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## 30 Fox Street condominiums

1 message

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**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

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**Re: 30 fox street**

1 message

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**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

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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.





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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.  
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## 30 Fox St. condo project

1 message

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**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