



Christina Stacey &lt;cstacey@portlandmaine.gov&gt;

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## :26 and 30 Powsland St Land Use

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Harrigan, James A, Contractor <James.A.Harrigan.ctr@msc.navy.mil>  
To: Christina Stacey <cstacey@portlandmaine.gov>

Fri, Oct 28, 2016 at 10:08 AM

Dear: City of Portland , Permitting and Inspections Division, 389 Congress St, Room 315, Portland, Maine 04101, Tel [207-874-8703](tel:207-874-8703)

Dear City of Portland Permitting and Inspections Division,

Reference: Invoice # 59843.; Invoice Date: 16 Sep 2016.

I have attached the deeds for the two separate lots of 190-G-012-001 (vacant land, 26 Powsland St) and 190-G-013-001 (30 Powsland St). The two lots have had separate owners since 27 Oct 1952, when Alan Saunders bought 190-G-012-001. The lots have been on separate deeds until 28 August 2009

I am writing on a Land Use Determination on the Vacant Lot, if it is a buildable lot for a single-family home. And if the existing home on 30 Powsland St can continue its current use if the vacant lot is sold to a different owner.

CBL : **190-G-012-001**; Land Use: **Vacant Land**, 5000 sq feet; R-5 residential Zone, Address 26-28 Powsland St.

CBL : **190-G-013-001**; Land Use: **Single Family**, 3142 sq feet; R-5 residential Zone, Address 30-32 Powsland St ; Bungalow Style Home; Year Built :1914.

These two lots are currently separated by the tax assessor's office and all city maps

The two lots have had separate owners until 17 October 1952 when Alan Saunders purchased the vacant lot a month after he purchased the 30 Powsland Street home ( CC Registry of deeds). There are no additions or structures that lead from the original home to the vacant lot. The original home has the exact same foot print since the day it was built in 1914. No changes have been done to the Vacant Land and the Single Family home as far as foot print/ additions. The lots are essentially the same as they were when they had separate owners back in 1952. We purchased the two properties as part of the same deed on 31 May 2011 from Eileen Saunders, the surviving daughter of Alan Saunders.

The present owners feel there should be no problem with this (Selling the home and keeping the Lot) since they lots have been separated originally in use and ownership, and have had no structures or mechanics linking the two lots whatsoever. The Vacant Lot has no underground features or electrical at all.

Thank you.

Owners:

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**From:** Christina Stacey [mailto:[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)]  
**Sent:** Friday, September 09, 2016 7:13 PM  
**To:** Harrigan, James A, Contractor  
**Cc:** [zoning@portlandmaine.gov](mailto:zoning@portlandmaine.gov); Yuri; [dharrigan118@gmail.com](mailto:dharrigan118@gmail.com)  
**Subject:** Re: [Non-DoD Source] Re: 30 Powsland St Land Use

Hi James,

I've sent it to our clerical staff for processing and you will receive the invoice by e-mail soon. I believe since the question is partially in regards to an undeveloped lot and whether it is buildable, and not just the single-family home, it entails the \$250 application fee.

Once you assemble the other materials you can e-mail them directly to me.

Best,  
Chris

On Thu, Sep 8, 2016 at 2:53 PM, Harrigan, James A, Contractor <[James.A.Harrigan.ctr@msc.navy.mil](mailto:James.A.Harrigan.ctr@msc.navy.mil)> wrote:

Dear Chris Stacey,

Thank you for the reply.

We would like to proceed formally with the Zoning Determination for :

1. Address: 30 Powsland Street Portland, Maine Single Family home-
2. CBL : 190-G—012-001
3. Request: To determine if the lot G-013 and it's associated single family home can stand alone in its current use from the abutting lot CBL: 190-G-012-001 when and if the two abutting lots have separate ownership as was the case prior to October 20, 1952. The home on 30 Powsland St Portland was built in 1914 and has the same structure, design, foot print and foundation as it was in 1914. The lot G-013 is vacant with no electric, plumbing or structures, and no items or fixtures extending from the home or its lot to the vacant lot. The home on lot G-013 is not build on lot G-012. It is a small bungalow style home of 1116 sq feet of living space, two stories.

Please log this request and generate an invoice. Thank you. I am not sure what the fee is for a single family home?. What will be the fee for single family home determination?

To be forwarded will be copies of Title from the Cumberland County Registry of Deeds as a chain of title.

Sincerely,

James Harrigan

Copy to :

David Harrigan

Yuri Tanaka

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**From:** cstacey [mailto:[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)]  
**Sent:** Thursday, September 08, 2016 2:30 PM  
**To:** Zoning  
**Cc:** Harrigan, James A, Contractor  
**Subject:** [Non-DoD Source] Re: 30 Powsland St Land Use

Sorry, attached is the document I meant to send with my previous e-mail.

On Thursday, September 8, 2016 at 10:29:19 AM UTC-4, cstacey wrote:

Dear James,

If you would like a formal opinion from the city on your question, a zoning determination letter is suggested - attached please find an information sheet on this process. If you would like to proceed with the determination letter, let me know and I will have your request get logged in and invoiced. However, I believe we will need two other pieces of information before we would be able to issue the letter. First, we would need a chain of title going back to before 1957, with copies of all the deeds in the chain. In addition, we are probably going to need a professional boundary survey for the two parcels. Of primary concern is whether the existing house (#30 Powsland) is entirely constructed on lot G013, as it is not clear from the tax assessor's map whether this is the case. If the existing house is partially built on the vacant lot, then the vacant lot would not qualify as a lot of record.

Please let me know if you have questions about this information.

Best,  
Chris Stacey  
Zoning Specialist

On Wednesday, September 7, 2016 at 3:56:37 PM UTC-4, Permitting and Inspections wrote:

Good Afternoon

I apologize for the email forwarding. I am sending this to Zoning.

Thank you

On Wed, Sep 7, 2016 at 1:22 PM, Laurie Carlson <[lac@portlandmaine.gov](mailto:lac@portlandmaine.gov)> wrote:

I have forwarded this along per your request.

Sincerely,

Laurie Carlson  
Office Assistant  
Assessor's Office  
City of Portland, Maine

[207-874-8767](tel:207-874-8767)

On Wed, Sep 7, 2016 at 11:12 AM, Harrigan, James A, Contractor <[James.A.Harrigan.ctr@msc.navy.mil](mailto:James.A.Harrigan.ctr@msc.navy.mil)> wrote:

Dear Laurie Carlson,

Could you please forward this email to the staff in Land Use, their general email was returning as undeliverable. Permitting and Inspections Department concerning the lots listed below.

The owners are trying to sell one of the already separated lots. And the buyer wants a reassurance that buying the home and not the already separated vacant lot does not affect the Land Use of the home. Thank you

Dear City of Portland Permitting and Inspections Division,

This is James Harrigan, husband of Yuri Tanaka, owner of below properties.

I am writing on a Land Use question Yuri Tanaka and David Harrigan are the present owners of two separate lots which abut each other on Powsland Street. The Lots are detailed as follows:

CBL : **190-G-012-001**; Land Use: **Vacant Land**, 5000 sq feet; R-5 residential Zone, Address 26-28 Powsland St.

CBL : **190-G-013-001**; Land Use: **Single Family**, 3142 sq feet; R-5 residential Zone, Address 30-32 Powsland St ; Bungalow Style Home; Year Built :1914.

These two lots have had separate owners until October 1952 when prior owner Alan Saunders purchased the vacant lot a month after he purchased the 30 Powsland Street home (registry of deeds). There are no additions or structures that lead from the original home to the vacant lot. The original home has the exact same foot print since the day it was built in 1914. No changes have been done to the Vacant Land and the Single Family home as far as foot print/additions.

The present owners want to sell the 30 Powsland Street Single Family Home and its associated lot 190-G-013-001 to Sarah Coupe who is represented by Realtor Dan Anderson. However, the present owners want to keep the Vacant Lot 190-G-012-001 for themselves. The Buyer's Agent, Dan Anderson is asking for a Letter of Determination and basically a clarification that the act of buying the Single Family home of 30 Powsland St with it associated lot of 190-G-012-001, and not buying the Vacant Land 190-G-013-001 doesn't affect the Land use of the Single Family home. He wants to have a determination that the lots in question having separate owners does not create an "Illegal Subdivision" and does not affect the current land use of the Single Family home and its associated lot, 190-G-013-001.

Could you please send a letter of determination and/or an email response to the present owners that it is ok to sell just the 30 Powsland Street Single Family home and not the associated Vacant Lot, R-5 Zone.

Owners:

Yuri Tanaka

David Harrigan

Address: 5 Council Tree Ln Wolfeboro, NH 03894.

Thank You.

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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Chris Stacey - Zoning Specialist

Department of Permitting & Inspections  
City of Portland  
389 Congress St.  
Portland, ME 04101  
(207) 874-8695  
[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)

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**2 attachments**

 **26 Powsland Deeds.pdf**  
736K

 **30 Powsland Deeds.pdf**  
1050K