

June 15, 2015

Ann Machado
Zoning Administrator
Planning & Urban Development
Portland, Maine
(207) 874-8709

Ann,

Please consider my request for a determination letter. The request is to confirm that land located at 1647 Westbrook Street, CBL 248-B-006 can be divided into two lots.

Respectfully,
Mark S. Poirier
179 Pleasant Avenue
Portland, Maine
207-329-4200
heatdoctorllc@gmail.com
noel@maine.rr.com

RECEIVED

JUN 15 2015

Dept. of Building Inspections
City of Portland Maine

Applicant:

Date: 6/26/15

Address: 1647 Westbrook St

C-B-L: 248-B 006

~~248-B-011~~

CHECK-LIST AGAINST ZONING ORDINANCE

	Lot 1	Lot 2
Date - 1/1		
Zone Location - R-1(1 FH)		
<u>Interior</u> or corner lot -		
Proposed Use/Work - split lot		
Sevage Disposal - public		
Lot Street Frontage - 75' min	112.53' OK	109.46' OK
Front Yard - 25' min		
Rear Yard - 25' min		
Side Yard - 2 1/2 stories - 16'		
Projections -		
Width of Lot - 100' min	112.53 @ street lot sets wider (OK)	109.46 @ street
Height -		156 @ rear of lot - OK
Lot Area - 15000 ϕ	47,600 ϕ OK	62,496 ϕ (OK)
<u>Lot Coverage</u> Impervious Surface - 20%	9,520 ϕ	12,499.2 ϕ
Area per Family - 15,000 ϕ		
Off-street Parking -		
Loading Bays -		
Site Plan -		
Shoreland Zoning/ Stream Protection - N/A		
Flood Plains -		

* 1647 Westbrook St

248-~~006~~ B-016 - sold 2004

- this lot sold 2005 - not subdivision

part 548 B 016

Bonnell - Guzzardi

12/22/04

Doc#: 99849 Bk#22153 P# 323

WARRANTY DEED

Know All Men By These Presents That I, Agnes L. Bonnell
 of 1647 Westbrook Street, Portland,
 County of Cumberland and State of Maine,
 for consideration paid, grant to Pamela A. Guzzardi
 of 305 Commercial Street Unit 302,,
 County of Cumberland and State of Maine

with **WARRANTY COVENANTS:**

A certain lot or parcel of land together with any buildings thereon situated in
 Portland County of Cumberland
 and State of Maine, more particularly described in Exhibit A attached hereto and
 incorporated herein by reference.

In Witness Whereof, I have hereunto set my hand(s) this 17th day of
 December, 2004.

MAINE REAL ESTATE TAX PAID

Wendy L Swar
 Witness

Jane B. Osgood P.A.
 Agnes L. Bonnell
 AND John C. Bonnell P.A.
 atty. in fact for Agnes L. Bonnell

State of Maine
 County of Cumberland ss.

On this 17th day of December, 2004, personally appeared before me the
 above named Agnes L. Bonnell by Jane B Osgood her atty in fact and John C Bonnell
 and acknowledged the foregoing to be his/hers/their free act and deed in her said capacity
 and the free act and deed of said Agnes L. Bonnell.

Notary Public, Attorney at Law

Return to: Pamela A. Guzzardi

Wendy L Swar
Wendy L Swar
 10/13/11

Exhibit A - Deed

A certain lot or parcel of land, with the buildings thereon, situated on the Northerly side of Westbrook Street, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Commencing at a point on the northerly side of Westbrook Street, distant two hundred forty-one (241) feet easterly from a stone at the southeasterly corner of land now or formerly of F.W. Mason; thence in a northerly direction at right angles to Westbrook Street, one hundred twenty-five (125) feet to a pin to be set; thence, westerly parallel with Westbrook Street a distance of one hundred and twenty-eight (128) feet to a pin to be set; thence southerly, one hundred and twenty-five (125) feet more or less to Westbrook Street; thence easterly along said Westbrook Street; one hundred and twenty-eight (128) feet to the point of beginning. Containing 16,000 square feet.

Being part of the same premises conveyed to Sarah M. Bonnell and Harold C. Bonnell by Herbert J. Patterson et als by deed dated February 1, 1939, and recorded in the Cumberland County Registry of Deeds, Book 1573, Page 130. Subject to any interest the said Pattersons have in the right of way reserved in said deed.

Subject to the right of way conveyed to Portland Pipeline Company, recorded in Cumberland County Registry of Deeds, Book 1646, Page 190.

Subject to the easement conveyed to the Portland Water District dated November 29, 1932 and recorded in the Cumberland County Registry of Deeds, Book 1414, Pages 28 and 29.

Meaning and intending to convey and hereby conveying a portion of the premises described in a deed from Lillian J. Barry dated September 21, 1950 to Harold C. Bonnell and Agnes L. Bonnell and recorded in the Cumberland County Registry of Deeds in Book 2021, Page 66. Harold C. Bonnell died on April 17, 1988 leaving Agnes L. Bonnell as surviving joint tenant.

Reviewed/Initialed JBO - JCR

Received
Recorded Register of Deeds
Dec 22, 2004 01:21:49P
Cumberland County
John B O'Brien

Bonnell → 2nd Chance

Doc#: 6076 BK:22270 Pg: 305

248-B-016

1/28/05

QUITCLAIM DEED

AGNES L. BONNELL

of c/o Jane Osgood, 103 Spurwink Road, Scarborough, Maine 04074

for consideration paid, grants to

SECOND CHANCE PROPERTIES, LLC

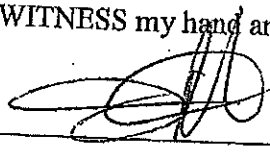
A Maine Limited Liability Company with an office and place of business located at 51 Longwood Drive, Portland, Maine 04102, with QUITCLAIM COVENANTS, the following described real property in Portland, County of Cumberland and State of Maine:

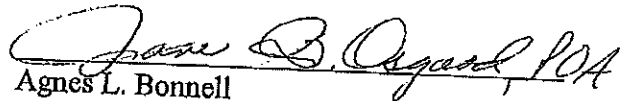
See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS my hand and seal this 27th day of January, 2005.

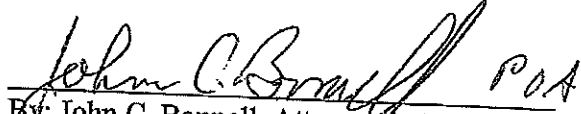
MAINE REAL ESTATE TAX PAID




Agnes L. Bonnell

By: Jane B. Osgood, Attorney-in-Fact



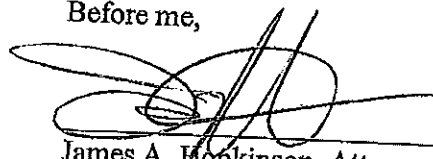

By: John C. Bonnell, Attorney-in-Fact

State of Maine
Cumberland, ss.

January 27, 2005

Personally appeared before me the above-named Jane B. Osgood and John C. Bonnell, Attorneys-in-Fact for Agnes L. Bonnell and acknowledged the foregoing instrument to be her free act and deed.

Before me,



James A. Hopkinson, Attorney-at-Law

H-SECOND

G:\CLIENTS\SecondChance\1649Westbrook\Quitclaim.doc

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated on the Northerly side of Westbrook Street, in said Portland, bounded and described as follows: Commencing at a point on the Northerly side of Westbrook Street, distant Four Hundred Fifty (450) feet from a stone at the Southeasterly corner of land now or formerly of F.W. Mason; thence in a Northerly direction, at right angles to Westbrook Street, One Hundred Fifty (150) feet to a stake; thence Westerly, parallel with Westbrook Street, a distance of One Hundred Thirty-seven (137) feet to a stake; thence in a Northwesterly direction, a distance of Two Hundred Ninety (290) feet, more or less, to a point in the location of the Cumberland-Oxford Canal, which point is Three Hundred (300) feet Easterly measured along the location of said canal, from the land of said F.W. Mason; thence in a Westerly direction, by said canal location, a distance of Three Hundred (300) feet to land of said F.W. Mason; thence Southerly, by land of said Mason, Three Hundred Eighty (380) feet, more or less, to Westbrook Street at the said Southeasterly corner of the Mason land; thence Easterly, along said Westbrook Street, Four Hundred Fifty (450) feet to the point of beginning.

Said premises were conveyed subject to a right of way reserved in a deed from Herbert J. Patterson, et al., to Harold C. Bonnell and Sarah M. Bonnell, dated February 1, 1939 and recorded in the Cumberland County Registry of Deeds in Book 1573, Page 130, and subject also to the right of way conveyed to the Portland Pipeline Co., by deed recorded in said Registry of Deeds in Book 1646, Page 190.

Excepting from the above-described parcel, the following land conveyed as follows:

1. Deed given by Harold C. Bonnell and Agnes L. Bonnell to Gloria A. Hodgdon, dated May 15, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6453, Page 197.
2. Deed given by Agnes L. Bonnell to Pamela A. Guzzardi, dated December 17, 2004 and recorded in the Cumberland County Registry of Deeds in Book 22153, Page 323.

For title reference see Deed given by Lillian J. Barry to Harold C. Bonnell and Agnes L. Bonnell, dated September 21, 1950 and recorded in the Cumberland County Registry of Deeds in Book 2021, Page 66. Harold C. Bonnell died on April 17, 1988, leaving Agnes L. Bonnell as sole surviving joint tenant.

H-SECOND

Received
Recorded Register of Deeds
Jan 28, 2005 09:33:21A
Cumberland County
John B O'Brien

After Recording Return to:
Hopkinson, Abbondanza & Backer
511 Congress Street, Ste. 801
Portland, Maine 04101
(207) 772-5845

QUITCLAIM DEED WITH COVENANT
Statutory Short Form

Ind Change →
Mark Poirier/Robert
Swan

KNOW ALL PERSONS BY THESE PRESENTS, that Second Chance Properties, LLC, of Yarmouth, Maine, for consideration paid, grants to Robert R. Swan and Mark S. Poirier, whose mailing address is 68 Mitchell Road, South Portland, Cumberland County and State of Maine, with Quitclaim Covenants, a certain lot or parcel of land, with any buildings thereon, situated at 1647 Westbrook Street, Portland, County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto.

See Exhibit A

This deed is from a limited liability company to its members for the purpose of winding up the affairs of the limited liability company.

Witness its hand and seal this 4TH day of JANUARY, 2013.

Witness:
Michael W. Celeste

Second Chance Properties, LLC
Robert Poirier
By: ROBERT R. SWAN AND MARK S. POIRIER
Its:

STATE OF MAINE
COUNTY OF CUMBERLAND ss.

JANUARY 4, 2013
ROBERT R. SWAN

Personally appeared the above-named AND MARK S. POIRIER and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Second Chance Properties, LLC.

Before me,
Michael W. Celeste

SS
M

Notary Public
Print: MICHAEL W. CELESTE

MICHAEL W. CELESTE
Notary Public, Maine
My Commission Expires August 6, 2018

SEAL

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated on the Northerly side of Westbrook Street, in said Portland, bounded and described as follows: Commencing at a point on the Northerly side of Westbrook Street, distant Four Hundred Fifty (450) feet from a stone at the Southeasterly corner of land now or formerly of F.W. Mason; thence in a Northerly direction, at right angles to Westbrook Street, One Hundred Fifty (150) feet to a stake; thence Westerly, parallel with Westbrook Street, a distance of One Hundred Thirty-seven (137) feet to a stake; thence in a Northwesterly direction, a distance of Two Hundred Ninety (290) feet, more or less, to a point in the location of the Cumberland-Oxford Canal, which point is Three Hundred (300) feet Easterly measured along the location of said canal, from the land of said F.W. Mason; thence in a Westerly direction, by said canal location, a distance of Three Hundred (300) feet to land of said F.W. Mason; thence Southerly, by land of said Mason, Three Hundred Eighty (380) feet, more or less, to Westbrook Street at the said Southeasterly corner of the Mason land; thence Easterly, along said Westbrook Street, Four Hundred Fifty (450) feet to the point of beginning.

Said premises were conveyed subject to a right of way reserved in a deed from Herbert J. Patterson, et al., to Harold C. Bonnell and Sarah M. Bonnell, dated February 1, 1939 and recorded in the Cumberland County Registry of Deeds in Book 1573, Page 130, and subject also the right of way conveyed to the Portland Pipeline Co., by deed recorded in said Registry of Deeds in Book 1645, Page 190.

Excepting from the above-described parcel, the following land conveyed as follows:

1. Deed given by Harold C. Bonnell and Agnes L. Bonnell to Gloria A. Hodgdon, dated May 15, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6453, Page 197.
2. Deed given by Agnes L. Bonnell to Pamela A. Guzzardi, dated December 17, 2004 and recorded in the Cumberland County Registry of Deeds in Book 22153, Page 323.

For title reference see Deed to Grantor recorded in Book 22270, Page 305.

This conveyance is made subject to a mortgage given by the Grantees herein to the Bath Savings Institution recorded in Book 30293 Page 37 which was inadvertently recorded prior to this deed.

Received
Recorded Register of Deeds
Jan 22, 2013 08:05:08A
Cumberland County
Pamela E. Lovley

S.S

September 1, 2011

DEED DESCRIPTION
FOR
SECOND CHANCE PROPERTIES, LLC
Lot 1

A certain lot or parcel of land situated on the northerly side of Westbrook Street in the city of Portland, County of Cumberland and State of Maine, being Lot # 1 as shown on "Boundary and Topographic Survey on Westbrook Street Portland, Maine made for Second Chance Properties, LLC September 1, 2011 Owen Haskell, Inc. Job No. 2004-289 P", bounded and described as follows:

Beginning at an iron rod on the assumed northerly sideline of Westbrook Street and the southeast corner of the land now or formerly of the City of Portland;

Thence, N 04° 52' 13" W along said land of the City of Portland 329.82 feet;

Thence, N 03° 01' 47" W along said land of the City of Portland 55.57 feet to an iron rod found in the location of the old Cumberland and Oxford Canal;

Thence in an easterly direction by said canal location 140+/- feet to a northwesterly corner of Lot # 2 as shown on said plan;

Thence, S 00° 05' 32" W along the westerly line of said Lot # 2 a distance of 257.89 feet to the northwesterly corner of land now or formerly of Pamela A. Guzzardi (Book 22153 Page 323);

Thence, S 02° 42' 30" E along the said land of Guzzardi 126.42 feet to said Westbrook Street;

Thence, S 86° 00' 03" W along said Westbrook Street 112.53 feet to the point of beginning.

Being subject to a 25 foot wide access and utility easement in common with others across said lot.

Said parcel contains 1.09 +/- acres.

September 1, 2011

DEED DESCRIPTION
FOR
SECOND CHANCE PROPERTIES, LLC
Lot 2

A certain lot or parcel of land situated on the northerly side of Westbrook Street in the city of Portland, County of Cumberland and State of Maine, being Lot # 2 as shown on "Boundary and Topographic Survey on Westbrook Street Portland, Maine made for Second Chance Properties, LLC September 1, 2011 Owen Haskell, Inc. Job No. 2004-289 P", bounded and described as follows:

Beginning at an iron rod on the assumed northerly sideline of Westbrook Street and at the southeast corner of the land now or formerly of Pamela A. Guzzardi (Book 22153 Page 323);

Thence, N 02° 42' 30" W along said land of Guzzardi 125.00 feet to the northeasterly corner of said Guzzardi;

Thence, S 87° 20' 00" W along said land of Guzzardi 128.00 feet to the northwesterly corner of Guzzardi and land of said Lot # 1;

Thence, N 00° 05' 32" E along said Lot # 1 a distance of 257.89 feet to a point in the location of the old Cumberland and Oxford Canal;

Thence, in an easterly direction by said canal location 156 +/- feet to the northwesterly corner of Angela T. and Donato A. Apon (Book 25739 Page 333);

Thence, S 10° 30' 30" E along the westerly line of said Apon and land now or formerly of Anne N. and Bruce M. Savage (Book 11080 Page 152) 263.47 feet to the southeasterly corner of said Savage and an iron rod found;

Thence, N 87° 20' 00" E along said land of Savage 37.03 feet to land now or formerly of Gloria A. Hodgdon (Book 6453 Page 197) an 1" iron rod found;

Thence, S 02° 41' 49" E along said Hodgdon 150.00 feet to said Westbrook Street and iron rod found;

390 U.S. Route 1, Unit 10 • Falmouth, Maine 04105 • 207/774-0424 • FAX: 774-0511 • ohi@owenhaskell.com

Thence, S 87° 20' 00"W along said Westbrook Street 109.46 feet to the point of beginning.

Said parcel contains 1.43 +/- acres.

Also conveying a 25 foot wide access and utility easement across adjacent land of the grantor herein, said easement being bound and described as follows:

DESCRIPTION
OF
25-FOOT WIDE ACCESS AND UTILITY EASEMENT

Beginning on the northerly side of Westbrook Street at the southwesterly corner of land of Pamela A. Guzzardi;

Thence, S 86° 00' 03" W along said Westbrook Street 25.00 feet;

Thence, N 02° 42' 30" W 127.59 feet;

Thence, N 00° 05' 32" E 50.61 feet;

Thence, S 89° 54' 28" E 25.00 feet;

Thence, S 00° 05' 32" W 50.00 feet to a land of said Guzzardi;

Thence, S 02° 42' 30" E along said land of Guzzardi 126.42 feet to the point of beginning.

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-2230	Applicant: SWAN ROBERT R & MARK S POI
Project Name: 1647 WESTBROOK ST	Location: 1647 WESTBROOK ST
CBL: 248 B006001	Application Type: Determination Letter
Invoice Date: 06/15/2015	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	Payment Due Date On Receipt

Previous Balance	\$0.00
-------------------------	---------------

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00

Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		\$0.00

CBL 248 B006001
Bill To: SWAN ROBERT R & MARK S POIRIER
 68 MITCHELL RD
 SOUTH PORTLAND, ME 04106

Application No: 0000-2230
Invoice Date: 06/15/2015
Invoice No: 49639
Total Amt Due: \$0.00
Payment Amount: \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)