



Ann Machado <amachado@portlandmaine.gov>

Fwd: 122 Anderson Street

2 messages

Shukria Wiar <shukriaw@portlandmaine.gov>
To: Ann Machado <amachado@portlandmaine.gov>

Thu, Nov 3, 2016 at 10:43 AM

I will call you on this one.

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

From: **James Seymour** <jseymour@sebagotechnics.com>
Date: Thu, Nov 3, 2016 at 10:03 AM
Subject: RE: 122 Anderson Street
To: Shukria Wiar <shukriaw@portlandmaine.gov>
Cc: Doug Cardente <doug@cardente.com>, Mike Cardente <Mike@cardente.com>, 16037 <16037@sebagotechnics.com>

Mr Cardente, Is attached on this email and I will discuss with him the lease documents needed. Given the tight quarters and need for parking in the zone and neighborhood, that all businesses are or have violated the 15 foot setback either due to most of its existing or just that it's just too valuable for parking. I am not sure the cause I think we just see the result. Not arguing as the code is spelled out.

Does the Board have the ability to waive the pavement setback, as its nearly impossible in some cases for driveway locations, and parking? Seems strange that a building can touch the property line but a parking lot has to be back 15 feet. Most in that area including our abutters are right to the property line now.

The setback states:

(h) Pavement setback from lot boundary: Driveways, parking lots and other paved circulation areas: Fifteen (15) feet.

Does that mean that the surface could be other surface such as concrete, brick, or porous type product? If one is to propose sidewalk, access, or path does it meet the code by using another product other than pavement?

I cannot find a definition of pavement in the ordinance, so just looking for a technical answer. As you can see we are showing a sidewalk along the edge of the property where it makes so much sense.

Obviously this affects the site and pedestrian and access considerations, so we I guess we need a little guidance, when dealing with a redevelopment lot, like this.

Thanks.

Jim Seymour, P.E. *Senior Project Manager*

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From: Shukria Wiar [mailto:shukriaw@portlandmaine.gov]

Sent: Thursday, November 03, 2016 9:37 AM

To: James Seymour <jseymour@sebagotechnics.com>

Cc: Doug Cardente <doug@cardente.com>; Mike Cardente <Mike@cardente.com>; Greg Patterson <greg@patco.com>; 16037 <16037@sebagotechnics.com>

Subject: Re: 122 Anderson Street

Hello Jim:

Since these parking are on the site, it will have to be seen on the site plan. I looked to see if the applicant came in for a review of these spaces but I cannot find an application or approval. I will need to have a conversation with staff if we need to treat these a new spaces as part of the application. I also want to point out that IL-b zone has a pavement

setback from boundary line of 15 feet. Please submit the lease between the applicant and the two entities for the rental of these spaces.

Thanks.

Shukria

On Wed, Nov 2, 2016 at 2:06 PM, James Seymour <jseymour@sebagotechnics.com> wrote:

Shukria,

I spoke with Mr Cardente, who informed me that those spaces have existed for a long time, and that they are in fact leased out to Coffee by Design and Youngs Furniture.

Since they do not impose any impact on our current uses and are physically separated from access and are not used by uses on their lot, I am not sure what it is we need to give the City.

DO you need to see that they are dedicated to another abutting use? They don't add to our traffic impact as they have existed. I am not sure of the details of the lease, or again if that matters. Given the feedback from our neighborhood meeting all persons loved the idea of more off street parking being available, as it sounds like on street parking is an issue.

Let us know what you need or want and we will do our best to accommodate, but in talking with Mr Cardente there would be no change to this arrangement with Coffee by Design or Young's Furniture. My observation is it's a close knit commercial community down there that seems to realize parking demands are a premium, necessary for all to have success, and there is an openness to work together.

Thanks

Jim Seymour, P.E. *Senior Project Manager*

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From: Shukria Wiar [mailto:shukriaw@portlandmaine.gov]
Sent: Wednesday, November 02, 2016 9:57 AM
To: James Seymour <jseymour@sebagotechnics.com>
Subject: 122 Anderson Street

Good morning Jim,

I am working on getting staff comments to you by the end of the week. We had a question on the current parking situation near the Islamic Center on the applicant's lot, that is used by Coffee by Design and Youngs Furniture; there are 8 to 10 parking space being utilized by the abutting neighbors, could you please explain what is happening here.

Thanks.

Shukria

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Shukria Wiar <shukriaw@portlandmaine.gov> Thu, Nov 3, 2016 at 2:54 PM
To: James Seymour <jseymour@sebagotechnics.com>
Cc: Doug Cardente <doug@cardente.com>, Mike Cardente <Mike@cardente.com>, 16037 <16037@sebagotechnics.com>, Ann Machado <amachado@portlandmaine.gov>, Barbara Barhydt <bab@portlandmaine.gov>

Hi Jim:

I spoke with Ann Machado, Zoning Administrator, today to discuss the questions in your email. These parking area spaces will be reviewed as being new and part of the application since it never got a formal review and approval (and recently paved). Since it is a zoning requirement, the Planning Board cannot waive it and will have to be reviewed by the Zoning Board of Appeals. The way the pavement setback standard is interpreted, the setback is for vehicular circulation and not pedestrian, therefore the proposed walkway can be in the setback. In regard to the existing driveways, these are okay since they have been existing for years. The only thing that was need review with be these 8 to 10 spaces along the Community Center.

There is no definition of pavement in the ordinance but has been interpreted by the zoning office as 'any hard surface that vehicles drive on'.

I hope this helps; please review and let me know if you have any questions.

Thanks.

Shukria
[Quoted text hidden]