



Ann Machado &lt;amachado@portlandmaine.gov&gt;

## New single Family home on Peaks Island - Frederick Avenue (Lyndon Ave.) - Permit #2016-00873

Sam Funari &lt;sam@kaplanthompson.com&gt;

Thu, Jun 16, 2016 at 1:11 PM

To: Ann Machado &lt;amachado@portlandmaine.gov&gt;

Cc: "Judith C. Walsh" &lt;walshjc@buffalostate.edu&gt;, Philip DiPierro &lt;pd@portlandmaine.gov&gt;, Heather Thompson &lt;heather@tjwhome.com&gt;, Phil Kaplan &lt;phil@kaplanthompson.com&gt;

Hi Ann,

Answers below in red.

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*We have moved, please note our new office address above!*

On Jun 16, 2016, at 12:06 PM, Ann Machado &lt;amachado@portlandmaine.gov&gt; wrote:

Sam &amp; Judith -

I have completed my initial zoning review and there are some things that I need before I can complete my zoning review.

1. The purchase and sales agreement is from November 2013. Please send me a pdf of the recorded deed for the property.

**Judy, can you forward this?**

2. I understand that the address for this lot is a little unclear. The assessor's call it 0 Lyndon Ave., your application references Frederick Ave and the purchase and sales agreement references Rear Highland Ave. Everything is in agreement that it is Assessor's Chart/Block/Lot 089-D-006. The reason that I bring this up is because one of the criteria to build a new single family home is to meet the minimum street frontage outlined in section 14-145.11(b) of the Land Use Ordinance. This section states:

(b) *Minimum street frontage:*

*Seventy (70) feet, except that a lot of record as described in section 14-433 (lots of record and accessory structure setbacks for existing buildings) and lots created after July 15, 1985, which are not part of a subdivision need not provide street frontage if access is available by means of a permanent easement or right-of-way which existed as of July 15, 1985. Such easement or right-of-way shall have a minimum width of sixteen (16) feet and a minimum travel width of eight (8) feet except that an easement or right-of-way providing access for three (3) or more lots or providing the only means of access to a parcel or parcels of three (3) acres or more, shall be a minimum thirty-two (32) feet wide and meet the construction requirements of article III of chapter 25 (street acceptances) of this Code. Such easement or right-of-way shall permit municipal service delivery.*

I need to determine that this section is being met. I have concluded that this lot meets the definition of a lot of record under section 14-433. As a lot of record, "access can be provided by a permanent easement or right of way. This easement or right of way must be a minimum of 16' wide and have a minimum travel width of 8'. The survey that was submitted with the application done by John Swan from Owen Haskell, Inc. shows Frederick Ave as a "path" that crosses the middle of the lot. This "path" scales at about 8' in width. On the site plan it appears to scale at over 9'. (The actual width is hard to determine because of the

line with the single hash marks that runs through the lot on the path and branches off to the new house with two hash marks. There is no key on the site plan so it is unclear what this line is.) The original Plan Book, BK 13, Pg 81 (attached), for this lot (2B) shows Frederick Ave as a 40' wide right of way that ends at the southern side of the lot and then is labeled as a trail that runs through the property. I need confirmation that where Frederick Ave enters the southern side of the lot that it has a travel width of at least 8' so that the required access is being met.

I believe the path is wider than 8', we comfortably drove a car down Fredrick Ave last fall. Maybe the builder, who lives on Peaks, could measure and confirm? Heather Thompson is cc'd on this email. The line with single hash marks is above ground electric - double hash marks is below ground electric, see revised site plan.

In addition to this, you are required to have two parking spaces for a new single family home. Is the "path " that is shown going to be the driveway to access the new house?

See revised site plan that more clearly shows the driveway and 2 parking spaces with dimensions

3. Speaking of the required parking spaces, plan A-1.2 shows a carport. It appears to scale at 14.35' x 16'. A parking space must be 9' x 18'. Please show two parking spaces on the site plan that meet this criteria.

See revised site plan

4. What is the 14.4' x 23' gray rectangle on the site plan that is shown 20' off the back of the house? Is it a structure or a septic system?

Septic

5. Is the lot served by public water? If not is there a well?

Well, see revised site plan. We missed the note on the permit set.

I have copied Phil DiPierro on this email. He is the Development Review Coordinator and does the site plan review. He will be in contact with you in the future about anything that he might need to complete his review.

Please let me know if you have any questions.

Thanks.

Ann

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