



Shukria Wiar <shukriaw@portlandmaine.gov>

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## 161 York Street

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**Katherine Searles** <libbyvalley@yahoo.com>

Thu, Dec 15, 2016 at 3:44 PM

Reply-To: Katherine Searles <libbyvalley@yahoo.com>

To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>

Hello,

This is in response to a neighborhood meeting we attended on Dec 12th concerning 161 York St. Could you explain how the height requirement works, this area has a 45 foot height limit and this new project is 5 stories on the York St side and 4 stories on the Guilford Court side, and we are aware of the fact that there is a difference in the elevation from the front to the back and this is to be a flat roof. There is a section in back and on the side that the previous owners used as a compost area so we were wondering if the developers are using that elevation to increase their percentage of height. Also they plan a roof top stair exit that seems in extreme in height and size, is this allowed for it will increase the overall height. We are hoping that a 45 foot height building will not end up as a 58 foot building.

Thank you for any feed back on this issue.

[Katherine Searles](#)

[14 Stetson Court](#)

[Portland Maine](#)

[632-5947](#)



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**161 York St. Proposal - Application ID# 2016-261, CBL # 044 B006001**

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Busby, Margaret M &lt;MBusby@unum.com&gt;

Mon, Dec 19, 2016 at 1:50 AM

To: "shukriaw@portlandmaine.gov" &lt;shukriaw@portlandmaine.gov&gt;

Hello Ms. Wiar - My properties on Stetson Ct. and Guilford Ct. (CBL 044-B-022-001 and CBL 044-B-013-001) about the above-referenced property and I would like to provide some comments on the proposal.

1) The developers propose to use Guilford Ct. as access/egress for 6 vehicles. Guilford Ct. is a very small private road. The City does not plow it, and it is only wide enough to allow one vehicle at a time. If a vehicle is coming into the Court from Park St., and a vehicle is leaving the Court, the vehicle leaving must back up into the Court, sometimes halfway, to allow the other vehicle to enter, as the entering vehicle is more likely to have traffic behind it and be unable to back up. This is particularly difficult in the winter, when snow banks narrow the Court and must be navigated. Guilford Ct. is already at vehicle capacity. The addition of 6 vehicles would be a 25% increase in the number of vehicles using this small road, and would further complicate access/egress. I ask that the use of Guilford Ct. for access/egress be denied.

Use of Guilford Ct. for access/egress would also significantly alter how current Court residents manage snow storage. First, because the Court is so narrow, most snow from the road is pushed up to the end of the road, bordering my property. Although this may narrow my driveway entrance in snow-heavy years, this practice has always been acceptable to me, with the understanding that all residents would share the cost of removing some of the snow if my driveway became inaccessible. This would no longer be possible if use of the Court is allowed for access/egress, as it would block the proposed location of Court access/egress for the York St. property. This would require that more snow be banked along the road, further narrowing an already narrow road while increasing the number of vehicles using it. If use of the Court is approved, it would need to be required that snow from that entrance to be stored on the York St. property, as there would be no space for that snow to be stored along the road. Second, the cost of plowing is shared by all current residents using the Court based on the number of units in their buildings. If use of Guilford Ct. is approved for access/egress, we would require that any new residents using the Court also pay a share of these costs, but how would we enforce that?

2) The height of the building appears to exceed restrictions. I understand that an average is taken of heights at various points. It seems like this allows architects/developers to essentially circumvent the restrictions by having certain points on the building exceed the limits as long as other points are proportionately below the limit. If heights are measured just at the corners of the building, and there is a stair/elevator stack on the roof but not at a corner, this increases height but would not be figured into the measurement at all. Is this what the City intended?

3) There is currently an old chain link fence on much of three sides of the York St. property, including the line between my property and the York St. property. This has prevented individuals from passing between the properties. The current proposal shows no planned fencing at the rear of the York St. property, but the existing fencing is to be removed and some plantings to be added. At the 12/12/16 neighborhood meeting, the developers indicated they were open to discussion about fencing along this rear line. I ask that fencing at the rear of the York St. property to be required to prevent individuals from crossing between the properties, as the existing fence does.

4) There are currently a number of mature deciduous trees on the York St. property. These are proposed to all be removed and small evergreens and shrubs to be planted, with the exceptions of a few small trees to be added at the front of the building and one small tree to be added at the left of the building. At the 12/12/16 neighborhood meeting, the developers indicated that they were open to discussion regarding plantings. I ask that some of the mature perimeter trees on the property be preserved to be consistent with the scale of the building and to maintain the current character of the neighborhood, which has scattered mature, large trees. At the very least, I ask that larger trees be planted rather than the small trees, evergreens and shrubs that are that are proposed.

5) Guilford Ct. will need some maintenance within the next few years due to inadequate subgrade support/preparation when the road was paved by developers of the most recent building on the Court, and winter frost heaves. If use of the Court is approved for access/egress, that increased use of the Court will require maintenance to be done sooner. As the City does not provide any maintenance of the Court, we would expect that residents using the Court share in those costs, as with Court snow plowing, but how would we enforce that?

Thank you for the opportunity to provide comments. If you have any questions, please let me know.

*Margaret M. Busby*

*16 Stetson Ct.*

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Shukria Wiar <shukriaw@portlandmaine.gov>

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## 161 York Street proposal - Application ID# 2016-261, CBL #044 B044-B-013-001

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Lynn Miller <lsmiller18@me.com>

Mon, Jan 2, 2017 at 11:32 AM

To: shukriaw@portlandmaine.gov

Dear Ms. Wiar,

As an owner at 16 Guilford Ct (3B), I would like to state some concerns I have with the proposal noted above.

My most serious concern is the height of the building, which appears to exceed restrictions with the appearance of circumvention by the developers. As someone whose unit overlooks this proposed development, my view would be directly impacted by this proposed taller building. I ask that the height restrictions imposed by the city be honored.

I am also concerned about the proposal to clear cut the mature deciduous trees on 161 York Street. I feel that these trees should be left as natural boundaries and habitats for wildlife, as well as to blend in with the rest of our neighborhood.

I also ask that this new development share in any cost of maintenance and clearing of our access road.

Thank you for your consideration of this matter.

Lynn S. Miller  
16 Guilford Ct #3B  
Portland 04101