

Dear Members of the BAR,

May 17, 2023

Our residence is number 5 Potomac Court. The front and side section of our property abuts the back yard of 424 S. Lee Street. The property owners have shared their plans which we do not object to in any fashion. What we would like to address is the access issue to the property which will likely be used by the construction crews.

Directly behind 424 S. Lee Street is our courtyard which then empties into a small foot path on our property that runs the length of our house and yard and ends at Windmill park near the entrance of the Wilkes Street Tunnel. (I have submitted a rough reference sketch of the path). This path has always been referred to as "the old milk run" and it has a public path right-of-way easement on it. It is used primarily by the residents of Potomac Court and for rear access to four S. Lee Street residences. (#'s 424 thru 410)

The entrance to this narrow footpath from the park has always been carefully planted with shrubbery, wild flowers and ground cover to intentionally be inconspicuous to the general public as it is a tempting spot for volleyball players and park goers to use as a toilet area since there are no facilities in the park.

Last year, the BAR granted permission to the residents of 426 S. Lee Street (abutting neighbors to the property in review) for extensive renovation to their back yard which involved a large brick patio and other improvements. We did not object to the design and it has turned out beautifully.

Unfortunately, in the process of the construction and renovation at 426 S. Lee, large trucks came into Windmill Park. The damage to the park grass is still evident.

The narrow foot path was used exclusively for about eight months by the workers. The most destruction to the path occurred when a bobcat earthmoving track loader tore up the ground thus doubling the width of the path at the entrance. The vegetation was destroyed and the track wheels of the bobcat eroded our embankment by at least two feet wide and two feet high and a hundred feet long. The heavy machinery ran over surface roots of our mature holly trees. The workers spilled tar treated gravel at the entrance of the path where we have tried unsuccessfully to grow grass and clover. The large bare dirt entrance is now conspicuous from all angles in the park and as a result the bathroom traffic is two-fold. I have had to pick up human excrement several times already this spring. We have put in approximately \$1,000 worth of top soil and plantings to restore the damage which will still take time to grow back.

We are now concerned our restoration work will be undone by the next construction crew. For the record, we have addressed our concerns to Charles, the owner of the present property under review. He has verbally agreed and assured us there will be no vehicles used on the path and that the bulk of the access by workers will be from Lee Street.

In summary, we respectfully request the BAR to formally prohibit the use of construction vehicles on this historic "milk run" foot path, for this construction project, and any future Lee Street property owner's projects. Please advise us if there is another city department we should express our concerns to so this will not happen again.

Thank you, Bonnie Rideout and Jesus Medrano

