET DISCONTINUANCE

Beginning at the point of intersection of the centerline of Lancaster Street with the westerly sideline of Hanover Street at a point on said westerly sideline of Hanover Street 461.67 feet northerly along said sideline from the northerly sideline of Portland Street;

thence on a course of S 86° 56' W, a distance of 201.30 feet to a point on the easterly sideline of Parris Street 458.81 feet northerly along said sideline from the northerly sideline of Portland Street;

Said Lancaster Street being thirty (30) feet in width and lying fifteen (15) feet on either side of the above described centerline.

The portion of Lancaster Street above described is a part of Lancaster Street as laid out by the City of Portland on September 15, 1913.

The Right to enter into this portion of Lancaster Street for the purposes of maintenance, repair or replacement of the existing 44-inch diameter brick sewer known as the North Side Interceptor Sewer is hereby reserved unto the City of Portland until such time as said sewer is abandoned or discontinued.

BE IT FURTHER ORDERED AND ADJUDGED, that the sole abutting owner is the City of Portland, Maine which is the petitioner for such discontinuance and no damages shall be paid to any such abutter.

This is to certify that I <sup>TESTED</sup> ~~SAID~~  
in hand to CITY HALL & CUMBERLAND COUNTY COURT HOUSE  
an attested copy of the above  
on JUNE 19, 1981 at 3:00 PM

Samuel W. Reed  
Constable at Large

Paul

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Stephen T. Honey, City Manager  
FROM: Patricia Harrington, Chief Planner  
SUBJECT: Discontinuance of Lancaster Street

DATE: 7/15/81

The Portland Planning Board reviewed the request by the City of Portland to discontinue a portion of Lancaster Street between Hanover Street and Parris Street at their regular meeting held July 14, 1981. The Board voted unanimously to recommend to the City Council that the described portion of Lancaster Street be abandoned.

In addition to recommending the discontinuance of Lancaster Street, the Planning Board also unanimously approved a site plan for the proposed Central Maintenance Facility for the City of Portland.

*Patricia Harrington*

PH/jn

cc: George Flaherty  
Joseph E. Gray  
Douglas Mason



Helen Donaldson <hcd@portlandmaine.gov>

---

## comments on 56 Parris, Parris Terraces (2017-287)

---

**Jeff Tarling** <jst@portlandmaine.gov>

Wed, Feb 7, 2018 at 3:37 PM

To: Helen Donaldson <hcd@portlandmaine.gov>

Hi Nel -

Bayside Project recommended trees -

**Honeylocust** - they are adaptive to urban conditions and provide a light shade with minimal leaf litter. We have some other street tree options that we can also suggest - The Urban Pinnacle Oak and Regal Prince Oak are both upright shaped trees that can tolerate urban conditions. We really like the 'Streetkeeper' cultivar of Honeylocust perhaps the best for this site.

Any tree planting in this area is going to need to be planted in a raised tree planter if it has any chance to survive. Attached is our basic spec but we can revise as needed to fit this site. The granite curbing wall near Hanover Street we planted two Austrian Pine trees a few years ago and they are doing really well. As the plan evolves we can check for additional green improvements, a real landscape plan would be helpful.

Thanks

Jeff

See:

<http://www.jfschmidt.com/introductions/streetkeeper/>

<https://www.jfschmidt.com/introductions/urbanpinnacle/index.html>



Jeff Tarling  
City Arborist - City of Portland Maine  
Parks, Recreation & Facilities Department  
Forestry & Horticulture  
212 Canco Road  
Portland, ME. 04103  
[\(207\) 808-5446](tel:(207)808-5446)  
[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)

[Quoted text hidden]

---

 **TreePlanter.pdf**  
58K



Helen Donaldson <hcd@portlandmaine.gov>

---

## comments on 56 Parris, Parris Terraces (2017-287)

---

**Jeff Tarling** <jst@portlandmaine.gov>

Wed, Feb 7, 2018 at 5:14 PM

To: Helen Donaldson <hcd@portlandmaine.gov>

Spacing - 45' and / or could do a grove of trees in places if there are obsticals.

[Quoted text hidden]

--

[Quoted text hidden]