
30 Fox Street condominiums

1 message

Nicholas Sichterman <nicholas.sichterman@gmail.com>

Fri, Dec 1, 2017 at 1:25 PM

To: Jean Fraser <jf@portlandmaine.gov>

Hello Ms. Fraser,

My wife and I are property owners abutting a proposal for a three unit condominium development at 30 Fox Street.

We may be a bit tardy in sending you some of our questions and concerns about this project, but we never received a post-card notification from the Planning Department. We've been anticipating that notification ever since we met Mr. Norwalk in October. We heard from our neighbor across the street -- Mrs. Maloney-- that she had received a notice and since that time we've visited City Hall to view the development plans.

We were, and are, supporters of the most recent changes to the R-6 zone, but we no doubt have a slightly different slant on the opportunities the changes present, different, I would assume than developers such as Mr. Norwalk. Our lot at 28 Winthrop was, prior to the changes in the R-6, a non-conforming lot. It is -- at 2,010 s.f.) -- now a conforming lot, and we have built a two story, peaked roof, single family home.

While we've spent some time reading about the changes to the R-6, you'll be able to quickly answer some of our questions:

The current project for the condominiums at 30 Fox Street began with the purchase by Mr. Norwalk of our neighbor's property at 32 Fox Street. 32 Fox Street is a single family home that, under the previous ownership, sat on two lots under common ownership -- the total lot size was apparently 4,095 s.f. The attached carport at 32 Fox St. was demolished by Mr. Norwalk, the house was quickly sold, and he retained ownership, after surveying work, of the 2,394 s.f. noted on his application for his condominium development.

What was a single family home on a conforming lot of 4,095 s.f. is now a single family home on a non-conforming lot of 1,701 s.f. and five feet from a development pushing the limits for its lot size --three units with on site ground floor parking. It was our assumption that the house he flipped would at least need to be transferred to the new owners with a conforming lot of 2,000 s.f. instead of creating a non-conforming lot solely for the purpose of maximizing profits on the retained property. We had hoped for a single family house on that lot--the predominate building type in our three block neighborhood--but fully expected a two-unit project of some kind.

Have there been variances granted for this project? If so, is there a list of those granted that we can access? Are abutters routinely notified of variances?

During our visit to your offices to see the plans we noticed that the 30 foot pear tree the City had planted 15-20 years ago is slated for removal and replaced by a 15 foot maple. There are only 4 of these trees on Fox Street from Washington Ave. to Anderson. I've attached a photo of this tree -- which is fully leaved and is just now turning color in December as it stands centered before the narrow lot planned for condominiums. For comparison, I've also included a photo of a 15' tree planted in the sidewalk two houses down the street. Fox Street is a street in need of some softening and scale, the kinds of concerns that are hardly footnotes on paper plans, yet are so important in the daily lives lived in a neighborhood.



Thanks for your time today and please let us know of all meetings concerning this project. We have received many notices these past few years for applications for all sorts of developments from Washington Ave. to Anderson Street and it was

disheartening, to say the least, not to receive the one notice with the greatest impact to us personally.

Sincerely,

Nicholas Sichterman
Mariah Hughs

Re: 30 fox street

1 message

Kelly Hrenko <kelly.hrenko@maine.edu>
To: Jean Fraser <jf@portlandmaine.gov>
Cc: Kerry MacDonald <kmace04@msn.com>

Wed, Dec 27, 2017 at 2:27 AM

Hello Jean-

Thank you for your willingness to meet and discuss the 30 fox project. We very much appreciate your time.

First, we wanted to confirm both the upper and lower level rooms with a window (and skylight) on the side facing the vacant lot to be developed, are bathrooms. The upper level on that side also contains two bedrooms with windows facing the street and back yard.

Thank you for the updated plans. We have a few questions/concerns:

1. The plans indicate attaching a metal guard rail to the side of our home. We have not given permission for this. However, we definitely agree there should be something installed to protect cars from colliding...a free-standing barrier, perhaps something like concrete/metal bollards. We feel the extremely tight parking situation is a real matter of safety, especially when driving in slippery and/or dark conditions. Our kitchen (with gas appliances), living room, and bathroom all run along that side of our home.
2. Along with the fear of cars maneuvering so closely to our home - the tight quarters appear to severely limit our access to that side of our home for regular maintenance and repair. Our only exterior water connection is on that side as well as gutters etc - of which may need attention multiple times a year. The plans also seem to indicate that snow storage will lean into our fence, thus blocking a newly installed gate. In general, we can't help but feel the project is uncomfortably encroaching upon that side of our property.
3. We have questions about the applicants request to allow parking- based on a compact car size. Namely, how would we or the city ensure that only compact cars are maneuvering in that area and therefore not in jeopardy of collision with each other and us.
4. Lastly, we would like to confirm that the upper levels of the new building will remain >5feet from our property.

In closing, we do not oppose the project but really want to be sure we are aware of the details and fully understand the aspects of this project that may impact our property. We are first-time home owners in Portland and have worked very hard to purchase our home - and look forward to a long and happy life there. So of course, we want to be sure we are safe and that our property is protected. Is there any additional information on these concerns or other key issues that may be helpful for us to consider?

We are available to meet this week on Friday 12/29 any time after 3pm, and various times on Monday 1/1 and Tuesday 1/2 although an earlier time on those days is ideal. If meeting in person is not possible this week or next, we can also plan a phone call.

Sincerely,
Kelly and Kerry

On Thu, Dec 21, 2017 at 10:02 AM, Jean Fraser <jf@portlandmaine.gov> wrote:

Kelly and Kerry

I would be happy to meet you almost anytime - I am out of the office Dec 25th and 28th but otherwise around next week; the week after I am around every afternoon. Let me know what would be convenient for you.

One of the questions we asked the applicant is what rooms with windows were on the side facing the vacant lot to be developed, on the upper floor- and I was sent photos showing this was a bathroom. The Fire Department wanted to be sure there were no bedrooms with windows on that side at the upper level - as if there were then the building would need to allow for ladders to reach the windows. So I would like to double check that with you.

As Barbara advised you, this will be considered by the Planning Board on Tuesday January 9th (probably late afternoon) as a Workshop (no decision) where public comments would be taken. The time of the meeting is yet to be confirmed but they are usually late afternoon. If you wish to have written comments included in the staff Memo for the Board, please get them to me by the end of Jan 3rd. If I get them after that, the Board will still see them, but not until just before the meeting. You are welcome to attend and speak at the meeting during the public comments section. You can write and speak if you wish. The applicant has not confirmed the date of the Neighborhood meeting.

I attach the site plan, elevations, and floor plans that we received late last week - these are still under review but we do not consider that they meet all of the site plan standards and my Memo to the PB will outline the key issues. The renderings are below:





Thank you
Jean

On Mon, Dec 18, 2017 at 6:18 PM, Kelly Hrenko <kelly.hrenko@maine.edu> wrote:

Hi Jean-

My Wife, Kerry MacDonald, and I live at 32 Fox street. We came by the city planning office today to preview the plans on file for 30 Fox. We were given your name as the person to talk with re: any questions with the project. We wonder if you would have any time over the next couple of weeks to meet? We need a little help interpreting some of the information.

Happy Holidays!

Kelly and Kerry

--
Kelly Hrenko, Ph.D.
Associate Professor, Art Education

USM Art Department
109 Robie Andrews Hall, Gorham
Office: [207.780.5364](tel:207.780.5364)
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[USM Art Education Program Website](#)
[USM Art Department Website](#)

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*Jean Fraser, Planner
City of Portland
874 8728*

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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Kelly Hrenko, Ph.D.
Associate Professor, Art Education

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[USM Art Department Website](#)

30 Fox St. condo project

1 message

Nicholas Sichterman <nicholas.sichterman@gmail.com>

Fri, Jan 5, 2018 at 11:05 AM

To: Jean Fraser <jf@portlandmaine.gov>

Dear Ms. Fraser,

Thank you for your note of 12/19/17.

My wife and I still have concerns about the project being considered at 30 Fox Street. Those concerns begin with the size of the project for a lot this size located where it is on Fox Street and the effort to maximize profits by providing off-street parking by using the five foot buffer on the downhill side as a fully integrated, paved component of the development. We hope some red flags went up when the applicant included this note on his site plan drawing..."Install a metal guardrail on abutting building to protect against vehicle collision." Not only using the buffer, but appropriating the use of private property abutting the development.

Small protection against the obvious -- the house at 32 Fox Street *will be* hit by cars using that parking design. The two cars that are paying for their garage will *always* be backing out across first, the sidewalk (which they will not be able to see until they have blocked it with their car) and then, because of street parking, will be blindly backing out into the traffic of Fox Street.

We also have trouble trying to reconcile the site plan drawings with recent survey work.

We are planing on being at the meeting on Tuesday, the 9th, and would appreciate a confirmation that it is indeed still on the schedule and what **time** and **where** in City Hall we will be meeting.

Thanks for you time on this,

Nicholas Sichterman
Mariah Hughs

30 Fox St. neighborhood meeting 24 January

1 message

Nicholas Sichterman <nicholas.sichterman@gmail.com> Thu, Jan 18, 2018 at 2:06 PM
To: Jean Fraser <jf@portlandmaine.gov>

Hi Jean,

Below is a letter I would have read at the upcoming neighborhood meeting organized by Bild Architecture concerning the condo proposal at 30 Fox Street if Mariah and I could have been able to be present.

Cynthia Cochran will be reading it in my stead.

Please keep me informed of upcoming meetings about the project.

Thanks,
Nick

Nicholas Sichterman
Mariah Hughs
28 Winthrop

From Nick & Mariah to be read aloud at 24 January meeting organized by Bild Architecture:

Thank you for arranging this neighborhood meeting to talk about your condominium proposal at 30 Fox Street.

Mariah and I have recently gone through the process of building a single family home on a lot next to yours of about the same size and we realize that a building project of *any* size in our small neighborhood can have a large impact...in most cases a negative one during the actual building, and hopefully a positive one upon completion.

In an effort to keep this letter short, we will highlight our main concerns about your project and divide those concerns between what we see as things affecting the general public and those we see as things affecting us personally.

We believe the overriding public issue concerning this proposal is the desire to sell deeded on-site parking as part of a residential package. Clearly, this is an issue that affects anyone walking the sidewalks or driving a car on Fox Street. Keeping in mind that any residential development of three units or less are **not** required to provide on-site parking, the parking designs of this project made public so far, would need ***waivers to deviate from the required technical standards as to size of the spaces as well as the width of the parking drive aisle.***

It matters not, really, if the cars leave the site forwards or backwards. It's easier driving forward, but either way, the driver will enter the sidewalk blind to any foot traffic until getting beyond the house at 32 Fox street. This sidewalk is a school walking route and during the good weather months a group of elementary kids daily make their way up the sidewalk under the watch of a couple of volunteer parents, who are effectively trying to herd cats. The kids are walking, running, and playing, but **not** thinking about cars emerging from a parking garage.

Once in the sidewalk, the next nearly blind hurdle to overcome, is making one's way out into the traffic of Fox Street from between the parked cars. In a nutshell, you might be able to whittle the plan down to one or two cars who theoretically, on paper, could get in and out of the waived small spaces and navigate the too narrow driveway, but in reality, over the course of weeks and months, it just doesn't work. The closest neighbors **will** have their home hit by their new neighbors, and more likely than not, there will be accidents at the mouth of that driveway.

The mass and scale of the proposed building is a concern of the designers at the Planning Board, and will be noted by the neighbors and anyone else who isn't focused on driving their car on Fox Street. About the only thing giving the building a sense of scale is the mature 15" diameter pear tree growing on the sidewalk in front of this lot. It is one of 4 such trees on the street, and arguably the most handsome. We can see no reason to have it cut down since it would not interfere in the building process and has been included in all the photos that show how the building would look on the street after it was built. It helps minimize the height of the building. The last thing Fox Street needs is to lose one of its four more mature trees.

The major concerns about this proposal would disappear if the parking structure upon which the three residential units sit was removed from the plan. The building would at that point become truly grounded, the front door would no longer be an access to a parking garage, the visual problems of the 6 foot overhang would be eliminated, the building would be 7 1/2 feet shorter, the neighborhood would gain what looks more like a modern, Portland home.

Our personal concerns, things that might only affect us, can be summed up in a couple of sentences: We think the building is too tall. Instead of sunlight coming in our upstairs windows we will be facing a wall of grey cement/fiber board. The eastern elevation of the project is primarily a cement facade-- as is the back elevation. The large Norway maple which is only inches over our property line is going to be cut down by the applicant leaving no relief from the cement board expanse. In addition, there is no indication on the site plan of fencing and/or landscaping on *either* the side running along our property line *or* on the other side of the building running along the border of the house at 32 Fox Street. We believe there are requirements for such screening.

Thank you for your time tonight,

Nick & Mariah

Post Neighborhood Meeting Email

1 message

Kerry MacDonald <kmace04@msn.com>
To: Jean Fraser <jf@portlandmaine.gov>
Cc: Kelly Hrenko <kelly.hrenko@maine.edu>

Mon, Jan 29, 2018 at 7:26 PM

Hello Jean,

As you know we recently had our neighborhood meeting with Bild and the Applicant for the project at 30 Fox Street. Based on the updated plans that were shared at the meeting, we write to express our ongoing concerns. Kelly and I do not feel that the Applicant has adequately addressed what has been our primary concern since first viewing the plans: that vehicles maneuvering mere inches from our home is both unsafe and unnecessary. There is simply not enough space for parking, as currently designed. Following is an expanded list of concerns:

- 1. Inadequate space for parking. Waivers required:** Section 1.14 of the City of Portland Technical Manual; Transportation Systems and Street Design Standards specifies that any parking lot with 10 or fewer spaces shall contain standard sized parking spaces. The applicant is requesting a waiver for 100% compact car spaces, due to inadequate space.
- 2. Lack of waiver enforceability:** There is no way to control the condo bylaws from being amended in the future to allow full size vehicles to park, nor would there be a way to prevent the turn-around space from being used as overflow parking for the 3rd condo unit or for visitors to the property. Elimination of the turn-around space altogether would force cars to back onto Fox street. Under either scenario, with or without the turn-around space, there are significant safety and feasibility concerns.
- 3. Parking is not required:** Base zoning for this three-unit project does not require deeded on-site parking. While the benefit to the Applicant of marketing for sale units with parking is obvious, the cost of this decision is being borne by the project's neighbors.
- 4. Fox is a busy thoroughway and sight lines are limited:** Cars entering Fox Street from the drive at 30 Fox Street are essentially entering a 4-way intersection with Hammond and Winthrop. As previously stated by the Planning Board, if in fact we are considering a "compact car only" scenario it will be nearly impossible to see pedestrians and oncoming traffic, over the parked cars and adjacent homes, before actually entering into Fox Street.

The complications surrounding the applicant's request for off street parking are many. Where there are questions about the future enforceability of waivers under subsequent condominium associations, coupled with the danger posed by the close proximity of cars to our home, we cannot help but feel that because parking is not required for this project, salability is being prioritized by the Applicant over our concerns, neighborhood safety, and City regulations.

We hope this email will be placed on record as an ongoing objection to the parking configuration as it stands.

Once again, we thank you and the Planning Board for your time and careful consideration.

Regards,

Kerry MacDonald and Kelly Hrenko

32 Fox Stre

et

 **MacDonald Hrenko Concerns 30 Fox St.pdf**
26K

Revised/abutter coments/30 Fox St. condos

1 message

Nicholas Sichterman <nicholas.sichterman@gmail.com> Tue, Jan 30, 2018 at 6:31 PM
To: Jean Fraser <jf@portlandmaine.gov>

Dear Jean,

Please discard the e-mail I-sentto you earlier earlier today. Mariah and I are on vacation and I'm using her iPad to compose this letter...my fingers are too big and the screen too small. I've cleaned up the spelling and syntax a bit.

Thanks,
Nick

The following are Mariah's and my current thoughts concerning the proposed condo project at 30 Fox Street.

Parking / Design Waiver:

Our main concern remains that the applicant is trying to design on-site parking in too small of a space. We contend that waiving the standards required for on-site parking in order to create a design solely for compact cars is unworkable and unenforceable going forward, and if the parking garage were to be eliminated from the design the applicant could build a three unit residence with a much smaller visual impact and with plenty of room left for appropriate landscaping and screening.

A development this size does not require off-street parking, and if pursued, the City of Portland Technical Manual for Transportation systems (1.14) requires that "any parking lot with 10 or fewer spaces **shall contain standard sized parking spaces.**"

Furthermore, in the same technical standards (1.7.2.6 Maneuvering) : "The area within the site...shall be of sufficient size to allow all necessary functions for loading, unloading, and parking maneuvers to be carried out on-site and completely off the street right-of-way. **Backing out of vehicles from the driveway is prohibited. The design vehicle used in the analysis shall be the predominant vehicle type and approved by the reviewing authority.**

These citations would indicate that the **standards require on-site parking be designed for the predominant, standard size cars.** Deviation from these standards can happen with a 20% allowance of spaces being designated as compact spaces in lots of 10+ spaces, but nowhere do I see that these standards can, or should, be waived *in total* in order to create an entire parking system — spaces and drive aisle — exclusively for

compact and sub-compact cars. All parking lots built in Portland would seem to have the **standard size car as its required design base**. The number of compact spaces in those lots can fluctuate to some degree, but for maneuverability and safety sake, all lots are to be designed for a larger car.

Tom Errico's review (attachment #5 for the 9 January public meeting) was thorough — bullet point by bullet point — in conveying his misgivings about sight distance, roadway geometry, and site layout constraints for this application.

Any waiver on the design of the parking system for this project, on a lot of this size, seems to be creating a whole new breed of parking lot. One that would be impossible to enforce as to car size allowed— people are going to drive what they drive, one person's compact being another's limo — and in the end, only a few select small cars, and drivers with a certain set of driving skills, would be able to maneuver in that space.

Removal of street tree:

The mass and scale of the proposed building is a concern of the designers at the Planning Board, and is cited as the only required design principle that was not fully met. Besides removing the parking structure upon which the residential units sit, the only thing giving the building a sense of scale is the mature 15" diameter pear tree growing on the sidewalk in front of the proposed building. It's one of only four such trees on Fox Street and arguably the most handsome. We can see no reason to have it cut down since it would not unduly interfere in the building process. Ironically the tree has been included in all the photos and drawings that show how the building would look on the street after it was built. It helps, beautifully, to minimize the height of the proposed building and is one of the very few examples of a green streetscape on the entirety of Fox Street.

We've read both of Jeff Tarling's e-mails reviewing the initial site plan and do not read attachment #6 as an endorsement to cut down the tree, but rather a statement of the obvious — that "the visual impact of replacing with a small tree will take years to catch up to the existing one."

Rather, the memo speaks to the difficulty of these small projects in being able to **maintain** the streetscape. In this specific instance the streetscape is lovely and *should* be maintained. I hope that the Planning Board members have seen the two photos I took last month from across Fox Street of the tree in question...the tree blooms in April and stays fully leafed with a bit of fall color into December. For comparison, I turned the camera a few degrees to show a small maple planted two houses down from the project. We hope the Planning Board will see the value in maintenance.

Screening:

The site plan that was used at the January 9th work public work session shows no screening between us and the project or between the project and our downhill neighbors at 32 Fox Street.

Along our border, the 5 foot buffer only shows a drawing of a 2 foot wide stone drip strip for the roof stormwater, and the removal of a fifty foot Norway maple that is inches away from the property line. Our neighbors at 32 Fox Street receive the same no screening treatment as well, only worse—on that side of the project the 5 foot “buffer” would be entirely paved for the use of the undersized drive aisle and some sort of metal guardrail installed to protect their home.

Jeff Tarling’s January 3rd e-mail (attachment #7) recommends that the entire project be screened with decorative wood fencing with pockets of landscape along both of the side neighbors’ property lines as well as the backyard property line “which is consistent with similar projects on Munjoy Hill and off York Street, and **helps meet the landscape site plan standards. This should be a condition of approval.**”

We agree with Jeff Tarling’s assessment and would be pleased to work with the applicant and his architect to finalize a screening design that meets the required standards.

Thank you for your continued work with us concerning this application. We hope this letter is included in the working record and that the members of the Planning Board both read and consider the public’s/neighbor’s views concerning this application. After all, we’re all in this together in trying to maintain and create an exciting and livable City of Portland.

Sincerely,

Nicholas Sichterman and Mariah Hughs
28 Winthrop Street

Re: Revised/abutter coments/30 Fox St. condos

1 message

Nicholas Sichterman <nicholas.sichterman@gmail.com> Tue, Feb 27, 2018 at 9:34 AM
To: Jean Fraser <jf@portlandmaine.gov>

Hi Jean,

Thanks for the 24 hour notice on this, but we seem to be getting mixed messages about the "invitation" for today's simulation. It seemed to be pretty clear -- after Kelly and I watched the dry run on Friday -- that in fact no one outside of the principals involved were "invited" to today's event. Mariah and I acted on that information and we are in Blue Hill this morning.

So, if I may, I'd appreciate a few moments of your time by e-mail instead to make a couple of comments:

Friday's dry run of this test was about as low keyed as possible. 1/4 inch driveway snow markers to mark the two garage openings and a length of string to roughly delineate where a guardrail would be along Kelly & Kerry's property line. That string, by the way, did not extend beyond the end of their house -- the guardrail/fencing structure would need to extend to the back property line.

Since it was school vacation week, the Fox Street traffic was light and there was no one parked on either side of the drive cut to the property. There was no snow in the street or on the sidewalk, and no snow "stored" in or around the drive aisle.

The car Evan used last week was a Nissan Rogue, that has a length of 184.5 inches. It's considered a compact sport utility vehicle. The average length of the most popular **mid-size** cars (Honda Accord, Toyota Camry, Ford Fusion, Subaru Legacy, Kia Optima for example) average 192.5 inches in length.

Despite the fact that there was no building to enter or back out of, or a structural support column between the garages, from where I was standing looking down the "guardrail" string, the Nissan Rogue backed across the string two times for each "garage" tested.

I was told that the fence/guardrail construction will be only 4" deep --narrowing the 12' aisle by only 4". The standard galvanized steel guardrail has a 6" steel post with the galvanized rail attached and presents a total depth of 10".

Is this guardrail construction on our neighbor's property line actually considered a "buffer" as required in the regulations? What happened to the notion of the 5' buffer?

This paved drive aisle and guardrail construction seems to me to be an integral part of the building...built right to the property line.

Thanks again for your continued work on this application.

Best,
Nick

Nicholas Sichterman
Mariah Hughs
28 Winthrop Steet

On Mon, Feb 26, 2018 at 12:23 PM, Jean Fraser <jf@portlandmaine.gov> wrote:
Nicholas and Moriah

I just wanted to confirm that you are welcome to join the meeting tomorrow (2/27) at 11am on the 30 Fox Street site when the Traffic Engineer reviewer will view the "simulation" of the vehicles entering/parking/exiting the site using the 11-12 foot wide access aisle.

I understand you saw it on Friday so you may not be interested in a re-run - but I had intended to include you in the invite.

Thank you
Jean

On Tue, Jan 30, 2018 at 6:31 PM, Nicholas Sichterman
<nicholas.sichterman@gmail.com> wrote:

Dear Jean,

Please discard the e-mail I-sentto you earlier earlier today. Mariah and I are on vacation and I'm using her iPad to compose this letter...my fingers are too big and the screen too small. I've cleaned up the spelling and syntax a bit.

Thanks,
Nick

The following are Mariah's and my current thoughts concerning the proposed condo project at 30 Fox Street.

Parking / Design Waiver:

Fwd: 30 Fox St

1 message

Jean Fraser <jf@portlandmaine.gov>
To: "Fraser, Jean" <jf@portlandmaine.gov>

Fri, Apr 6, 2018 at 10:12 AM

From: **Nicholas Sichterman** <nicholas.sichterman@gmail.com>
Date: Wed, Apr 4, 2018 at 3:25 PM
Subject: Re: 30 Fox St
To: Jean Fraser <jf@portlandmaine.gov>

Thanks Jean.

No, I hadn't seen these.

So far, I just watched the first few and the last few to sample...what ongoing mess this will be for the neighborhood if parking is allowed on-site.

I noticed a couple of things right off the top...in each case they had a string standing in for the barrier. Was the string set at the property line of Kerry and Kelly's house? If so, not taken into account is the thickness of the the barrierwhich is 10" for a standard galvanized road barrier and I would think in this case would be larger since there is a fence involved as well. Also, the "larger car" used in the final round of videos is an old model Subaru Outback, which is 3 1/2" longer than the original test car length, but 4 to 5 inches shorter than any popular "**mid-sized**" cars.

I can't tell from the various site plans if their drive aisle is measured from the property line or not, the current C1 site plan the aisle has two measurements -- 12' and another at 11.07'.

That C1 site plan also shows a measurement of **3.57'** from the building to the property line on the Fox Street sidewalk, despite showing in the General Notes Key that the requirements are for a 5' setback and **they say that they have provided the required 5'**

The waiver requests are alarming, and are based, as far as I can tell, on nothing other than the developer not wanting to pay for certain requirements -- for example the waiver request to allow for overhead utility lines coming from the far northwest corner of Hammond and Fox intersection. I'm sure the underground utilities requirements were thought out carefully -- this multi-unit construction would be an extreme use of overhead

utility lines stretching diagonally across an intersection. The brick sidewalk requirement, for another example of waiving away a required expense.

Not much about this application inspires confidence. I started reading the storm water management plan (17024-(11)) from Plymouth Engineering and found it hard to read past the line that describes the proposed development as being a 46' x 82' four story building.

I was interested in the report, however, because in the comment memo from Woodard & Curran 11/29/2017 they speak about an under drain pipe shown in the detail of the drip strip for the roof as being needing to be hooked up to the "separated storm drain in Fox Street." Is that still a concern in the latest version of things?

Thanks again for sending the videos.

--Nick

Dear Jean-

The parking plan for 30 Fox street continues to concern us.

- The City's Technical Standards Manual requires a 24' wide drive aisle for all 90-degree parking configurations. The applicant is requesting a drive aisle waiver for a space less than half this standard (and mere inches from our home). There have already been two failed field tests on site. Yet, we are to believe that the most recent parking configuration, which is untested, is acceptable.
- There are many variables that must exist at once in order to make this a potentially maneuverable and safe space: the garage cannot contain structural support beams, no garage doors, no snow/debris in the driveway, only two cars can park, compact/midsize cars only, a vacant parking space is required at all times for backing into, cars must always enter Fox street forward.
- There is no recourse for when the 3-unit condo association changes their bylaws to include a third parking spot. Or when weather limits access, or a car is too large or a driver unskilled. The focal point of this test should not to be whether a vehicle can feasibly maneuver under optimal conditions by a skilled driver, but rather whether a vehicle can navigate under less than ideal conditions. The answer is clearly no. This scenario is only approved if specific guidelines are in place- and yet there is no way to require or uphold these guidelines.

The City's requirement of a drive aisle space being at least 24' wide- for purposes of maneuvering and turning around is clearly necessary in this situation. There are reasons for this code and we must trust the City to uphold their standards.

We have additional concerns unrelated to parking, which we will express at the Planning Board meeting on Tuesday, April 10th.

Kelly Hrenko and Kerry MacDonald
32 Fox Street

Fwd: 30 Fox Street

Jean Fraser <jf@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Fri, Apr 6, 2018 at 3:09 PM

Can you add this PC to 30 fox Street - its PC10

----- Forwarded message -----

From: **Nicholas Sichterman** <nicholas.sichterman@gmail.com>
Date: Fri, Apr 6, 2018 at 2:59 PM
Subject: 30 Fox Street
To: Jean Fraser <jf@portlandmaine.gov>

Dear Jean,

I wanted to send you a note before the upcoming Planning Board meeting on Tuesday the 10th when the 30 Fox Street Condominium project is on the agenda.

The off-street parking scheme the applicant keeps insisting he wants as part of this development will, if the waivers he is applying for are granted, remain a problem and liability for the future occupants of 30 Fox Street, for our neighbors Kelly and Kerry, for all pedestrians walking on this school-route dedicated sidewalk, and all drivers using Fox Street. The lot is simply too small for a parking garage, and trying to design for one has created a compromised design for the three unit residence that is to sit on top of the parking structure.

The other two waivers -- from the standards requiring underground utility service and brick sidewalks-- seem motivated simply by the desire not to pay for the more expensive required standards. I would hope that the City would deny these waivers off hand. My wife and I take strong exception the the final line in the waiver request for the overhead utilities, which reads..."In our opinion, the addition of a new service to this building will not pose a significant impact on the streetscape." A long run of bundled utilities running diagonally across the intersection of Hammond Street and Fox Street would pose a highly significant impact, and frankly, would be odd looking. Again, this shouldn't even be a conversation. The standard is for underground utilities, he should build to the standards.

Looking at the various site plan drawings I cannot tell what the applicant will be doing for water services -- both sewer and storm-water. I assume he will be digging to the middle of Fox Street to access the sewer drain, and, from an earlier comment by City reviewers, I'm thinking he'll need to hook up the underdrains to the dedicated storm water drain on the opposite side of the street. True?

I also don't see that the applicant has even provided the proper 5' of required front setback. I still see 3.57' drawn on the site plan.

And as an aside, but, we feel an important fact: Other than a short e-mail from the applicant on 8/30/17 telling us that he would be building on his lot next year and would start by removing the large Norway maple on the edge of his property and incorrectly claiming ownership of more of the fence he'll be removing, and formally introducing himself a few weeks later, there has been no effort made on his part to discuss any aspect of this project with us along the way. This, despite the fact that there are issues that a conversation would help: the kind and quality of the fencing he'll be putting up between our properties, the fact that there is more than a 2-foot difference in grade at our property line...some with a retaining wall. What's the plan?

The upshot for us at this point is that we have very little confidence that this application will produce a quality project that enhances the neighborhood.

Respectfully,

Nicholas Sichterman
Mariah Hughs

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Jean Fraser, Planner
City of Portland
874 8728