



Helen Donaldson <hcd@portlandmaine.gov>

Mixed Use Dev, 23 Ocean Ave, Project #2016-1506 messages

Lynn Dombek <lynn.dombek@gmail.com>

Mon, Aug 1, 2016 at 2:43 PM

To: hcd@portlandmaine.gov, sgo@portlandmaine.gov, jlevine@portlandmaine.gov, bab@portlandmaine.gov

Cc: howard.levine@klgates.com, dl.lawlor@gmail.com

Dear Portland Planning Board Members,

Thank you for the opportunity to comment on the mixed-use development proposal (Project #2016-150) for 23 Ocean Avenue, Portland ME. My partner and I were unable to attend the meeting in person, but our neighbor shared the planning documents with us.

We moved to Portland from New York City in 2014, and purchased our property at 87 Hersey Street, where we now permanently reside. We were drawn to the residential neighborhood of the back cove with its proximity to Portland city proper, and its vibrant combination of life-long residents who meticulously maintain their homes, with transplants like us, who have invested significant time and money to upgrade our older properties.

We are alarmed and disappointed by 23 Ocean Avenue LLC's proposal. While professing to achieve the goals of the city's comprehensive plan to 'promote livability, economic vibrancy and mobility', it in fact fails at all three. We strongly support smart urban planning in small cities like Portland, including the concept of mixed use projects, but this proposal seems only to benefit the developers, who appear to be making the least possible investment for their highest possible personal gain.

The applicants submitted their 'final plan' marking all the required submissions as 'complete', even though that is clearly not the case. These are the items we found most troubling about the proposal:

- Have not provided evidence of their financial capacity for development.
- Have not acquired right of way easement from city, which owns sidewalk adjacent proposal
- Do not plan to replace the sidewalks in full
- Have requested a waiver for parking lot aisle width, so cars must back into Hersey from parking lot
- Have not provided a traffic analysis
- Have requested a waiver to the flooding standard
- Have submitted a nonsensical stormwater management plan
- Have not met design standards (metal exterior)

The plan also seems disingenuous at best. Even though their proposal includes a new building that will completely cover the existing grassy plot (which is approx 8,300 square feet), their engineering report claims that the proposed development will result in "a moderate increase in the impervious area". That description defies all logic.

They are requesting a waiver to the flooding standard, and instead will manage stormwater through 'roof drains, a rain garden and pervious pavers'. The 'rain garden' appears as a minuscule plot — is it even five square feet? - jammed between the existing building, patio and proposed 7,000 square foot building. Another 'rain garden' of uncertain dimensions exists adjacent the parking lot, and is alleged to capture water runoff from the buildings' roofs.

City planners know that properties on the east end of Hersey Street (downhill from Ocean Ave) flood regularly even during moderate rainfalls. Removal of the big willow tree and the introduction of a large impervious surface will only exacerbate that problem.

The lack of a traffic study, and the untenable notion that the building will provide 10 parking spaces on site and some others some where else, do little to address the fact that Hersey Street is already suffering from traffic and parking challenges.

When cars park on both side of the street, as they often do, the street no longer supports two way traffic. One car must wait in an open spot down the street, while the oncoming car passes.

That failure, and the failure to fully replace the current sidewalks, will only add to safety risks on a block that includes small children, families and elderly people.

And finally, the building has not been deemed to have an impact on scenic beauty. We understand that this is often a subjective area, but we could not disagree more strongly. We were appalled by the architectural rendering of the building. It is a horrible box completely devoid of character, with no relationship whatsoever to the current structure that it will abut, nor the neighborhood it is plopped into.

We applaud the careful review the Portland Planning Board is doing on this project, but we are concerned that the applicants are wasting tax dollars by submitting such a careless and misleading proposal, which required the review of so many city employees.

We support smart growth in Portland, and thus hope the applicant is urged to resubmit a plan that is in touch with its surroundings and adheres both to city regulations, and the spirit of the neighborhood. This one does neither.

Residents like us who live here, pay taxes and invest in our city and our neighborhood, have a right to expect that developers will invest in kind, not just fleetingly.

Thank you for your time.

Sincerely,

Lynn Dombek
Research Director
First Look Media
lynn.dombek@gmail.com

Donna Lawlor
Clinical Director, Health Care for the Homeless
Portland Community Health Center
dl.lawlor@gmail.com

87 Hersey Street
Portland Me, 04103

Helen Donaldson <hcd@portlandmaine.gov>
To: lynn.dombek@gmail.com

Mon, Aug 1, 2016 at 2:43 PM

I will be out of the office until Tuesday, August 9. If you need immediate assistance, please contact Jennifer Munson, our administrative assistant, at 874-8719.

Nell

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Nell Donaldson
Planner, City of Portland Planning Division
874-8723
hcd@portlandmaine.gov

Barbara Barhydt <bab@portlandmaine.gov>
To: Lynn Dombek <lynn.dombek@gmail.com>

Mon, Aug 1, 2016 at 3:03 PM

Cc: "Donaldson, Helen" <hcd@portlandmaine.gov>, "O'Brien, Stuart" <sgo@portlandmaine.gov>, "Levine, Jeff" <jlevine@portlandmaine.gov>, howard.levine@klgates.com, dl.lawlor@gmail.com

Good afternoon:

Thank you for your comments. We will share these with the Planning Board and the applicant.

The applicant is making revisions to the plans, so we will be receiving updated plans in the future. This item has not been scheduled for a public hearing as of yet. Notices will be sent out for the public hearing. You may also want to go to the City's web site and receive meeting announcements under Notify Me.

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

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Barbara Barhydt <bab@portlandmaine.gov>

Mon, Aug 1, 2016 at 3:06 PM

To: "Cope, Roberta" <bcope@maine.rr.com>, Steve Cope <scope@copelegal.com>

Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, "Donaldson, Helen" <hcd@portlandmaine.gov>

Hello:

Here is some public comment that we received today. It will be part of the packet that goes to the Planning Board when this come forward.

Thanks.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

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Steven Cope <scope@copelegal.com>

Mon, Aug 1, 2016 at 3:12 PM

To: Barbara Barhydt <bab@portlandmaine.gov>, "Cope, Roberta" <bcope@maine.rr.com>

Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, "Donaldson, Helen" <hcd@portlandmaine.gov>, CLF Clio Mail Drop <c7ecf4443@maildrop.goclio.com>

Thank you Barbara.

Steve

Steven E. Cope, Esq.

COPE LAW FIRM
Tel (207) 772-7491 Ext. 1
email: scope@copelegal.com

From: Barbara Barhydt [mailto:bab@portlandmaine.gov]
Sent: Monday, August 01, 2016 3:06 PM
To: Cope, Roberta <bcope@maine.rr.com>; Steven Cope <scope@copelegal.com>
Cc: O'Brien, Stuart <sgo@portlandmaine.gov>; Donaldson, Helen <hcd@portlandmaine.gov>
Subject: Fwd: Mixed Use Dev, 23 Ocean Ave, Project #2016-150

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Helen Donaldson <hcd@portlandmaine.gov>
To: scope@copelegal.com

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