

Google Groups

Munjoy Hill Proposed Conservation Overlay District Comments

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Posted in group: **Planning Board**

To the Portland City Planning Board, Mayor, City Council and Planning Department:

We want to thank Jeff Levine and his staff for their months of work spent researching housing activity and trends on Munjoy Hill, holding multiple public forums and meeting individually with residents to discuss R-6 changes and the impact of past and future demolition and building on Munjoy Hill.

We are directly impacted by the IPOD and the proposed permanent changes to R-6 rules via the Conservation Overlay District. We bought the one and a half story house at 47 Monument Street in November 2017. The house is old (circa 1870) but it is not historic. It has been neglected for many years, is derelict, and according to three contractors is structurally unsound and beyond repair. We intend to demolish the house and build a single family home in which we will reside. We have been caught up in the six-month demolition moratorium and are unable to apply for a demolition permit until after June 4.

In the meantime we are working to design a home that meets IPOD dimensional and design requirements, is energy efficient, meets all applicable building and life safety codes (including a sprinkler system), contributes to the fabric of the neighborhood and is intended for 21st century living. Unlike the current structure, there will be living space on the first floor with eyes on the street.

The proposed Munjoy Hill Conservation Overlay District Demolition Review rules add further delay and uncertainty and potentially cost to our plans to rebuild on the lot, and we know of at least one other property owner in a virtually identical situation with a derelict structure who seeks to demo and rebuild a single family home. We are concerned that the proposed Demolition Review rules focus on preserving and protecting historic buildings ("any building constructed before 1930 and determined to be significant based on association with historic persons or events, or architecturally significant") but do not contain any language regarding the physical condition of properties such as structural integrity, compliance with post-19th century building and fire codes, and an assessment of functionality for current lifestyles.

Although data is not available, we suspect that many of the 13 demolitions that occurred on Munjoy Hill from 2015-2017 were of properties that had outlived their useful lives and were structurally and functionally obsolete. Any determination of Significance for Demolition Review must include criteria for evaluation of the physical integrity of the structure, fire and life safety conditions, and suitability for 21st century living. Although a structure may meet the broad "historic" criteria, the building frame, foundation and/or interior may be unsound and/or the structure may be functionally obsolete. The property owner should be able to decide if the costs and timeline to demolish and rebuild the structure (within code requirements) to meet the owner's needs are preferable to the cost and timeline of rehabilitating the structure.

Additionally, the proposed demolition delay of up to 18 months is arbitrary and unreasonable and is in addition to the six months currently imposed by the moratorium, resulting in a potential delay of up to 24 months for certain property owners. There should be published, objective demolition review criteria with a reasonable timeline for evaluating the condition of properties requested to be demolished. Property owners should expect a timely review by City personnel, such as 15 days for non-significant buildings and 45 days for significant buildings. The proposed arbitrary and unreasonable 18 month delay is intended to discourage property owners from utilizing their property to the highest level if that utilization includes demolition. Let's not forget that the majority of Munjoy Hill property owners include residents who live in their buildings and seek to contribute to and enhance the fabric and character of the neighborhood. Objective demolition review criteria and a reasonable timeline for City review are a sensible approach to addressing demolition and development on Munjoy Hill.

As for designating one or more Historic Preservation Districts on Munjoy Hill, there is a very vocal group of residents in favor of the HPD's but that group does not represent the majority of property owners. There are many Munjoy Hill property owners who are not in favor of an HPD, and some property owners who are not aware of the push to designate sections of Munjoy Hill as an HPD. We appreciate that the City has planned an Historic District informational session on May 7th and hopefully many Munjoy Hill property owners will attend. Every property owner must know the proposed

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HPD designation of their property and the pros and cons in order to make an informed decision on HPD, and to ensure that all voices are heard rather than just the loudest voices being heard.

Thank you for the opportunity to communicate our concerns.

Regards,

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