



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

*Penny St. Louis - Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

February 28, 2011

Thomas F. Jewell, Esq.
Jewell & Boutin, P.A.
Suite 1104
477 Congress Street
Portland, ME 04101-3427

RE: 15-17 Hemlock Street – 065-A-017 – R-6 Residential Zone

Dear Attorney Jewell,

I am in receipt of your request for a second determination letter concerning 15-17 Hemlock Street.

My letter to you of March 16, 2010, outlined how this property met the tests and requirements for a functional division of land as outlined by the State Law Court under Keith v. Saco River Corridor Commission. You have a new site plan showing corrective changes to the division plan. These changes do not affect the tests and requirements under a functional division of land. The new site plan depicts the appropriate exterior property lines and revises the division line between the two properties.

Therefore, in summation, the corrective changes shown on the division site plan is acceptable and the previous decision as outlined in my March 16, 2010 letter is still in force. The property is meeting the burden as outlined for a functional division of land even with the revised site plan.

Sincerely,

Marge Schmuckal
Zoning Administrator

Cc: file