

Marge Schmuckal - Re: Gulliver - Peaks Island

From: Marge Schmuckal
To: Brenda Buchanan
Date: 3/6/2013 4:28 PM
Subject: Re: Gulliver - Peaks Island
CC: Jean Gulliver; John Gulliver

Hi Brenda,

I am in receipt of your option "C". Sending plans in an e-mail are really impossible to for me to read. I can enlarge, but I can not read it because of graininess. However, the concept could work. Both lots need to have 70' street frontage. So I am doing a lot of assumptions.

I hope that helps you,
Marge

>>> Brenda Buchanan <Brenda@wacubu.com> 3/4/2013 2:49 PM >>>
Hello Marge,

I reviewed with my clients John and Jean Gulliver your letter of February 20, 2013 regarding a proposed lot division of their Pleasant and Island Avenue property with the tax map designations of 87-K-2, 87-K-8 and 87-K-29. A copy of that letter is attached for your convenience.

As I understand your letter, the only legal flaw in the configuration I labeled as Option A is that it yielded total frontage of only 68.93', when the minimum is 70.

I have attached an Option C to this email, which would add a much narrower "tail" down to Island Avenue than Option B. This cures the problem you identified in your February 20 letter, I believe. It would provide total frontage for Lot 1 of at least 70', while allowing the Gullivers to divide the parcel in the way that seems more natural given the lay of the land.

As before, each lot would be at least 20,000 sf. The dividing line accomplishing that result will be drawn by the surveyor if this concept is approved.

I am hopeful you can give me your thoughts on Option C without necessity of another formal determination letter.

Many thanks,

Brenda
Brenda M. Buchanan, Esq.
Warren, Currier & Buchanan LLC
57 Exchange Street
Portland, Maine 04101
207-772-1262
brenda@wacubu.com
www.wacubu.com

Marge Schmuckal - Gulliver - Peaks Island

From: Brenda Buchanan <Brenda@wacubu.com>
To: Marge Schmuckal <MES@portlandmaine.gov>
Date: 3/4/2013 2:49 PM
Subject: Gulliver - Peaks Island
CC: Jean Gulliver <jeangulliver1@gmail.com>, John Gulliver <jgulliver@Pierce...>
Attachments: Option C.pdf; 2013 determination letter.pdf

Hello Marge,

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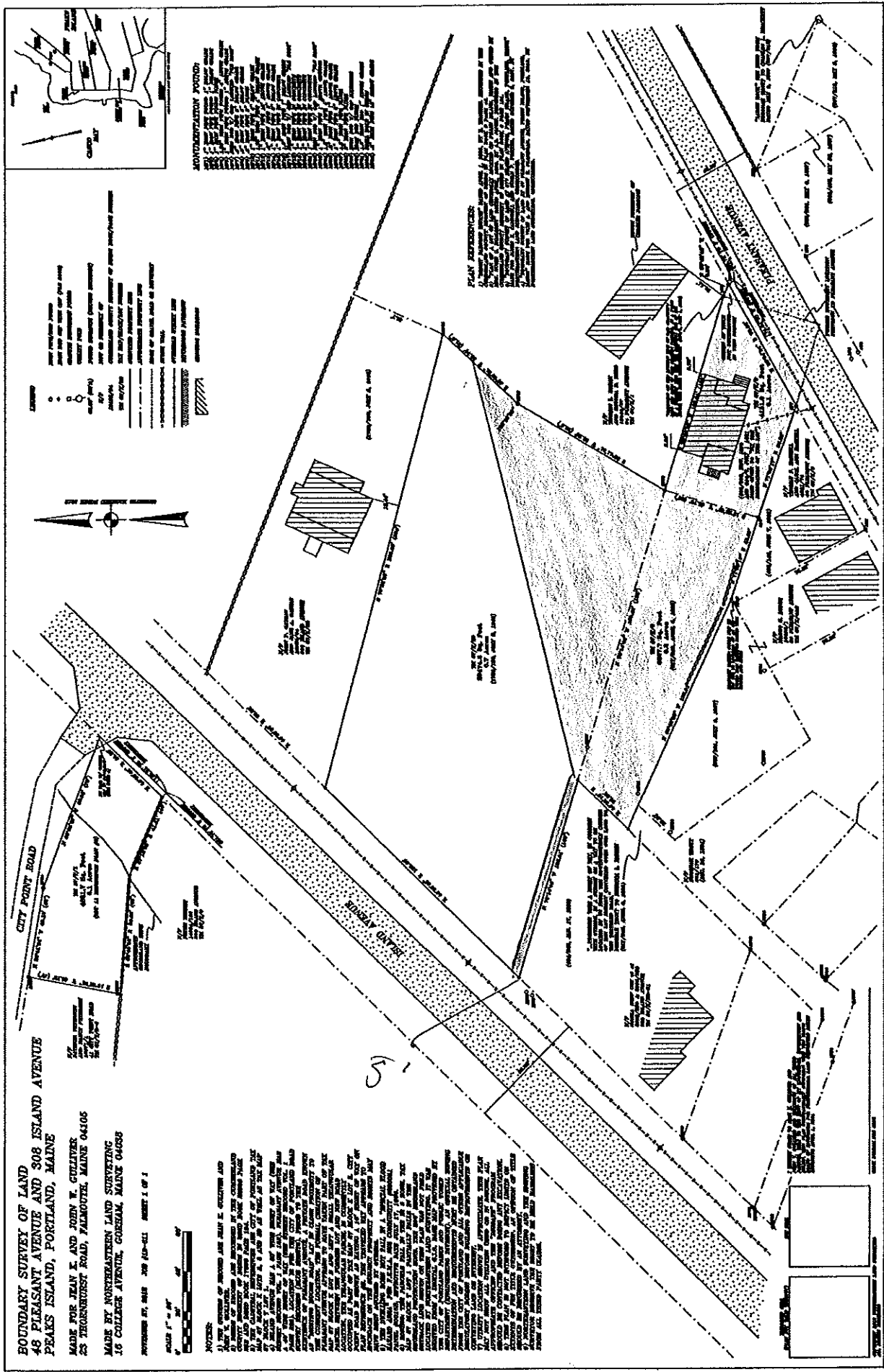
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Option C
 Shared Lot is Lot 1



BOUNDARY SURVEY OF LAND
48 PLEASANT AVENUE AND 308 ISLAND AVENUE
PEAKS ISLAND, PORTLAND, MAINE

MADE FOR JEAN E. AND JOHN E. CULLIVER
 25 THORNBURST ROAD, FALMOUTH, MAINE 04105

MADE BY NORTHEASTERN LAND SURVEYING
 10 COLLEGE AVENUE, GORHAM, MAINE 04038

APPROVED BY: 0418 308 210-01 SHEET 1 OF 1

SCALE: 1" = 40'

NOTES:

- 1) THE SYSTEM OF RECORDS AND MAPS IS OPERATED AND MAINTAINED BY THE MAINE DEPARTMENT OF CONSERVATION AND FORESTRY.
- 2) THE SYSTEM OF RECORDS AND MAPS IS OPERATED AND MAINTAINED BY THE MAINE DEPARTMENT OF CONSERVATION AND FORESTRY.
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MONUMENTATION POINTS:

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Marge Schmuckal - Re: Gulliver property, Peaks Island

From: Marge Schmuckal
To: Brenda Buchanan
Date: 3/7/2013 12:43 PM
Subject: Re: Gulliver property, Peaks Island
CC: Jean Gulliver; John Gulliver

Thank you Brenda,
Your outline of our meeting and conversation is accurate. I do agree that a 5' strip of land down to Island Avenue would afford the lot with the existing single family to meet the minimum street requirement of the IR-2 Zone. therefore, the proposed division of land would be allowed as discussed.
Marge Schmuckal
Zoning Administrator

>>> Brenda Buchanan <Brenda@wacubu.com> 3/7/2013 12:32 PM >>>
Dear Marge,

I am writing to follow up on our meeting this morning during which we discussed what I have termed "Option C" for division of the Gulliver Property on Peaks Island (87-K-2, 87-K-8 and 87-K-29).

Using the full-size plan, it was easier to illustrate the division line my clients propose, which is an angular division of the portion of the parcel that fronts on Island Avenue, with a narrow strip of what will be Lot 1 extending down to Island Avenue to provide bring the frontage total into compliance with the zoning requirements.

As we discussed, the Pleasant Avenue frontage is 68.93 feet, and the minimum required frontage is 70 feet. While technically only 1.07 feet of frontage is required to meet the zoning requirements, you have asked that the strip of Lot 1 that will extend to Island Avenue be five (5) feet wide to make it useful (i.e., so the owners of Lot 1 would be able to walk along the edge of Lot 2 to get to Island Avenue).

My clients are comfortable with that 5-foot-wide requirement. Their surveyor, Gene Schleh of Northeastern Land Surveying, will be calculating and drawing a division line soon that will make each lot at least 20,000 sf. I will provide you with a copy of that drawing for the file, so there will be an understanding of the history of this when a building permit is sought for the new house to be built on Lot 2.

Thank you for your assistance with this matter, Marge. If you would kindly write back to confirm that my understanding of our conversation is accurate, I will get the ball rolling with the surveyor.

Best,

Brenda

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