I. INTRODUCTION
In response to Order 73-16/17, which established a 90-day moratorium on developments within the R-6 Residential Zone in District 1 for properties directly abutting a City Park or Public Ground, the City of Portland is seeking a map and text amendment to establish a height overlay zone intended to protect the existing sightlines at Fort Sumner Park. The proposed Fort Sumner Park Overlay Zone encompasses several parcels located within the R-6 Residential zone. At the present time, one can view Portland’s changing skyline as well as a variety of natural resources from this location, including Casco Bay, Back Cove and portions of the White Mountains. Recent development proposals for a six-story condominium complex at 155 Sheridan Street, have demonstrated the vulnerability of this vista under the current zoning and citywide height overlay.

This zoning amendment request is being brought to the Planning Board as a workshop item. The legal ad was posted on the city’s web page and appeared in the Portland Press Herald on January 2 and 3, 2017. Notices were also sent to abutters within 500 linear feet of the proposed overlay zone.

II. BACKGROUND
Originally, the site of an earth and timber fortification built in 1794, and later designated as a city park in 1934, Fort Sumner Park today constitutes an integral component of the open space portfolio for the Munjoy Hill neighborhood (Attachment 1). From its viewing platform, visitors are afforded quintessential views of the region that serve to connect them with the city’s ever changing landscape, its maritime resources and the distant mountains. At present, no clear and predictable mechanism is in place through zoning, adopted design standards or historic preservation that would preserve the existence of the panorama from this location.

According to the Comprehensive Plan’s Future Growth Area Map, the parcels surrounding Sumner Park within the proposed overlay zone have been designated as a target area for ongoing growth and development. Since the Comprehensive Plan’s update in 2005, four new condominium buildings have been constructed along Sheridan Street between Walnut Street and Cumberland Avenue. In 2016, preliminary renderings were circulated to the public for the development of a condominium building that would be built on CBL 012 Q012, or the parcel located immediately to the northwest of Sumner Park along Sheridan Street. This development as originally envisioned by a developer could have potentially obstructed part of the view over Back Cove, the western foothills and White Mountains. Although language existed in the City’s site plan and subdivision ordinances to address project context and visual impact, concern was raised that existing
mechanisms did not go far enough to preserve the integrity of this vista.

The potential for redevelopment of 155 Sheridan Street and potential impact on Ft Sumner park raised significant concern among residents, the city council and staff. Neighborhood residents asked the city to designate the park as a historic landmark which would require the Planning Board to consider any negative externalities to the park from developments occurring within 100 feet of the park’s parcel boundary. Additionally, on September 19, 2016, two petitions constituting more than 300 signatures were submitted to the City Council requesting that any proposed developments along Sheridan Street be properly vetted to ensure that there be no adverse impacts to views from the park. On November 7, 2016, the Portland City Council unanimously approved a 90-day moratorium for development review and consideration on projects located within the R-6 Zone in District 1, in instances where projects directly abut City Parkland and/or Public Grounds. This moratorium went into effect on November 21, 2016 and will expire on February 6, 2017 (Attachment 2). This moratorium cites several elements of the Comprehensive Plan as justification, including the importance of maintaining “vistas from promenades and high points” and properly valuing and celebrating the city’s relationship with its water resources.

The vista from the site in the vicinity of the former Fort Sumner has been identified for its value as a panorama of the City of Portland, the Back Cove and western mountains for over 100 years (See Figure 2) In the Downtown Height Study completed in 1989, the Fort Sumner panorama was singled out for its “panoramic views of the city skyline and water” as a vista to receive “special attention” (Portland Maine Downtown Height Study, pg.6). In addition, under Section IV, Green Space, Blue Edges, an Open Space and Recreation Plan for the City of Portland, 1995, updated 2001, in the ‘Portland’s Goals and Policies for the Future’ document within the Comprehensive Plan, it states that a principle goal of the City is to “Develop a vision of the natural environment that enhances the full range of dynamic contrasts between the landscapes and built forms found in Portland, which will enrich the appearance and enliven the use of our city.” Despite the history and intent to preserve this vista, little has been done to address formalizing this space; however, recent market pressures for new multi-family housing in the R-6 necessitate the development of a targeted regulatory solution at this time.
The purpose of this proposed overlay zoning district is to protect the public interest by limiting the impact of development on the quintessential views of natural resources and the changing Portland skyline from Sumner Park. In developing this overlay concept, the Planning and Parks staff researched overlay approaches used in Denver and San Antonio that are designed to protect viewsheds of natural features. In Portland, height overlays currently regulate maximum building heights within the B-3, B-6 and B-7 zoning districts.

III. ZONING CONTEXT
The proposed overlay zone is located within a largely residential neighborhood composed of single-family, duplex and multi-family homes along with commercial activity along Washington Avenue. To the north, east and immediate south of Fort Sumner Park, properties are zoned R-6 Residential, while to the west, properties are zoned B-2b Community Business. The purpose of the R-6 zone, which can currently be found predominantly in the East and West Ends of the city, is to “set aside areas...for housing characterized primarily by multi-family dwellings at a high density” and to “conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses” (Section 14-135). Meanwhile, the B-2b zone is intended to provide neighborhood and community retail in a format cognizant of pedestrian character and scale (Section 14-216).

According to the City of Portland, Maine Building Height Regulation Map, properties located within the R-6 zone are permitted building heights of 45’ for principal structures, while residential structures located in the B-2b zone are permitted a maximum height of between 45’ and 65’ depending on property use and dimensions. Within the R-6 and B-2b zones, building height is measured from the average grade of the site, allowing for instances where structure extrusion may surpass the aforementioned maximum heights.

IV. PROPOSED TEXT AND MAP AMENDMENT
The proposed text and map amendments presented below focuses on the height overlay provisions proposed to be included within the R-6 zone. In addition, the staff is recommending that Fort Sumner Park be rezoned from Residential R-6 to the Recreation and Open Space Zone. The proposed map amendment will be prepared and noticed for the neighborhood meeting and Public Hearing.

A. Proposed Ordinance Amendments
1. Amend: Section 139 (a) Dimensional Requirements.

<table>
<thead>
<tr>
<th>Maximum Height</th>
<th>Principal and attached accessory structure: 45 ft, except as provided under the Fort Sumner Park Height Overlay (Sec. 14-139 (d))</th>
</tr>
</thead>
</table>

2. Amend Section 139, by adding (d)

R-6 Height Overlay Ordinance Amendment (Fort Sumner Park)

Add a new section as follows:

“14-139 (d) Fort Sumner Park Overlay: This Overlay is established to protect the public interest by limiting the impact of development on the quintessential views of natural resources and the changing Portland skyline from Fort Sumner Park. There is established a key apex point in Fort Sumner Park at 43° 40’ 2.3359”N. 70° 15’ 4.3687”W. The Fort Sumner Park Overlay includes all land within 200 feet, or the R-6 zone boundary, whichever is closer, of this key apex point that is located closer to the middle line of Sheridan Street than said apex point.

Notwithstanding any other section of this Ordinance, development in the Overlay shall be subject to the following additional provisions:

- The top of structures, including rooftop appurtenances, within the Overlay shall not exceed the baseline vertical height of the apex point (160.27’ City of Portland Datum (Mean Tide)).
  For each 25’ radially away from the apex point, the vertical height permitted in the Overlay is reduced by 1 foot (see Figure 4 below).
- The minimum building setback from the park property shall be 15 feet.
Any project within this Overlay shall go to the Parks Commission for a recommendation to the Planning Board regarding potential impacts on Sumner Park.

Figure 4: Figure 4: Ordinance graphic (to be included in ordinance). Note: Within the Overlay, permitted height is reduced by 1’ for each 25’ away from apex point (not to scale).

Figure 5: Zoning map amendment (to be included in ordinance)

B. Proposed Ordinance Discussion
The proposed overlay would directly impact 6 parcels, 013 J005, 013 J002, 013 K014, 012 Q012, 012 Q010 and 012 Q019.
The citywide height overlay for the R-6 zone is 45’ for principal structures. Please note, if the proposed Fort Sumner Park Overlay District conflicts with the citywide height overlay, the more restrictive of the two shall apply. The proposed overlay zone is based upon two overlay zone examples previously used in San Antonio, Texas and Denver, Colorado.

V. POLICY ANALYSIS

The proposed text and map amendment will serve to preserve quintessential views from Fort Sumner Park while maintaining reasonable development potential for properties located within the proposed overlay zone while meeting multiple goals of the city’s Comprehensive Plan:

State Goal E: To protect the quality and manage the quantity of the State’s water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas.
A key goal within Portland’s Open Space and Recreation Plan, Green Spaces, Blue Edges, is the development of an open space system that utilizes the natural forces of air, water, vegetation and landform to minimize negative impacts related to human development, including eyesores. This overlay zone supports the following policies from the plan:
- Using scientific models and studies, determine the optimal organization of open space and vegetation to minimize the identified environmental problems.

State Goal F: To protect the State’s other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas and unique natural areas. Further, it is stated under the State’s Coastal Management Policies that critical habitat and natural areas of state and national significance should be maintained to preserve natural beauty, even in locations where development occurs. As with State Goal E, the City’s Open Space and Recreation Plan, Green Spaces, Blue Edges, incorporates several policies intended to further these state goals. Those policies adhered to by the proposed overlay zone include:
- Conservation of natural resources should include a complete array of natural features and habitats, so that the public may learn about and experience the full realm of Portland’s natural environment.
- Develop High Point Parks, open spaces located on the higher elevations of the city, in neighborhoods throughout the city such as the Ocean Avenue Landfill, hilltop on Ocean Avenue by rock shop, Rocky Hill, and hills in Stroudwater.

State Goal I: To preserve the State’s historic and archeological resources.
As both a military installation and later as a public park, the defining feature of this site is its location along the ridge of Munjoy Hill, which has historically afforded visitors expansive views of the city, local water resources and the surrounding countryside. Portland’s Historic Preservation Ordinance calls for the preservation of the city’s architectural and historical heritage and the promotion of the city’s educational, cultural, economic and general welfare, two goals supported by this proposed overlay zone, which would serve to protect one of the defining features of this park, its view. A few of the polices found within the HP ordinance taken into account by the proposed overlay zone include:
- Create a mechanism to identify, preserve and enhance distinctive areas, sites, structures and objects that have historic, cultural, architectural and archeological significance.
- Apply design standards in a reasonable and flexible manner to prevent the unnecessary loss of the community’s historical features and to insure compatible construction and rehabilitation in historic districts while not stifling change and development or forcing modern recreations of historic styles.
- Protect and enhance neighborhood character.
- Protect and enhance the attractiveness of the city to its home buyers, home owners, residents, tourists, visitors, businesses and shoppers.
- Foster and encourage preservation, restoration and rehabilitation that respect the historic, cultural, architectural and archaeological significance of distinctive areas.
Likewise, this overlay zone would meet the goals of the 1991 Downtown Vision, which state that the city should strive to “preserve and enhance the livability and walkability of Downtown Portland for residents, workers, shoppers, and visitors.”

State Goal J: To promote and protect the availability of outdoor recreation opportunities for all Maine Citizens, including access to surface water. Similarly, the State’s Coastal Management Policy calls for the expansion of opportunities for outdoor recreation and the encouragement of appropriate coastal tourist activities and development. Fort Sumner Park currently preserves a pivotal point of visual access for both visitors and residents to Maine’s scenic landscapes and water bodies. This overlay zone would serve to perpetuate the following policies of the City’s Open Space and Recreation Plan; Green Spaces, Blue Edges:
- Neighborhoods should have open space focal points.
- Provide a wide range of recreation and open space opportunities to address the athletic, recreation, leisure, ecological and scenic needs of Portland’s diverse population.
- Develop a vision of the natural and landscape environment that provides for the full range of dynamic contrasts found in our City that will enrich and enliven the use of our City and its built form.

VI. PUBLIC COMMENT
Multiple emails have been received to this point, with all being compiled into a separate public comment document. All emails received have expressed concerns regarding the potential obstruction of views at Fort Sumner Park by future development, and one comment was specifically in support of the proposed overlay zone (See Attachment 6).

VII. NEXT STEPS
- A neighborhood meeting will be held before the public hearing.
- Include a map amendment to rezone Fort Sumner Park in the Recreation and Open Space Zone (ROS)
- Schedule a public hearing on January 24th
- Submit Planning Board recommendation to the City Council for the February 6, 2017 meeting

VIII. ATTACHMENTS
1. Portland Press Herald News Article
2. Order 73-16/17 (90 day Moratorium)
3. Public Comments
Munjoy residents seek to protect Fort Sumner Park’s panoramic views

A group requests landmark status for the park on North Street to force the city to consider how any proposed development would affect the views.

BY PETER MCGUIRE  STAFF WRITER

Share  Facebook  Twitter  Email  Print  Comment
Munjoy Hill residents are working on multiple fronts to protect the sweeping view of the city from Fort Sumner Park on North Street that could be obstructed by a planned condo building.

On Monday, residents delivered two petitions to the City Council asking it to ensure a planned development on Sheridan Street would not have an adverse effect on the view. One of the petitions, submitted by Carolyn Young, had almost 300 signatures, according to the Facebook group Save Fort Sumner Park.

On Wednesday night, activists asked the city’s historic preservation board to start the process of designating the park a local landmark. A designation would require the Planning Board to consider the impact of proposed development on the park’s historic characteristics, namely the view.

David Cowie, who lives about a block away from the park on North Street, said residents will use any means possible to prevent construction that would block the park vista.
“There is something not right in workings of city hall when a group of citizens has to take the steps we have had to take to simply preserve what is an integral part of our neighborhood,” Cowie said.

People are worried that a six-story condo complex at 155 Sheridan St., below the park’s steep bank, floated by developer Bernie Saulnier will block part of the view over Back Cove and into the western foothills and Mount Washington. In an interview last week, Saulnier said no plans have been submitted to the city and his company is changing the design so it will not block the view.

In a presentation to the preservation board, Cowie and Willis Street resident Nini McManamy said the park has been an important part of the neighborhood since the 18th century, first as a fortification, then for recreation. Local historians Herb Adams and Ken Thompson presented a history of the fort to the board.

An earth and timber citadel was built on the site of the park in 1794 as part of the first federal coastal defense system. It was a recruiting station for the War of 1812, but was decommissioned and eventually torn down. Portland acquired the property in 1890 and it was listed as a city park in 1934, according to research done by the group. The park’s vista has been its most important characteristic throughout its history, first for soldiers to keep watch for an approaching enemy, and later as a treasured public resource and a place for quiet reflection, Cowie said.

Portland's individual landmarks are buildings and a number of neighborhoods, like the Old Port, are local historic districts. Public parks like the Eastern and Western proms and Deering Oaks are on the National Register of Historic Places.

But Fort Sumner Park is a “different animal,” said Deb Andrews, manager of Portland’s historic preservation program. It was likely passed over when other parks were put on the national register in the late 1980s because it didn’t have the same type of designed landscape, or was simply overlooked.

“It was probably omitted for a variety of reasons,” she said.

To move the process forward, at least two board members have to formally nominate the park for landmark designation. Then, it will need to make sure the park meets the city’s requirements for landmark status before making a recommendation to the City Council.

If the park is given landmark designation, the Planning Board would have to consider how its character would be affected by proposed development within 100 feet, Andrews added.

Landmark designation could be complicated since no evidence of the fort remains. It’s not even clear exactly where it was located and no archaeological work has been undertaken. In order to recommend landmark status, the preservation board has to determine if the property is historically significant, but also if it has sufficient integrity to make it worthy of preservation or restoration.

Board member John Turk questioned whether the board would need to turn to its possible archaeological value as a basis for the integrity of the site. If petitioners think the site’s long history as a public space is also part of its historic significance, then the board would have to determine why the city purchased it in the 19th century, said board member Ted Oldham. It would be interesting to find out if it was bought to be a park, or as part of the land for the adjacent Shaler School, he said.

Cowie acknowledged the site had its complications, but hoped board members would still nominate it and work with residents to prove its historic importance.

“It is unfortunate that the evidence has vanished, but the boundaries of the fort are were the park is now, and I don’t think it would be a stretch for anyone to nominate the park for what it used to be.” Cowie said.
Correction: This story was revised at 10:38 a.m., Sept. 22, 2016, to correct the spelling of Shailer School.

Were you interviewed for this story? If so, please fill out our accuracy form.

Send questions/comments to the editors.

MORE LIKE THIS

LETTERS
Letter to the editor: Show support for protecting views at Fort Sumner Park

LETTERS
Letter to the editor: Out of military necessity came a spiritual space

LOCAL & STATE
Portland councilor wants to delay Munjoy Hill condo project
WHEREAS, the Comprehensive Plan for the City of Portland acknowledges that “Being virtually encircled by water, Portland owes much of its beauty to the surrounding water bodies including freshwater rivers, the ocean, a working harbor and an enclosed cove”; and

WHEREAS, the Comprehensive Plan further describes the importance of “Vistas from Promenades and High Points,” stating that City parks were established on the Eastern and Western Promenades “precisely because of the scenic views they afforded of Casco Bay, the Fore River, the surrounding countryside, and the White Mountains”; and

WHEREAS, Fort Sumner, which was first listed as a City park in 1934, offers unparalleled views not only of the cityscape but also of the Back Cove and Mount Washington while also providing Portland residents and visitors with the ability to experience open space, a view of the shoreline, long sightlines, and a feeling of expansiveness not often achieved in a public space in an urban environment; and

WHEREAS, a City master plan for Fort Sumner completed in 2006 includes elements designed to highlight the park’s most valued asset: its view; and

WHEREAS, at present there is a lack of regulation in City Code to ensure that developments on parcels abutting City parks and public grounds as defined in City Code, Chapter 18, section 18-11 in the R-6 Zone of the 1st Council District (hereinafter “District 1”) on the City of Portland Peninsula (hereinafter referred to as “City parks and public grounds”) in Portland do not infringe upon the natural beauty or compromise the quality of open space provided by such City parks and public grounds; and

WHEREAS, development pressure concentrated in District 1 on the Portland Peninsula, which contains many public parks, has resulted in two (2) recent citizen initiative petitions to address and preserve parks and view corridors; and

WHEREAS, this development pressure has not been adequately accounted for in the existing Portland City Code; and
WHEREAS, there is a strong likelihood that District 1 on the Portland Peninsula, and specifically the R-6 zone located in that District, will continue to be subjected to this development pressure; and

WHEREAS, pursuant to 30-A M.R.S. § 4356(1)(A), the continued development of projects directly abutting City parks and public grounds in the R-6 Zone of District 1 on the Portland Peninsula pursuant to the existing City Code requirements could pose serious threats to the public health, safety and welfare of the residents of the City of Portland through the over-development of and overburdening of the City’s public facility (i.e. public parks and grounds) which is reasonably foreseeable as a result of the development pressure; and

WHEREAS, pursuant to 30-A M.R.S. § 4356(1)(B), since the application of existing Portland City Code provisions or regulations or other applicable laws are inadequate to address the development pressure and prevent the public harm from the potential residential, commercial and/or industrial development in the R-6 zone of District 1 of the City of Portland on the Portland Peninsula; and

WHEREAS, after sufficient notice and a public hearing, there is strong support for this Moratorium on the City Council; and

WHEREAS, the City will need at least ninety (90) days to develop and implement the necessary amendments to the City Code to address these development pressures through-out the City of Portland; and

WHEREAS, in the judgment of the Portland City Council, these facts create an emergency within the meaning of 30-A M.R.S. § 4356(1) and the City Charter, and require the following Moratorium as immediately necessary for the preservation of the public health, safety and welfare;

NOW THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby ordains that a Moratorium is imposed on any and all site plan or subdivision proposals for property located in the R-6 zone in District 1 on the Portland Peninsula [see map attached hereto as Exhibit A] which directly abuts a City park or public ground [i.e. directly touches a City park or public ground, and specifically does not include properties located across the street from a City park or public ground]; and

BE IT ORDERED, that no site plan or subdivision application shall be accepted or processed and no site plan or subdivision approval shall be issued or granted by the Planning Authority or the Planning Board for any and all property located in the R-6 zone of District 1 on the Portland Peninsula which directly abuts a City park and/or public ground, from and after October 5, 2016 to and including February 6, 2017; and

BE IT FURTHER ORDERED, that this Moratorium shall go into effect on October 5, 2016 and shall remain in effect until February 6, 2017, unless extended, repealed, or modified by the Portland City Council; and
BE IT FURTHER ORDERED, that notwithstanding the provisions of 1 M.R.S.A. § 302, this Ordinance shall only apply to any site plan or subdivision proposal or application to develop property, excluding applications for building permits, located in the R-6 zone in District 1 on the Portland Peninsula which directly abuts [i.e. touches a City park or public ground, and specifically does not include properties located across the street from a City park or public ground] a City park and/or public ground, whether or not an application or proceeding to establish said development proposal would be deemed a pending proceeding under 1 M.R.S. § 302; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid; and

BE IT FURTHER ORDERED, that in view of the emergency cited in the preamble above, that it is hereby found and determined by the Portland City Council that it is necessary that this Moratorium take effect immediately as an emergency pursuant to Article II, Section 8 of the City of Portland Charter.
Portland's historic Fort Sumner Park

Dear Elizabeth Boepple, Chair, and Members of the Portland City Planning Board,

I write to express my strong support of efforts to limit development near Munjoy Hill’s Fort Sumner Park in order to preserve the park’s spectacular aesthetic value known most powerfully through the view the park provides of our great city, and of the natural magnificence of the Back Bay landscape. It is the only place in Portland that affords such a view for the public and for all those who will continue into the future to call Portland home. It would be a travesty to block access to the beauty the park provides by allowing a single developer and a few tenants to claim for themselves what is now enjoyed by all.

Please find a solution that allows the developer to provide needed housing without stealing away from all of us the pleasure, appreciation, and solace that beautiful landscapes afford.

Sincerely,

Dr. Richard Peterson
93 Winding Way
Portland, ME 04102

Richard B. Peterson, Ph.D.
Associate Professor
Department of Environmental Studies
University of New England
(207) 602-2862
rpeterson@une.edu

This e-mail may contain information that is privileged and confidential. If you suspect that you were not the intended recipient, please delete it and notify the sender as soon as possible.
Hello Planning Board Members!

I'm new to the Munjoy Hill neighborhood. I'm at the Ft Sumner Park every morning and evening, with my dog, Tyrus. We visit with neighbors and check out the vista. Not a day goes by where I don't meander over to the park to soak-up the lighting over the bluff. I fear the new development plan. It is far too close to the park and I believe will completely downgrade the view.

I see people on the park benches, enjoying the morning or nighttime scene. It would be a shame for us to not have this park and the extraordinary view, to enjoy in the future.

Thanks for allowing me in your IN box!

Paula

--

Paula F Hill
72 Melbourne Street #1
Portland, ME 04101

Sorted Affairs/Encore Life
http://paulafhill.com/
207-332-6197 (note the new number!!)
LinkedIn member
Facebook
Attn: Elizabeth Boepple, Chair, and Members of the Planning Board,

Dear Ms. Boepple,

I am a homeowner at 81 Quebec Street on Munjoy Hill, almost directly across from Ft. Sumner Park. The unrestricted views that the park provides are a rare find in a city like Portland. People go there daily to peacefully sit, watch the sunset, and enjoy the outdoor space. The proximity of the park, its beautiful views, and the chance to be near some green space, were a major factor in my family's decision to buy our home. I am very concerned that a proposed development will undermine the historic park and its view.

Thank you for taking the time to consider this message.

Best,

Kate

Kate M. Lawrence, Esq.
81 Quebec St. 2
Portland, ME 04101
(845) 544 4088
Dear Elizabeth Boepple, Chair,
and Members of the Planning Board—

My wife and I moved to Portland three years ago, and our only regret is that we didn't do it ten years earlier. We love this city, not least the views over Casco Bay from the Eastern Prom and over downtown from Ft. Sumner Park. These views must be preserved. We recognize the need for new housing, and support most of the development that seeks to supply it. But, surely, this development can proceed without compromising the views from Ft. Sumner Park and elsewhere. It is the board's job to insist on that compromise. I urge you to do so, thus preserving Portland's unique aesthetic.

Sincerely,

Richard Pollak

28 Melbourne Street
Portland, ME 04101
917-848-5843
Joyce Walworth <joycewalworth@gmail.com>  
To: planningboard@portlandmaine.gov  
Thu, Jan 5, 2017 at 9:47 AM

Dear Ms. Boepple and members of the Planning Board:

Having recently turned 70, I reflect daily on the urgency of what to preserve for future generations. Change is inevitable, but some changes are mistakes and cannot be undone. I believe it would be a mistake to block the view from Fort Sumner Park. The view - available to one and all - is spectacular. It's a spot for reflection and wonder but also appreciation for a thriving city below. I hope that tomorrow's children will not lose this view because of a developer's lack of concern for the historic value of Fort Sumner Park and the residents of Munjoy Hill.

Sincerely,

Joyce Walworth
135 Sheridan St
Portland, ME 04101
To: Elizabeth Boepple, Chair and Members of the Planning Board

The Friends of Fort Sumner Park is extremely grateful for the work done by staff to preserve the views from Fort Sumner Park. We heartily endorse the concept of the overlay zone, keeping in mind that in 1983 the state legislature protected the park "solely for park and recreational purposes in perpetuity". We are also supportive of the establishment of a view cone which defines the panoramic view from the park, and also the graduated protection from foreground clutter in the proposed overlay.

While we would prefer a greater setback from the property line to preserve the quiet and tranquility of the park, we think the addition of vegetative screening in the "no build" area can provide additional visual and noise protection from air handling systems and all manner of HVAC equipment and systems on the building roofs.

With respect to the height limit, we would like to set this established at the historic altitude for the park lookout, which can be seen in an early twentieth century postcard, which was at the level of what we believe to have been the parade ground for Fort Sumner. The current bumped-up observation deck was added during the 1991 renovation of the park and we would like to see the original topography restored at some point, without the visual and noise intrusion of roof appliances and structures such as heat pumps or elevator shafts.

Finally, we would like to see the height limits to include landscaping. One new American elm could spoil the sunset view very quickly.

We urge you to endorse the staff recommendations, with the amendments suggested above. The view from Fort Sumner Park is unique and extraordinary, so much so that area hotels regularly send visitors up to the park in the summer to enjoy the sunset. We believe the McCarthy family, owners of the land at 155 and 165 Sheridan Street, as well as a developer, can make a good profit building on the land within the overlay zone. We look forward to working with city staff to enhance the recreational and historic value of Fort Sumner Park so that future generations will get to enjoy it as much as we do today.

Mayor Baxter, in his 1905 report, *The Park System of Portland*, made it clear that the view was the central defining feature of this park, established and designed in 1891:
"Some years ago, when the Mayor of Cork visited Portland, I took him to the Eastern Promenade, pausing at Fort Sumner Park, and while he was admiring the charming view of the city, which that lofty outlook affords, I ventured to outline to him some of the improvements which I was then considering and which Mr. Olmsted has so admirably embodied into his plans. "But why don't you do it?" asked the Mayor with the little brogue which made him most engaging. "Because," I replied, "our people are rather shy of taxes". "Taxes!" he exclaimed. "Why should they bother about that if they get their money's worth? What's money for but to get the good of it?" (Park System of Portland, City of Portland, 1911)

Respectfully yours,

Carolyn Young, President
Friends of Fort Sumner Park
207-899-2276
Elizabeth Boepple, Chair, and Members of the Planning Board,

I apologize for the two unfinished messages I’ve sent to you, my computer is being problematic. I am writing in support of Fort Sumner Park, and asking that nothing be done that would obstruct the park’s view or degrade its ambience. I am an 18-year-old student at Casco Bay High School, and I have lived on Munjoy Hill for almost ten years. Fort Sumner Park was the first place where I spent time outside in Portland, and it has been a significant location for me every year since. I have spent countless hours climbing its trees, playing hacky sack in it, resting on the grass, and enjoying its glorious view; in these ways it has become an important part of the city to me - just the way it is. I would be greatly saddened to see a building constructed very close to it, as this would detract from the park's aesthetic value. It would also make the park feel much more cramped and awkward, for I feel that it should maintain its wide-open quality and be surrounded by as much forest and nature as possible. I recognize that there are many incentives at play in this situation, but I plead that you take my concerns into consideration. Thank you very much.

Sincerely,
Kobi Eng
kobieng47@gmail.com
39 North Street
Portland, Maine 04101

On Thu, Jan 5, 2017 at 5:54 PM, Kobi Eng <kobieng47@gmail.com> wrote:
Elizabeth Boepple, Chair, and Members of the Planning Board,

On Thu, Jan 5, 2017 at 5:53 PM, Kobi Eng <kobieng47@gmail.com> wrote:
Elizabeth Boepple, Chair, and Members of the Planning Board,
Ada Mathews <beloada@yahoo.com>  
Posted in group: Planning Board

Please save Fort Sumner, Portland need this beautiful place for us Portland natives and others.
Thank you,
Ada Mathews
beloada@yahoo.com
January 5, 2017

Portland Planning Board
389 Congress Street
Portland, ME  04101

Re: Proposed Sumner Park Overlay Ordinance

Dear Members of the Board:

I have lived in Portland for 43 years and learned early on that its wonderful network of parks and open spaces is a defining feature of our fabulous city. I chaired the Parks Commission for two years while serving on the City Council in the early 1990s and have been a vocal park advocate ever since.

That said, I must confess that until recently I was not fully aware of Fort Sumner Park and the truly exceptional public asset it represents. Anyone who visits, as I have done several times recently, can attest that the view is spectacular and unique in its scope. It is fully on par with the magnificent vistas seen from the historic Eastern and Western Promenades. It must be protected from encroachment!

I believe the proposed Sumner Park Overlay projects this unique public asset and urge the Planning Board to unanimously recommend it for adoption by the Portland City Council.

Very truly yours,

[Signature]
Jennifer Munson <jmy@portlandmaine.gov>

Fort Sumner Park
1 message

‘Gunnel Larsdotter’ via Planning Board <planningboard@portlandmaine.gov>
Thu, Jan 5, 2017 at 5:14 PM
Reply-To: Gunnel Larsdotter <glarsdotter@yahoo.com>
To: planningboard@portlandmaine.gov

Attention:
Elizabeth Boepple, Chair &
Members of the Planning Board
City of Portland, Maine

As a resident of Munjoy Hill, as well as longtime resident of both Portland and Peaks Island, I am writing to implore you to do what you possibly can to save Fort Sumner Park from becoming an embarrassment to the City. I’m referring here to that of the historic Union Station which no longer exists due to bad judgment by city managers.

PLEASE DO NOT TAKE THE JOY OUT OF MUNJOY HILL by allowing money hungry developers to ruin forever the magnificent view enjoyed by countless visitors who return again and again, year in and year out, to Fort Sumner Park. In 2014 my husband and I decided to move in order to live our senior years on Munjoy Hill. We love it here. Since then I have taken countless silhouette pictures (sample attached) of people all ages enjoying the peace and beauty of the park. Personally I am able to walk only a certain distance each day. I am sure I’m not the only 'senior person' with similar concern. Fort Sumner Park, or "Sunset Park" as we call it, has become our daily walk of joy. The very thought of losing the Park with its view is heart breaking, to say the least.

PLEASE DO EVERYTHING YOU CAN TO KEEP MUNJOY HILL FROM BECOMING A FUTURE "MUNSORROW HILL".

Thanking you,
Sincerely,
Gunnel Larsdotter
46 Cumberland Avenue
Portland ME 04102
207-272-2076

Our grandson, Noah age 6, lives in Texas. He and his mother visit us on Munjoy Hill every year. The first thing he says when they arrive is -
"Can we go to Sunset Park?"
Sent from my iPhone

3 attachments

**IMG_1756.JPG**
102K

**IMG_1729.JPG**
88K

**IMG_1727.JPG**
52K
I implore you to keep the vista at this park. Portland’s scenery and our sense of place is very important to the vibrancy of our city. We don’t need to look like the canyons of large cities. Our open spaces and green spaces are an integral part of why we live here and so many people are moving here.

E. Jones...Portland native

Sent from my iPad
Dear Chair Boepple and members of the Planning Board:

I am writing to you as a neighbor and user of Fort Sumner Park. I have watched that park come back from a drug dealing haven three years ago to a much visited gathering spot, thanks to the vigilance of neighbors and the Portland Police. The view is, as you know, a defining feature of the park, and has been since the park’s establishment in 1891. Enclosed is a postcard from the early 1900’s showing the landscape at the time. While we, as a band of neighbors, came together originally to save the view, our research into the park has uncovered an unappreciated gem on North St: Fort Sumner Park was the site of a revolutionary era fortification, a citadel built as part of the coastal defense system in 1794 under George Washington, and finally an early piece of the city’s park system in 1891.

Preservation of this view—the city, with glimpses of the harbor, back cove, the sunset, and Mount Washington—is the cornerstone to future enhancement of the park’s historic and recreational value.

I believe that two amendments to the staff recommendations would make a difference in the visitor experience: a requirement for buffer plantings in the “no-build” zone between the setback and property line, and a lowering of the plane of the height limit in the new overlay zone to the level of the original parade ground—a difference of 2 or 3 feet. It would be nice to be able to restore the original topography of the site without intrusion of elevator shafts or solar panels into the view. This would open up the vista to visitors entering the park; it is now quite hidden until you approach the bumped-up observation deck (added in 1991).

Thank you.

Sincerely,

Nini McManamy
10 Willis St.
Overlay for Fort Sumner Park

Douglas <jimdoog@gmail.com>  
To: mgrooms@portlandmaine.gov  
Sat, Dec 31, 2016 at 3:46 PM

Mr Grooms:  
Our house is at 32 North St, so we're very close to Fort Sumner Park and we go there often. If you've been there you know it provides the unique spectacular view of the Peninsula and Maine and NH mountains, including Mt Washington.

Btw, what is an "overlay"?

Lastly, I have two suggestions for board:

ALL Portland residents have a stake in in the overlay issue, not just Munjoy Hill residents, and thus they should have received the notice for the meeting on Jan 10.

It is not Sumner Park, it is Fort Sumner Park.

Thank you,

James Douglas Cowie  
Tel 321-8615