

From: Marge Schmuckal
To: sethsprague@blackpointcorporation.com
Date: 8/26/2009 1:12:04 PM
Subject: 14 Orchard St

Mr. Sprague,

I received a copy of your concern about 14 Orchard Street, previously known as Peabody House.

Our files show a Certificate of Occupancy for this property as a Boarding House. If another person or entity purchases the property and runs it as a Boarding House, there is no requirement of a permit or a review through either Inspection Services or the Planning Division. It would not be considered a change of use. No notices would go out to the neighborhood.

If someone buys the property and intends to change the use, it would be determined at that time as to what kind of review was necessary. Certain uses or a change of use over 5,000 sq ft requires further reviews thru Planning and perhaps thru the Zoning Board of Appeals. Such reviews normally trip requirements for noticing.

I reiterate that a continued use under a different ownership does not require any notification.

There was someone (I do not have a specific name) in our office previously during July who was asking about this property. They received a copy of the Certificate of Occupancy. If I am remembering correctly, they would like to continue the Boarding House use. I am not aware that this may be the same individual who is actually purchasing the property.

If the purchaser wants to add rooming units, they would need to meet the Ordinance and apply for permits. Our current files show floor layouts and rooms. Such an action may require a site plan review and would generate a requirement for noticing.

I hope this explanation answers your question. If you have any more questions, feel free to contact me at 874-8695

Marge Schmuckal
Zoning Administrator

CC: David A. Marshall; PENNY LITTELL

From: Dave Marshall <damarshall@portlandmaine.gov>
To: Marge Schmuckal <MES@portlandmaine.gov>
Date: 8/25/2009 5:07:32 PM
Subject: Fwd: FWRD: Peabody House Sale

Hey Marge,

Will you please help me by answering the questions raised in the forwarded email? Thanks.

----- Forwarded message -----

From: Seth Sprague <sethsprague@blackpointcorporation.com>
Date: Tue, Aug 25, 2009 at 10:18 AM
Subject: FWRD: Peabody House Sale
To: David Marshall <damarshall@portlandmaine.gov>
Cc: Laura Fecych Sprague <sspragu1@maine.rr.com>

Dear David,

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I live at 28 Orchard Street and also own the lot at 15 Orchard Street across from the Peabody House. I am told that the Peabody House is under contract to be sold to a non-profit that wishes to remain anonymous. My question is what opportunity do neighbors have to weigh in as to the appropriateness of the next use for this property? Is there a public hearing? I naively thought that the property would revert back to a private residence once the Peabody House closed. The fact that the non-profit wants to remain anonymous makes me concerned about who they might be. Not all nonprofit group homes are created equal. I was a supporter of the Peabody House but other types of residents may be a real problem for property values in the neighborhood. My wife and I are trying to sell the lot across the street in a very difficult market. One can easily imagine that putting recovering drug or alcohol addicts, troubled teens, or the like will be a big financial blow for us, turning a tough market into no market.

I only hope that this is not going to turn out to be a belated cost to us for supporting the Peabody House all these years.

Thank you.

Seth Sprague

Black Point Corporation

One Canal Plaza, Suite 801

Portland, ME 04101

Tel. 207 828-0011

Fax 207 772-2598

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Best Wishes,
Dave Marshall

David A. Marshall
Portland City Council
207.409.6617
Constellation Gallery 511 Congress St, Portland, ME

Fine Artist
DAMarshall.com

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