

From: Rich Saltzberg saltzberg@mvcommission.org
Subject: Re: LUPC
Date: June 22, 2023 at 10:57 AM
To: Alex Elvin elvin@mvcommission.org
Cc: sam dunn samdunn184@gmail.com, Adam Turner turner@mvcommission.org

RS

The Commissioners need to review of your fences as a modification at this point, Mr. Dunn. You were warned in writing more than once not to erect anything more fence-wise until such a review (and approval) had taken place. The minutes of relevant DRI 674 M3 meetings clearly show not only that fencing would be set aside for a future review but that a hearing would be held on them. It's moot whether or not markings on prior plans or drawings may or may not have indicated fence lines. The Commissioners made a choice during the last DRI to set this aspect of the project aside for future consideration. Energy spent arguing about the fencing is perhaps better spent tonight, instead, giving the Commissioners the best descriptions you can of the fences and their utilities to your project. Tell them why they are there, what they are made of, how you intend to maintain them etc., and hopefully the matter can be dispensed with sooner rather than later.

Rich Saltzberg

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On Jun 21, 2023, at 6:29 PM, Alex Elvin <elvin@mvcommission.org> wrote:

Sam,

You submitted more than 15 different site plans during the Stone Bank Condos DRI review. I don't know what plan you are referring to from the decision, but none of the following plans that were submitted as part of the review for 674-M indicate fences around the courtyard or around the town lot:

[Site plan 3/24/21](#)
[Stormwater plan 3/24/21](#)
[Landscape plan 2/5/21](#)
[Traffic and circulation 2/8/21](#)
[Revised site plan 6/17/21](#) (post-approval)

The following plans do appear to show a fence around the courtyard only, but it is not labeled or clearly visible.

[Walkways and site features 2/8/21](#)
[Site plan 3/9/21](#)
[Project design details 6/2/21](#) (post-approval) – fencing concept photo and drawing were included, but not locations
A fence along the south side of the courtyard was shown in the [2/8/21 color rendering](#)

Again, I don't recall fences being discussed at the hearing, and they are not mentioned in the staff reports, staff-applicant communications, or written decision. It's my opinion that the commission was not aware that fences were part of the plan, but even if they

that the commission was not aware that fences were part of the plan, but even if they were, the fences that were shown do not reflect what has been built.

A conceptual fencing plan was submitted after the hearing had closed for DRI 674-M3 (restaurant). This included the location of fences in front of buildings D1 and D2, and around the courtyard, trash areas, and part of the walkway connecting to the town lot. The commission excluded that from its decision, stating that it needed to be reviewed as a separate modification. This was covered at the hearing on 1/12/23 and at the deliberation on 2/9/23.

Alex

Alex Elvin

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From: sam dunn <samdunn184@gmail.com>
Sent: Wednesday, June 21, 2023 10:02 AM
To: Rich Saltzberg <saltzberg@mvcommission.org>; Alex Elvin <elvin@mvcommission.org>; Adam Turner <turner@mvcommission.org>
Subject: LUPC

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Guys,

Attached please find the memo requested to accompany the approval of last night's landscape plan.

Also I remain confused about why the fencing was not considered as part of the landscaping plan. There was mention of a "fencing plan" that was requested from me but I don't remember when or why. Can you refresh my memory and send me the pertinent document that requested this?

Also I want to put to bed the notion that the wire fence between the courtyard and the pocket park was not on the original plans. Please see p5, p8, p11 and p14 of the plans included in the decision, all of which show the fence and gates. And also the one drawing that was in the body of the decision on page 8 of the decision. Finally the details show the wire construction as built.

Thanks,

Sam

