

# Portland Land Bank Commission 2016 Annual Report



December 2016

## **Acknowledgment**

The Land Bank Commission is pleased to present its annual report to the City Manager and City Council whose collective wisdom and vision recognized a “need to balance development within the municipality with conservation of open space important for wildlife, ecological, environmental, scenic or outdoor recreation values” by creating an entity to ensure conservation and preservation of limited open space. Special thanks and appreciation to the staff support from Michael Goldman, Ethan Hipple, Laurie Mondor and Doug Roncarati.

## **Overview**

The Land Bank Commission is charged with the responsibility of submitting an annual report to the City Manager and making recommendations for preserving open space to the City Council. This annual report provides a summary of the work the Commission completed in the last year.

The Land Bank Commission receives funding to assist with achieving the goals of the Commission and to acquire property for open space conservation purposes. One half of 1% of the City's annual Capital Improvement Budget is set aside for the acquisition of property recommended to the City Council for Land Bank status. The Commission has other methods to acquire open space property which include personal property donations, direct purchases, land trades, grants and developer agreements.

## **Commission Members (2016):**

Co-Chair, Tom Jewell (District 4)  
Co-Chair Patrizia Bailey (District At-large)  
City Councilor Justin Costa (Council Appointee)  
Simon Rucker (District 1)  
Bryan Wentzell (District 2)  
Colleen Tucker (District 3)  
William Mann (District 5)  
Meri Lowry (District At-large)  
Rene Perry (District At-large)  
Roger Berle representing Portland Trails

## **Staff Support:**

Ethan Hipple, Parks and Recreation  
Doug Roncarati, Stormwater Program Coordinator  
Michael Goldman, Corporation Counsel  
Laurie Mondor, Office Associate

## **Introduction**

This document, including the attached Exhibits, is the Annual Report and Updated Registry of Open Spaces as set forth in Section 2-42 (g) of the Ordinance created by the City Council in 1999 which established the Portland and Bank Commission with the following stated purposes:

1. Act as an advocate for the acquisition and conservation of open space within the city;
2. Cooperate with other agencies and parties on wetlands mitigation projects;
3. Recommend on a priority basis the acquisition of various interest in real estate in order to effectuate the goal of this article;

4. Accept gifts and funds from both private and public sources and to disburse such funds for the purposes hereunder;
5. Act as a liaison to other public and private nonprofit agencies involved in planning, acquisition, disposition, and management of land within the municipality; and
6. Recommend an annual budget to the city manager and city council to carry out its purpose.

The Commission shall annually file a report consisting of two parts, required by City Code provisions, the Registry of Open Space and an operating budget.

The Registry of open space shall list all open space of types in Code Section 2-43 (a), publicly or privately owned, located within the city or abutting the city as potential buffer areas, for the purpose of providing information pertinent to property utilization, protection, development or use of such open space. The Registry must show all property interests then currently held by the city, including a description of the use of those interests and all acquisitions, improvements or dispositions of all property interests at any time of those interests held by the city at any time during each filing.

The types of land and interests specified in Section 2-43 (a) are the following:

- Ocean, harbor, river, stream or pond frontage and adjoining back lands;
- Fresh or saltwater marshes, estuaries, flood plains and adjoining uplands;
- Islands;
- Land for future passive public outdoor recreational use, including hiking, trails, bicycle paths, green belts and high elevations with a view;
- Aquifers, aquifer recharge areas and other ecological fragile or significant property;
- Properties with unique historical or geological characteristics or otherwise important to the community's cultural welfare;
- Woods or forest land;
- Farmland or wildlife habitat;
- Open spaces which help shape the settlement pattern of the community by promoting the neighborhood concept and discourages sprawl;
- Vacant parcels of land, vacant buildings and properties or buildings and properties in significant disrepair which may be reclaimed for the purpose of establishing natural areas for conservation and open space land; or
- Conservation or trail easements and other similar interests in land.

The Operating Budget for all expenses and projects of the Commission is required to be submitted to the City Manager and City Council by Code Section 2-41 (h) (9). That Section of the Code specifies that the budget "shall include a separate budget for expenditures from the Land Bank fund, which expenditures will be limited to the purposes for which the fund is dedicated."

Compliant with the stated requirements in Code, the Land Bank Commission Annual Report for 2016 contains its Registry and operating budget.

## Accomplishments

- Reviewed the Tax Acquired Properties listing to determine if the City should retain any of the parcels for open space conservation and provided the Tax Acquired Properties Committee with initial recommendations. Several parcels have been identified to be recommended to the City Council to be submitted to the Land Bank.
- Reviewed and voted to support the City of Portland's proposal to install a 648kw solar array on the landfill near Ocean Avenue.
- Reviewed the proposal to acquire land near Stroudwater Dam. At the request of the City, this proposal was not pursued by the Land Bank Commission.
- Reviewed the request by city residents, Mr. and Mrs. Marshall, to purchase land bank land near 471 Danforth St. It was decided that the land would remain in the Land Bank, but that an easement might be granted by the City for the existing retaining wall and other water control features encroaching on the City's land.
- Considered a proposal to acquire several lots in Oak Nuts Park. An appraiser has been engaged to determine value of the parcels in question.
- Developed transaction opportunities for the purchase, donation and submission of TAPC acquired parcels for several contiguous undeveloped parcels in Redlon Park. Redlon Park consists of several acres of open space surrounded by Brighton Ave, Stevens Ave, Capisic St and Bancroft St. Those parcels slated for purchase or donation have been appraised and the Land Bank Commission is making a recommendation to the City with respect to these parcels.
- Completed review of the Priority Parcels List (attached as Exhibit C).

## Land Bank Commission Project Initiatives 2017

- *Easement to 471 Danforth Street.* 471 Danforth Street (071 A002) is City-owned vacant land, containing .35 acres (15,360 sq. ft.), with an assessed value of \$76,800. It is currently in the Land Bank. The abutters at 467 Danforth Street (071 A003) requested to purchase the fee land of 471 Danforth Street in order to accommodate existing drainage and retaining wall infrastructure and future garden improvements. As an alternative, the Land Bank Commission concluded that selling a drainage easement for the existing infrastructure would be more appropriate. (This project is currently ongoing.)

- *Menario Plaza.* The Land Bank Commission voted unanimously to approve the renaming of the northern half of Lobsterman Park to Menario Plaza. After reviews conducted by the Parks Commission and following the adoption of a City Council order, the portion of the park just north of the Lobsterman Park area was renamed.
- *Procurement/Expenditures at Portland Arts and Technical High School.* The Land Bank Commission concluded to undertake capital expenditures to improve existing trail infrastructure at PATHS Woods (an existing Land Bank property). The Land Bank Commission is currently assessing the needs and intends to solicit proposals from contractors to undertake the work.
- *Pursue the acquisition of parcels in Redlon Park.* The Land Bank Commission is currently constructing a transaction to purchase, accept the donation of, and use TAPC acquired parcels of several contiguous undeveloped parcels in Redlon Park, known as “Redlon Woods”. Redlon Woods consists of several acres of open space surrounded by Brighton Avenue, Stevens Avenue, Capisic Street and Bancroft Street. Those parcels slated for purchase or donation have been appraised and the Land Bank Commission is making a recommendation to the City Council with respect to these parcels.
- *Pursue the acquisitions of parcels in Oak Nuts Park.* The Land Bank Commission has commissioned an appraisal on an addition to Oat Nuts Park, a Land Bank property. There is the potential for the acquisition of a few lots for Oat Nuts Park going into 2017.
- *Review and assess Land Bank Parcels.* The Land Bank Commission is working with the Parks Commission to update the City of Portland inventory of parks, Land Bank properties and other City-owned property.
- *Consider non-acquisition expenditures to various trails on Land Bank parcels.* The Land Bank Commission is considering future infrastructure improvements along the lines of the PATHS project.

## Exhibit A – Description of Current Land Bank Registry Existing Holdings (Open Space)

E-1 Natick Street. This parcel is contiguous with the northern end of the Interurban Line parcel (HP- 19) which, like its counterpart, runs along the western side of the railroad line. The land provides a wooded buffer between the railroad line and adjacent residential development and includes a trail that is heavily used by local residents. A network of wetlands and a stream are also located on the property.

E-2 Pineloch Drive. Situated next to Oatnuts Park, this parcel follows a sewer right-of-way and brook, which are flanked on both sides by mixed woodlands. The Portland Water District conveyed this property to the City in 2001. The trail through Oatnuts Park emerges into the cleared right-of-way and follows it for several hundred feet before reentering the woods and continuing on towards the Presumpscot River Preserve.

E-3 City RPZ Land on Starbird Lane. This large parcel is located next to the Fore River Sanctuary, at the confluence of Capisic Brook and the Fore River, and consists of a mix of marshland, wet meadow, and woodland. It serves as valuable habitat for migratory waterfowl and other species of wildlife. Future access to this property will be via a trailhead located at the end of Starbird Lane Extension. Forming its southern border, the railroad line affords excellent views of the marsh.

E-4 City RPZ Land on Rand Road. This parcel, along with the Union Water-Power land (HCP-1 4) is located off Rand Road just to the west of the Fore River Sanctuary. The property is predominantly wooded, with the exception of the CMP right-of-way that runs the length of the parcel. It forms a significant drainage area with many hills and gullies collecting and guiding stormwater toward the Fore River. Consequently, numerous streams and wetlands are located throughout the parcel. The blend of softwoods and hardwoods, shrubs, and ground cover provide abundant habitat for wildlife, including deer. Together these parcels serve as an important wildlife corridor for the Fore River, even though it is bounded to the west by the Maine Turnpike. Several footpaths wind through the woods and along the right-of-way, connecting to the Fore River Sanctuary trail system. This includes a trail along the remains of the historic Cumberland and Oxford Canal.

E-5 Hobart Street Area. Situated off Hobart Street these parcels provide public access to and afford spectacular views of the Fore River. It also links with Portland Trails' Fore River Trail on the other side of Hobart Street. Portland Water District maintains a pump station and outfall at the site.

E-6 Pine Grove Park. Pine Grove Park, as the name implies, is an 8-acre parcel on Ray Street that is mostly covered with mature white pine. Several paths wind through the park bringing attention to interesting ledge outcrops.

E-7 Blueberry Road Parcel. Located along the Stroudwater River at the end of Blueberry Road, this one-acre parcel includes a section of the proposed Stroudwater River Corridor (HCP-15) nearest the Maine Turnpike. This City-owned property provides direct access to the river and Stroudwater Trail. The Portland Water District has a pump station on part of the property. The land is currently afforded some protection by virtue of being in the Resource Open Space Zone (ROS) and the Shoreland Overlay Zone.

E-8 Conservation Area at Evergreen Cemetery. This area at the rear of Evergreen Cemetery just beyond the ponds is a pleasant and inviting refuge of undeveloped woodland, undulating ground and rock outcroppings in the city. It consists primarily of two landscapes. One is a high central area of exposed bedrock vegetated with small trees. The other is lower, more level and somewhat poorly drained woodland with larger trees and an open plain of ground. The tree cover is mixed deciduous and evergreen consisting largely of White and Red Oak species, White Pine and Hemlock, with some Birch and Red Maple. The area is approximately 30 acres in size. It contains a number of existing pedestrian trails. This area, in conjunction with the rest of the cemetery, provides an excellent habitat for a variety of bird species. For this reason Evergreen Cemetery is a favorite spot for birding enthusiasts. During May of 2004, the Maine Audubon Society had about 224 participants for their morning bird walks over a ten-day period. Hundreds of others use the site for bird watching, independent of the Maine Audubon Society. In addition, joggers, walkers, cross-country skiers, and dog owners use the area.

E-9 City-Owned Parcels in Oatnuts Park. Oat Nuts Park is an approximately 23-acre undeveloped wooded area located off of Summit Street in the North Deering neighborhood. Oatnuts Park is contiguous with the Presumpscot River Preserve. It includes a gated entrance on Summit Street and existing pedestrian trails providing access to the Presumpscot River Preserve and to nearby residential streets.

E-10 Presumpscot River Preserve. The 48-acre Presumpscot River Preserve, located in the North Deering neighborhood, is one of the river's largest areas of undeveloped riparian land. The parcel is heavily wooded and many of the steep slopes that traverse the landscape are overgrown and difficult to access. The property includes over 3100 feet of river-frontage, providing direct access to the beauty and peacefulness of the river. The preserve is crossed by a cascading stream and several stream pools. It provides Portland residents with unequalled opportunities within the city for nature study, fishing, and picnicking. Further, with the removal of the Smelt Hill Dam in 2003, alewives are now returning to the lower Presumpscot River for their annual migratory run. They draw a variety of other wildlife to the river including cormorants and osprey, which congregate at Presumpscot Falls looking for an easy meal. The City is cooperatively managing the preserve in conjunction with Portland Trails. There are several wonderful trails that provide direct access to the river within the preserve and beyond its borders.

E-11 Sheridan Street Property. This property forms one of the few areas of open space on the bay side of the Eastern Promenade. The land drops precipitously from the western side of North Street to the eastern side of Sheridan Street, making most of it unsuitable for development. It offers accessible open space between Sheridan Street and North Street, and good views of Back Cove and points west. It links via footpaths to the grounds of the East End School.

E-12 PATHS Wooded Area. Located behind the Portland Arts and Technology High School (PATHS), this land is comprised of a few lightly wooded areas, but is mostly open and includes both scrub-shrub wetlands and granite outcroppings. Over the past ten years the School has used the land as a training ground for students, who have developed trails and sitting areas. This site lends itself to outdoor education and a nature trail could easily be created there with the help of students. The PATHS property and North Deering/Riverton Parcels (E-19) serve as the headwaters of Dole Brook, a stream that runs west through Riverside Golf Course to connect with the Presumpscot River. Preservation of these wetlands, fields and woodland buffers is critical to protecting water quality within Dole Brook Watershed.

E-13 Virginia Street Parcels. These City-owned, tax-acquired parcels adjacent to Maine Ave and Ray Street are contiguous with the Ocean Ave Open Space (E-14) and part of the Ocean Avenue Recreation Area. This undeveloped land features a mix of shrubs, trees, wetlands and streams. Several trails running through this property connect it to the larger Portland Trails network. The property's proximity to extensive residential neighborhoods creates an exceptional opportunity for recreation, education, and conservation activities.

E-14 Ocean Avenue Open Space. This property is the area formerly used as a landfill on outer Ocean Avenue near the intersection with Presumpscot Avenue. The 60+ acre site includes the capped landfill, Quarry Run Dog Park, and adjacent woodlands and wetland areas, which provide a mix of habitat for a variety of wildlife species including turkeys, deer and fox and song birds, especially migrating sparrows. In fact, the site is so popular with "birders" that is known as the "Dragon Fields" due to its proximity to the former Dragon Cement quarry. The landfill rises approximately 50-70 feet above the gravel drive at the highest point, affording good views in all directions, including Casco Bay to the south and east. These properties, in combination with the Virginia Street Parcels (E-13) and other nearby City-owned tax-acquired parcels make up the Ocean Avenue Recreation Area. The Commission has been working to protect additional trails and wildlife habitat, mainly wetland areas, contiguous with these existing holdings.

E-15 Maggie Lane Lot. This triangular lot off Maggie Lane, in combination with a trail easement on private property, was acquired in 2008 to provide trail access and linkage along the Riverton Rail Trail. Portland Trails constructed a trail head and boardwalk to connect with the trail network.

E-16 Beverly Street Lots – North. The Beverly Street Lots - North link with southern counterpart and the Natick Street Property along the west side of the Riverton Rail Trail. These lots were acquired to protect the Dole Brook stream corridor, provide access to the trail and to preserve a wooded buffer between the trail and adjacent properties.

E-17 Beverly Street Lots – South. The Beverly Street Lots - South, link with their northern counterpart and the Natick Street Property along the west side of the Riverton Rail Trail. These lots were acquired to protect wetlands associated with Dole Brook, provide access to the trail and to preserve a wooded buffer between the trail and adjacent properties.

E-18 Goodridge Avenue Lots. These wooded lots behind the intersection of Goodridge Avenue and Eleanor Street were acquired in conjunction with the Maggie Lane Lot and a trail easement to provide trail access and linkage along the Riverton Rail Trail. Portland Trails completed the new section of trail in 2010.

E-19 North Deering / Riverton Parcels. This large group of parcels is located north and west of the PATHS Wooded Area (E-12), just across the tracks from the Riverton Rail Trail. These wooded parcels provide connectivity to the Portland Trails network, provide significant wildlife habitat and preserve wetlands and stream buffers essential to maintaining the health of Dole Brook.

E-20 Castine Pines. This attractive grove of pine trees at the intersection of Forest Avenue and Castine Avenue was acquired as conservation land in 2008 through a land swap with a local developer planning to build additional housing on the street.

E-21 Ocean Ave Rec Area-Pine Grove Ave Lots. These lots near Copley Woods Circle were purchased to fill in gaps at the southern edge of the Ocean Avenue Recreation Area. This acquisition preserves trail connectivity and wooded wetlands in this area. Additional lots near Stepping Stone Lane were also included in this transaction.

E-22 Ocean Ave Rec Area-Belfast St Lots. These lots near Maine Avenue and Ray Street were donated to the Land Bank as conservation land to fill in gaps at the north-western edge of the Ocean Avenue Recreation Area. This acquisition preserves trail connectivity and wooded wetlands in this area.

E-23 Ocean Ave Rec Area-Marlborough Rd/Trapelo St Lots. These lots near Copley Woods Circle were purchased to fill in gaps at the southern edge of the Ocean Avenue Recreation Area. This acquisition preserves trail connectivity and wooded wetlands in this area.

E-24 Dole Brook Driving Range Property. This property across the street from Riverside Golf Course was once used as a driving range. The land is mostly wooded with the exception of a clearing for the former driving range and slopes towards a ravine that carries Dole Brook on its way to the Presumpscot River. Dole Brook has been identified as an impaired stream by the Maine Department of Environmental Protection, because it does not meet its designated water quality classification due to the impacts of urban stormwater runoff. State and Federal regulations under the Clean Water Act require the City to restore water quality in the brook. This property was placed in the Land Bank to protect the stream corridor, prevent further water quality degradation and potentially provide for passive recreational activities, such as trails or a low-impact driving range.

E-25 Canco Woods. The Canco Woods property was protected in 2012 through a collaborative partnership between neighborhood residents, the Trust for Public Land, Portland Trails, the Land Bank Commission and the former land owner, Union Water- Power Company. This very popular 13-acre wooded area features wetlands, streams and trails. The City also has a sewer right-of-

way through a portion of the property. Canco Woods is owned by the City, but Portland Trails holds a conservation easement on it.

E-26 University Park. A popular spot for off-leash dog walking, University Park can be accessed from either Yale Street off Allen Avenue or from the east at Harvard Street. The property is bisected by the Harvard Street Path.

E-27 Wooded Area North of Riverside Golf Course. This wooded area is part of Riverside Golf Course and is bordered by the Presumpscot River and Interstate 95.

E-28 Land Along Canco Road. This parcel connects to the larger Canco Woods to the south (E-25) and contains the road frontage of The Woods at Canco retirement home.

## Exhibit B – Specific Properties (Portland Parks) Dedicated as Land Bank Property Interests

- E-29 Back Cove Park and Trail
- E-30 Barrow's Park/Baxter Sundial
- E-31 Stone Street - Bayside Park & Playground
- E-32 Baxter Pines
- E-33 Baxter Woods
- E-34 Bell Buoy Park
- E-35 Belmeade Park
- E-36 Capisic Pond Park
- E-37 Clark Street Park
- E-38 Congress Square Park
- E-39 Deering Oaks Park
- E-40 Dougherty Field
- E-41 Eastern Prom, East End Beach, Fort Allen Park
- E-42 Fessenden Park
- E-43 Fort Gorges
- E-44 Fort Sumner Park
- E-45 Fox Field/Kennedy Park
- E-46 Harbor View Park/Tate-Tyng Park
- E-47 Heseltine Park
- E-48 Lincoln Park
- E-49 Lobsterman Park
- E-50 Longfellow Square
- E-51 Monument Square
- E-52 Munjoy Playground
- E-53 Payson Park
- E-54 Peppermint Park
- E-55 Pleasant Street Playground

E-56 Post Office Park

E-57 Riverside Golf Course

E-58 Riverton Park

E-59 Stroudwater Park

E-60 Taylor Street Playground

E-61 Tommy's Park

E-62 Western Promenade

## Exhibit C - Current Land Bank Commission High Priority Parcels

HCP-1 Glickman, GDI  
HCP-4 Jewell Falls Area  
HCP-9 Brackett St Lots at Indian Trail, Peaks  
HCP-10 Presumpscot River Corridor  
HCP-11 Riverton Trolley Park Parcels  
HCP-12 Fairpoint Pines  
HCP-13 Redlon Road Parcels  
HCP-14 Union Water & Power Land  
HCP-15 Stroudwater River Corridor  
HP-3 ACE Griffin's Cove, Cliff Island  
HP-4 Kensington St Parcel  
HP-6 RPZ 1601-1660 Congress Street  
HP-7 Waynflete School Property  
HP-8 Hall School Wooded Area  
HP-9 MTA Land Holm Ave  
HP-10 PTC Land Holm Ave  
HP-11 410 Auburn St  
HP-12 1831 Washington Ave  
HP-13 Rocky Hill  
HP-15 Land West of Murray St  
HP-16 CMP-PTC Property  
HP-19 Inter-urban Line  
HP-21 Fore River Corridor on Yellowbird Ln  
HP-24 Salem St Parcels