

Jean Fraser - Concern over 79 Walnut Street Development proposal

From: Karen Snyder <karsny@yahoo.com>
To: "jf@portlandmaine.gov" <jf@portlandmaine.gov>
Date: 12/12/2013 3:12 PM
Subject: Concern over 79 Walnut Street Development proposal
Attachments: 79WalnutStreetConcern_20131212.docx

Dear Jean,

I have reviewed the 79 Walnut street developer's submittal from the 2nd planning workshop. I would like the below considerations to be addressed and responded to accordingly during the next planning workshop which will be held next Tuesday, December 12, 2013 at 7:00pm in City Hall. I have also included the below in a MS Word Document to eliminate any potential format issues.

1) Landscape Preservation: Portland City Ordinance 14-525:2.a.i,ii

City ordinance states: **"Site development shall be designed to incorporate, and limit disturbance to removal of existing trees, as specified below.**

Preserved trees may be counted towards site landscaping requirements

Rebuttal:

a) In the 2nd workshop, the developer's proposal is clear cutting ALL the mature trees on this property which is over 162 mature trees on a steep > 14% grade sloped hill. This is the only open green space and urban forest left in Portland with an actual eco system even if it is not "an endangered species". Just because the local eco system consists of small mammals such as: skunks, groundhogs, foxes, hawks, crows, bluebirds, blue jays, cardinals, finches and chickadees are not of "endangered species", it doesn't give the justification to destroy this natural wildlife habitat that have established a fierce residency within the city limits. Using that above logic, the majority of Maine forests should be clear-cut because there is non-endangered species on it.

b) Per the Portland City website, each mature tree absorbs 700 lbs of Carbon Dioxide emissions/year. This means over 113,400 pounds of carbon dioxide will NOT be absorbed any longer by these mature trees. This means greater pollution in the city. NOTE: Even the non-native trees absorb 700 lbs... Just like the native trees. How does the developer propose to substitute this loss of carbon dioxide absorption through this natural mechanism that trees provide the city? Trees do not mature for at least 50 years. Source:

<http://publicworks.portlandmaine.gov/trust.asp>

c) Due to Dutch Elms' disease, over 20,000 elm trees died between 1960-1970 within the city of Portland. Only 100 Elm trees are left in the city, there are NINE mature Elm trees in the middle of the property that are slated to be clear-cut. These Elm trees are a NATIVE tree species and should NOT be clear-cut.

2) Will Not Have an Undue Adverse Affect on the Scenic or Natural Beauty of the Area: Portland City Ordinance 14-497(a).8

City Ordinances states: **"Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the department of inland fisheries and wildlife or by the city, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline. For subdivisions within historic districts designated**
Rebuttal:

a) In the 2nd planning workshop, the developer dismissed the current Scenic and Natural beauty of the current area and provided before and after photos of going from an open scenic and natural beauty of green space to an urban hill side with mature trees all ready established. The developer's interpretation of replacing tree lines with building roof lines is not an acceptable trade off to scenic and natural beauty besides the fact that after photos he presented are using mature trees which are usually over 50 years old.

b) Portland has placed parameters in the ordinances to protect trees and the environment from development and clear cuts. Portland City Arborist, Jeff Tarling has recommended additional studies rather than deforestation of this area and I agree with this recommendation

c) This Munjoy hillside is the only solid green open space of "natural beauty" one views when driving into Portland. By clear cutting all the mature trees on the side of this hill and putting up a 3 to 4 story high-end condos, will ruin the natural beauty and wildlife habitat that currently resides there. This also seems to go against City of Portland website which seemed to be proud to be called "The Forest City".

3) Transportation standards, Impact on Surrounding Streets:: Portland City Ordinance 14-526(a)1

City Ordinances states: **"The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways; and the incremental volume of traffic will not create or aggravate any significant hazard to safety at or to and including**

intersections in any direction where traffic could be expected to be impacted

Rebuttal:

a) In Planning Workshop #1, the developer included an traffic analysis that basically covered current crash statistics of traffic patterns. However, this traffic analysis did not adequately addressed the overflow parking and where is it suppose to go if the steeply sloped Walnut Street will not have on-street parking within 200ft between the entrance/exit. Ultimately, this report does not provide adequate analysis of the actual density traffic impact made when adding 34 parking spaces plus 5 additional spaces for parking and where is the overflow parking is suppose to be located the traffic congestion and safety measure taken with pedestrians who will be walking the sidewalks when cars will be exiting and entering with more frequently than it is now from Walnut Street. It is recommended additional density traffic impact studies are to be performed and additional information as to where is the overflow parking is suppose to go if there are only 34 parking spaces provided and Walnut Street has no off street parking because of it steep grade.

4) Will Not Cause Unreasonable Soil Erosion...and Unhealthy Conditions. Portland City Ordinance 14-497(a),4,5

City Ordinance states: "4. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result; 5. Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highway or public roads existing or proposed"

Rebuttal:

- a) In Planning working #2, the developer provided a lot of pictures of retaining walls that will be used once the entire area is clear cut. The developer stated that a more detailed retaining wall design will be provided and approved by a Maine PE (Professional Engineer) once construction commences. It is requested additional erosion prevention design requirements are provided for this steeply sloped property that will be clear cut. An example of development on steeply sloped hills that have frequent mudslides is the city of Los Angeles where mud slides are common. It is common knowledge, that the BEST answer to stop soil erosion are trees and not man-made unproven retaining walls.
- b) It is estimated that over 113,400 pounds of carbon dioxide will NOT be absorbed once all the trees are clear cut. This also means due to another 34 cars being added in which each gallon of gas generates 17.68 pounds of Carbon Dioxide. When extrapolated out annually, this will generate an additional 144,268 pounds of carbon dioxide. This means that because of the

loss of trees and the additional cars cumulatively over 257,668 pounds of carbon dioxide annually will be polluting the city of Portland due to this development.
source: <http://www.eia.gov/tools/faqs/faq.cfm?id=307&t=11>

5) Acceptable Snow Removal Plan and Snow Storage: Portland City Ordinance 14-526,4(d)I,ii

City Ordinance states: **"(i) The site plan shall include areas for snow storage or shall include an acceptable snow removal plan**

- a) In Portland, ME, there is an average of at least 60" of snow annually. This is a challenge for the Portland snow plows which do an amazing job of removing snow off the streets and where the snow is to be stored. In the previous 2 workshops, there was no mention or explanation of snow storage or a snow removal plan for this development. It is recommended that additional study is needed to address this issue.

In conclusion, the citizens of Portland, Portland city government, and newcomers to Portland should not forget why they live here or moved here. It is because the citizens and the Portland city government pays attention to nature, open green spaces, conservation, affordable housing, walkable city, public transport opportunities, recycling, repurposing, and buying local. These are the exact reasons why Portland has now become a tourist mecca because very few cities in the United States do a good job balancing these ideals. Does the 79 Walnut Street project represent these aforementioned ideals? I contend no if this means clear cutting one of the last open green spaces within the city, creating more traffic congestion and carbon dioxide on Munjoy Hill so that high end condos are developed in which only out of state people can afford to purchase.

Keep Portland real and green.

Regards,

K. Snyder

Munjoy Hill Property Owner.