

**2009 ANNUAL REPORT**  
**and the**  
**2010 ANNUAL PLAN OF THE LAND BANK COMMISSION**



May 6, 2010

## **Overview**

This document is the fifth (5<sup>th</sup>) Report and Registry submitted by the Land Bank Commission since the City Council authorized and created the Commission in April 1999 and serves as the 2009 Annual Report and the 2010 Annual Plan of the Land Bank Commission. The Commission was convened on October 5, 1999. The Commission is charged with the responsibility to submit an annual report to the City Manager and recommendations for preserving open space to the City Council. The annual report provides the Council with a summary of work of the Commission during the past year and the recommended work plan for the year ahead. The property that the Commission has considered and deemed worthy of preserving for open space and conservation purposes are associated with a previous catalogue of prioritized listing of recommended parcels to pursue and obtain. The parcels recommended for acquisition in the work plan reflect the following factors:

1. The value of the parcel as open space;
2. The availability of the parcel for acquisition or other form of protection;
3. The immediacy of development threats to the parcel;
4. The present uses of adjoining or neighboring parcels.

The Land Bank Commission receives funding to assist with achieving the goals of the Commission and to acquire property for open space conservation purposes. Funds are made available from a ½ of 1% or .5% of the City's annual Capital Improvement Project Budget 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.

### **The Land Bank has the following responsibilities:**

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, stormwater management and protection, scenic and/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. The Commission has developed an inventory of open space resources within the City. It is engaged in an ongoing effort to proactively protect properties from development through easement, deed restriction, or acquisition.

Current members of the Land Bank Commission are as follows:

Tom Jewell, Chair (term expiration 2012)  
U. Charles Rimmel (term expiration 2010)  
Colin Apse (term exp. 2011)  
Stephen Aylward (term exp. 2010)  
Joseph Anderson (term exp. 2011)

Keith Dunlap (term exp. 2012)  
Colleen Tucker (term exp. 2012)  
Bryan Wentzell, (term exp. 2011)  
Cheryl Leeman, City Council  
Roger Berle, Portland Trails

**Staff**

Michael J. Bobinsky, Director of Public Services  
Doug Roncarati, Stormwater Management Program Coordinator  
Judith Rosen, Senior Executive Assistant

**Accomplishments in 2009**

- The Land Bank Commission was able to acquire the following properties: Alling Property, Natick Street Property, and Kim Ferrell Lots.
- Reviewed and endorsed the Forest Management Plan on June 1, 2009.
- Reviewed and conducted an assessment of the Commissions Administrative and Policy roles with respect to core functions, and recommendation for property acquisition for open space and conservation purpose with staff assistance from the Corporation Counsel's office.
- The Land Bank has begun identifying all properties that have been placed in to Land Bank status by the City Council, via a GIS based mapping program, that highlights City owned land, tax acquired property, open space and other conservation, park, trails property. In addition, mapping of high priority parcels are also available to assist the Commission and the public with viewing parcels that are particularly sensitive or have a high priority for acquisition and protection from development.
- Reviewed and endorsed new Bylaws and Procedures for the Tax Acquired Properties Committee and the Land Banks' role in reviewing and recommendation for retention of tax acquired properties.
- Made updates to a Land Bank Commission information video with assistance from USM students.
- Received City Council approval to place several properties in the North Deering/Riverton area into Land Bank status, following review and approval from the Housing Committee and the Tax Acquired Properties Committee. These parcels are contiguous with existing open space behind PATHS and along the old Interurban Rail Line. They provide opportunities for expanding connections to the popular Riverton Rail Trail. This action also preserves a significant portion of the remaining wetlands at the headwaters of Dole Brook, helping to protect water quality in this "urban impaired stream" and the Presumpscot River to which it drains.
- Endorsed grant applications and volunteer resource efforts to address invasive plants along sensitive areas of the City.

- Recommended endorsement of the Sebago to the Sea (trail system) Resolution to the City Council.

**Program Budget and Project Initiatives for 2010**

The City allocates ½ of 1% of the annual Capital Improvement Project (CIP) budget for the acquisition of property for open space conservation purposes. Each year the Land Bank Commission presents their annual report to the City Council along with a proposed budget allocation of available resources. Available funding for the planned work activity by the Land Bank Commission is \$202,704.

This budget, if approved by the City Council, constitutes the planned appropriations for the utilization of the Land Bank funds. The Land Bank Commission proposes to work on the following new initiatives with the associated budget estimate:

**Revenues:**

Current account balance : \$ 202,704

**Expenditures:**

Non-Acquisition Expenses: \$ 10,000

Property Acquisition: \$ 50,000

Total: \$ 60,000

**Project Initiatives**

During 2010, the Land Bank Commission proposes to work on the following new initiatives and property acquisitions:

1. Recommend purchase of available property on Trapelo Street and Marlborough Road to expand other property near the Virginia Street property area that is designated for Land Bank Status: Marlborough Road and Trapelo Street; 120-126 Marlborough Road; and Pine Grove Avenue

2. Complete review and recommendations to the City Council for the 2009 yearend Tax Acquired Properties to be retained for Land Bank status.
3. Recommend purchase of properties identified as Lots #346-A-11,12, 37, and 38 located behind PATHS and contiguous to other property holdings designated as Land Bank status.
4. Pursue the Hale lots at Trolley Park for acquisition into Land Bank Status.
5. Reassess Land Bank Parcel Priorities. The Commissioners plan to revisit past parcel priorities to determine if any changes are needed since the preparation of the last priorities summary prepared in 2005 and an updated report prepared to the City Council in 2007. The Warren Green development project proposed for a large parcel of land off of Warren Avenue is an example of how changing conservation goals and shifting development pressures can require reexamination of parcel priorities. Federal mandates to protect and restore water quality in Capisic Brook have caused this property to rise to a higher conservation priority level than it had in the past.
6. Solicitation of grants for development of an Invasive species removal plan.
7. Pursue Land Bank Commission Website Improvements, to include updated reports, property acquisitions, maps and photo images of priority properties for future acquisition into Land Bank status.
8. Work with City staff on the development proposals for the Rand Road Technology Park development.
9. Complete a Land Bank Archive notebook, including past meeting minutes, agendas, and agenda back up materials for future reference.
10. Participate in annual Green Space Forum sponsored by the Parks Commission.

