

# 4642 N. Magnolia Developer and Ald. Cappleman's responses to Magnolia Malden Neighbors Association

- 1 The plans do not specify the materials for the exteriors, except to say "masonry." At the meeting on July 14, it was stated that brick would be used, but the exact size and color of brick could not be specified because of supply chain problems. Therefore, we ask that the material for front and sides be brick of a size and color compatible with the historic district, to be approved by the MMNA board.

**Developer's response:**

We are going to use Endicott Ironspot brick all around and limestone. The Developer has sample of the brick on the lot now. We request prompt approval of the materials, and that approval not be unreasonably withheld or delayed.

**Ald. Cappleman's response:**

Knowing how important it is to keep within the parameters of the historic district, Ald. Cappleman will have a member from the Dept. of Planning and Development (DPD) with expertise in historic preservation select an array of colors from the samples provided and have the developer make the final selection based on the colors approved by DPD's expert in historic preservation.

- 2 The plans specify wood fences at the rear of the property, but not at the front. Therefore, we ask that the ornamental front fence and the wrought-iron fences on both sides of the front half of the property be repaired and retained. It is expected that the front fence will be reconfigured for a central entrance.

**Developer's response:**

The existing iron fence will need to be removed to provide access from the front for foundation construction and for sewer/water and gas connections. On re-installation, the existing fence will have to be reconfigured as the gate is in the wrong place for the central entrance. We cannot guarantee that the fence is in good enough condition; the Developer will make reasonable efforts to preserve and re-use the existing fence, but may install a new iron fence.

- 3 A survey respondent noted, and the Board agrees, that the trash and storage are not feasible as planned. There is no place for a dumpster on their lot in the alley, and the trash enclosures in the plan do not look viable to be used as shown. Access is through the garages, which mean the dumpsters would need to be moved to the alley, for each pick up which seems unlikely.

**Developer's response:**

Amended plans are enclosed, with trash and recycling dumpsters accessed across an open parking area.

- 4 The block has lost many mature trees in the past few years, especially near that property. The block club asks for a commitment from the developer to preserve trees currently on the parkway on that lot, particularly given the unfettered access through the back of the lot.

**Developer's response:**

As indicated above, the Developer requires access from the front for foundation construction and utility connections. The Developer will make every reasonable effort to avoid damage to existing parkway trees.

- 5 We also ask for a commitment that owners of adjacent property on both sides (4636 and 4646) not be denied reasonable access to the property at 4642 when necessary and normal for contractors to work on the adjacent properties.

**Developer's response:**

Formal and enforceable property rights are not ordinarily granted to neighbors; more typically, access to adjacent properties for such work is arranged between then-current owners on a case-by-case basis. Accordingly, the Developer respectfully denies this request and suggest that the owners of adjacent property arrange access as needed with those owning and/or residing at the subject property at that time.