

Per Panel request, please accept this statement about the events that transpired from my perspective. The statement does not directly respond to alleged bylaws violations or general concerns about this 5-plex. I would be delighted to provide responses and concerns or discuss them during a NWN hearing.

Our June 30th visit's purpose was to better understand and follow up with some of the many concerns expressed by neighbors and elected officials with whom NWN members had discussed this development and similar housing projects at recent public meetings. I want to be able to A) Explain to those who reside in or near new developments —as well as to all Association members and Oregonians in general— how parking, street tree placement, pedestrian uses, trash & recycling bin placement and emergency access could best be facilitated according to existing code and legislation; and B) Recommend code or legislative changes to mitigate negative impacts.

On June 30th, Ms. Bootzin and I visited 690 NW Angeline Ave on behalf of NWN members. For this particular visit, we were concerned about placement of 10~15 rubbish and recycling bins and extra bags on limited street frontage. I first took pictures from the west side of Angeline, we then crossed the street to more clearly view and understand the City's recently installed frontage improvements, curb-cut and sidewalk / fire lane approach. We had hoped to gather this information from the west side of Angeline Ave but could not because a large white utility van blocked the fire lane access, obscuring our view of the fire lane approach from across the street.

Ms. Bootzin and I did not access the interior portions of the property. We took pictures of and from the frontage. We were finished and leaving when Yoel Kastel and Andra Fletcher arrived at the site and identified themselves as owners.

They asked, "Can we help you?"

After reading their July 2nd grievance complaint, I feel Mr. Kastel and Ms. Fletcher may have conflated prior negative interactions with our June 30th visit. They may wish to reconsider some of their grievances in light of what actually happened:

*** Ms. Bootzin was "... *initially seen moving cones and caution tape on the new driveway.*"

The cone movement was an effort to determine who constructed the concrete curb cut. We were standing on or near what we believe is the public right of way approach to a *fire lane* not a *driveway*. At the time I believed the concrete fire lane approach and planting strip area upon which Ms. Bootzin and I originally stood were part of the City's sidewalk or unimproved right-of-way. This area is open to the public to my knowledge.

1. Ms. Bootzin carefully rotated one cone at my request. This made it possible to photograph "PWB" (the Portland Water Bureau) stencil on the cone. She did not alter the cone location.
2. At no time was the other cone (belonging to Gresham Water Dept.) or caution tape moved.

*** "*Joel asked them to step off of private property... and they only left after continued requests.*"

We were asked to move off the property and into the street. At that time, I believed we were still having a conversation. Since there is no place for pedestrians to stand safely in this active street, and signage or fencing was absent, I had to ask where the property line existed. We moved at once to a safe location in the public right of way rather than in the path of vehicular traffic.

*** "...they persisted with intrusive and grilling questions...."

To my recollection, these are the questions I asked during our visit:

Q1. "Will a sidewalk be added?" (I meant to the north and south of the fire lane approach.)

A1. "No."

In response to the owners' request to get off the property.

Q2. "I think it's ok if we move to the city's right-of-way. Where is the property line?"

A2. Ms. Fletch pointed to a stake or marker.

Q3. As we moved to the ROW side of that stake I said, "So this is the public right of way, right?"

A3. No response

Q4. From the public ROW I asked, "What kind of trees are you planning for the front area?"

A4. "On the side of the driveway and some grass."

Q5. "I mean do you know what type of tree or trees will be planted?" (I asked this because others have been interested in planting street trees in a similarly constrained locations, and I wanted to get an idea of possible choices.)

A5. "You can get that information from the city."

Q6. "OK, but I mean what kind of tree?"

A6. "That information is on file with the city."

During this very brief conversation about tree types, Mr. Kastell and Ms. Fletcher walked quickly past Ms. Bootzin and myself, entered one of the front units and shut the door behind themselves. The conversation having ended, Ms. Bootzin and I had no reason to linger so we continued on our way.

*** "*The encounter remained confrontational,...*"

The encounter lasted just a few minutes. While I would agree certain aspects of the episode were confrontational, it seemed like Mr. Kastel and Ms. Fletcher knew Ms. Bootzin and were upset with her from a previous incident. I later learned from Ms. Bootzin that she had never met them before our encounter. Regardless, the conversational tone between Mr. Kastel, Ms. Fletcher and Ms. Bootzin was terse and unnecessarily unpleasant. Ms. Bootzin's narrative accurately describes the interaction and makes note of factual inconsistencies found in the July 2nd grievance complaint.

Two attached images describe the property layout during this incident. Although coincidental, a final photo taken shows the owners arriving in a red pick-up truck. This photo was taken immediately after Ms. Bootzin had rotated the cone. The pre-rotational cone in the same location can be seen in the other photo taken about ten minutes earlier. (Visible between brown mailbox supports.)

