



Ann Machado <amachado@portlandmaine.gov>

Our house at 155 Pineloch Drive

1 message

Richard Grossinger <chard@northatlanticbooks.com>
To: amachado@portlandmaine.gov

Tue, Jul 26, 2016 at 10:06 AM

Dear Ann Machado,

I am writing you about our recent discussions with Dewey Martin, who lives across the street from us in Pineloch Woods in Portland. I discovered only last week that he was unhappy about our using Airbnb to rent our house when we are not in it. We were not aware that it might be illegal and, though it is our primary residence, we live elsewhere a good portion of the year, including four-five months in Southwest Harbor.

Pineloch Woods is a development just past Summit off Allen Avenue, built in the mid-eighties and early nineties. It is not a gated community and has no advisory board or community restrictions itself.

As a result of Dewey's complaints, a code-enforcement officer, Chuck Fagone, visited us last week and advised us that, while we were not doing "anything wrong," we would have to register and get a city inspection. Fair enough. We didn't know about those requirement. Mr. Fagone also said that the legal status of what I now understand are called STRs is in limbo and under discussion in Portland and will be clarified in future meetings of relevant city committees. This email is partly to contribute to that discussion.

I would not have known that our complainant was Dewey if other neighbors hadn't told us. Dewey and my wife and I have had brief exchanges; he has never previously been anything but courteous. We invited him to a gathering of neighbors at our house and had a pleasant exchange. He did remark that we weren't there very often, but it seemed more a humorous jibe than a pique.

I went to talk to him on Saturday and told him that we were not aware that our rentals were upsetting him and that I wished he had spoken to one of us about it sooner, since the good will of neighbors has a definite impact on our choices and actions.

We debated the matter for about fifteen minutes on that morning before we left with our visiting son and grandsons for our house in Southwest Harbor. He framed his objection on the basis that our activity was illegal. I said I didn't know that but that of course we would abide by what was legal once the matter was clarified for us. Most of our conversation, however, centered around who we were renting to and the fact that we had not done criminal background checks on the people. His concerns frankly surprised me. We do not rent to just anyone or without email and phone contact and significant discussion. After all, these people are using our home. We stick to couples and couples with children. We do not rent to groups of men or single men or women, and so far as we know they have had little to no impact on the neighborhood.

I realize that this does not change the legal situation, but it does at least somewhat address Dewey's concern that we might be renting to, in his words, "pedophiles and criminals." He expressed particular concern about license plates not from the United States, referring to the father and stepmother of a local daughter who had come from Toronto to stay in our house for the wedding.

Our next-door neighbors Tom and Pam Leahy are our "eyes on the ground" who tell us when there have been many people for a party. We have rules on noise level and restridtions on the number of people who can be invited to a party in our house. The Leahys have become our good friends. They and their extended family used our house in Southwest Harbor for a week in exchange for keeping an eye on things. Thursday we will return to Portland to attend their daughter's wedding this Friday. We have also made friends with other immediate neighbors on Pineloch and Deepwood and discussed our use of the house with them—none of them expressed being bothered by it.

Yesterday Dewey's wife called and said that she had spoken to you, that you had told her that Mr. Fagone was wrong and that what we were doing was definitely illegal, and that you would be following up with action against us. That is why I am writing you.

This was the first conversation I ever had with her, and initially I did not understand who was calling. I did not get her identification and she began so quickly and officially that I thought that she was your assistant calling from your office.

We are not fly-by-night and use Airbnb only for time when we are at our house in Southwest Harbor. We rented for just over a month total in 2015; in 2016 it will be about six weeks. This income helps defray the expense of housing in Berkeley and Los Angeles where we visit our children and grandchildren and the costs of fixing the house, as renters had not kept up the property, its appliances, or its grounds

When we bought the house in December 2013, most neighbors expressed relief that someone had finally bought a property which had been rented for the majority of its thirteen-year life. Many of the renters had presented problems in the neighborhood—noise, wild children, disrespect, large gatherings with speeding cars and alcohol—far more substantial than anything we are introducing. In fact, we are not aware of introducing any problems with our rentals.

We looked initially in the West End, Deering Highlands, Deering Oaks, Back Cove, all desirable neighborhoods which showed little turnover in October and November 2013, with Jeff England of Coldwell Banker. We had almost given up—anything we liked needed work, or was out of our price range. Gradually we worked our way out north to North Deering and Falmouth. The Pineloch Woods house was solid, a pleasant neighborhood, with anxious sellers living out of state and having had to manage often troublesome renters for years.

We had lived in Berkeley, California, for thirty-seven years prior and, while doing a home exchange in Portland in the fall of 2013, had rediscovered this area where we lived from 1970 to 1972. We loved it and the changes in the city since then and decided that it would be a good way to get us out of a heavy urban area and back to New England. We took on the existing tenant for nine months, sold our California house and drove east; our occupancy began in August 2014.

We have spent time and money improving it for our own use, not with any eye towards it as a rental property. We are currently funding landscaping and steady maintenance, which will keep the yard up to the neighborhood's level of esprit. Many of our neighbors have had thirty to forty years to establish pristine plantings.

By way of background: my wife, Lindy Hough and I met in 1963 as students at Smith and Amherst Colleges in Massachusetts. Lindy is from Denver; I am from New York City. We got married after graduation (and recently went to our fiftieth college reunions and had our fiftieth Wedding anniversary). After college we moved to Ann Arbor and went to graduate school there; Lindy doing an MA in English at Eastern Michigan University. As part of a PhD in anthropology at the University of Michigan, I ended up with a fieldwork project studying fishermen in coastal Maine. We are both 72.

We lived on Mount Desert Island in 1969-1970 where I did the research. Subsequently I was hired as the initial anthropologist at the University of Maine at Portland and Gorham State Teachers College. I taught on those campuses for two years, and with the two geographers at Gorham, founded the Department of Anthropology-Geography when the campuses merged. Lindy taught writing and literature in UMPG extension, we bought a house in Cape Elizabeth and brought our first child, born in Ann Arbor and now nine months, down from Mt Desert.

We moved to Plainfield, Vermont, in 1972, for my job teaching at Goddard College for five years. Lindy taught poetry and women's studies part-time and finished an MA in English at Goddard. That marked the end of teaching and academic anthropology for me.

We left in 1977 with two young kids and no job and moved to Berkeley with a U-Haul. Goddard was in disarray and laying people off; we wanted to sell our house and get out before matters deteriorated further.

We had planned to stay in Berkeley for a year and find other teaching jobs, but it didn't work out that way. I arrived with an advance from Doubleday to write a history of alternative and non-Western medicine, my original specialty in graduate school. That "job" led to my becoming a full-time writer and publisher.

Lindy and I had started a journal together as undergraduates at Smith and Amherst (we are both writers) We began a publishing imprint, North Atlantic Books, in Vermont in 1974.

<http://www.northatlanticbooks.com>

I continued to write books for other publishers, one on astronomy and one on embryology, through the eighties in Berkeley, and built our press until it became a viable business and could support us. We incorporated it as a nonprofit in 1980 because it was initially grant-funded—so we don't own it. It became self-supporting in the mid-eighties. Lindy was an arts administrator in Berkeley and taught technical writing at the School of Engineering at UC Berkeley for nine years; then did graduate work in Social and Cultural Studies in Education. She worked at North Atlantic Books for many years half time, and in 1993 ran it with me as Co-Publisher and Editorial Director until she retired in 2010 to do her own writing. Her work can be seen on her website, <http://www.lindyhough.com>. Mine is www.richardgrossinger.com.

I work now 40% for North Atlantic, acquiring books and helping with management from a distance; we have found excellent managerial staff to run it. We are both active as Board members on and work with staff for all of the time when we are back there.

Although the future of book publishing is in doubt, North Atlantic Books is thriving. It employs twenty-four full-time people and rents a building in downtown Berkeley. As a nonprofit, it has a mission encompassing alternative medicine, social justice, ecology, psychospiritual topics, and the arts.

Our adult children remain in California. Our son is an environmental biologist in Berkeley working on wetlands restoration with a State-affiliated agency called San Francisco Estuary Institute. Our daughter is a film maker, novelist, and performance artist in Los Angeles, is also married and has a son. Her professional name is Miranda July.

In 2000, about eight years after experiencing empty nest, we bought an inexpensive old house in Southwest Harbor and began returning to Maine anywhere from three to six months a year before moving to the State full-time in August 2014, partly to help and visit my family in New York City.

We became very much part of the community in Southwest Harbor. We have fishermen friends there from the old days and many new friends, especially among other retirees. Because I did my anthropology research for the PHD from Michigan on MDI studying fishing communities, we have early ties with the group who founded College of the Atlantic in Bar Harbor in 1970. We copublish books on Mount Desert with COA, including recently *Lakes and Ponds of Mount Desert* and the *Geology of Mount Desert Island*. We have published books on Acadia, lobsterfishermen, and the Somalis in Maine (with a faculty group at Orono), and we have also published a successful children's book from MDI, our only such title.

The house on Mount Desert is a major reason we sold our house in Berkeley and bought a house in Portland. We love Maine, and lived in Cape Elizabeth for two years in the early seventies. We wanted off the Hayward Fault, and found the Bay Area becoming too crowded and no longer the unique place it once was; neither of us are Californians in spirit, though our kids are. We're happy to be back where there are four definite seasons.

Portland is our primary residence; Southwest Harbor our summer and fall house. Last summer was the first summer we tried AirBnB—the rhythm of coming up and back about every two or three weeks seems to work, since we have friends and activities in Portland also. We go to California for two-plus months a year in order to visit our children and their families and oversee North Atlantic Books.

As noted, in order to afford the two months in California and supplement our fixed incomes, renting the Pineloch house works well. It is safer than leaving an empty house, and it brings income on a small scale. It allows people to have family reunions here, have Thanksgiving with their children who live in P, and visit the rea.

I might note that some people in our house pay no rent at all, since they are either friends or people we exchange houses with through homeexchange.com, an older housing option which has been a boon to retired couples visiting grandchildren, like us, or young families wanting to get out of NYC for a summer vacation in Maine. We need places to stay in NYC when we visit my relatives, and of course in Berkeley and Los Angeles. So what Dewey observes as “renters” are probably more than half the time home-exchange partners in whose homes we are living either simultaneously or nonsimultaneously...or just friends curious about Maine or who already love Maine as much as we do.

I believe that we are an asset to the neighborhood and to the Portland community. We have employed local carpenters, gardeners, house-cleaners, plumbers, electricians, etc., including a neighbor boy who has mowed our lawn. We have given neighbors books from our publishing. Lindy is active in the Allen Avenue Unitarian Church and now Support Leader of the Southern Maine Restless Legs Support Group, which she inherited from long-time political activist and Wyndham resident Sally Breen. She would like to teach English to refugees and asylum-seekers for Portland Adult School (*The Somalis in Maine* was one of her acquisitions at North Atlantic) and is active in the local Smith College Club. We have made contracts with local writers, including Loren Coleman who runs the cryptozoology museum in downtown Portland. We published *Plumb Line*, by Portland poet Steve Luttrell, Portland’s recent poet laureate. We are good friends with Tom Burns and Cynthia Lobenstein, a local cartographer and architect. Tom made maps for our son’s organization for a number of years. We are also friends with Beda and Dan Knight, a local attorney in Yarmouth. Beda was a student of mine at UMPG in the seventies. We are friends again with Ken and Patti Rosen; I taught with Ken in the early 70s when USM was UMPG.

I know that most of this personal background/profile is irrelevant to the topic at hand, but I would like to give you some context so that you understand our situation, who we are, what we are working with, and our needs and limitations. I do not want to be portrayed as irresponsible homeowners, absentee neighbors, or exploiters of STRs for profit. We are simply trying to fund our lifestyle as people, trying to figure out the best course for the future.

Dewey mentioned working his whole life to own his house and pay off his mortgage. We did too, though most of it wasn’t in Portland. Since we are in our early seventies, we don’t have a lot of lifetime left to write, travel, and enjoy life. We would like to register with the city, be legal, and be able to do a small amount of AirBnB while we are able. We have a few desires for the future: perhaps to live closer to our children and grandchildren for more of the year; to live abroad for a while.

We need to know what is permissible and what isn’t before we commit further to this house and put more money into it. We have different histories and lifestyles, and different goals from Dewey and his wife, but we like Portland because it is progressive city sensitive to varied people’s needs. It has been disturbing and unsettling to realize a neighbor directly across the street is reacting negatively to us. We have absolutely no interest in threatening anyone or making anyone unhappy and, even if it is legal, we have offered to cut back on Airbnb and tell Dewey who is in the house whenever we rent.

Most of my email does not involve the legality of what we are doing at Pineloch, but it is one story to contribute to your ongoing discussion of what is permissible in different zones. I believe that Portland profits and becomes richer by having people like us move and live here, as our experience and interests filter into the community. We deserve also to live in peace, and not to have someone trying to turn us in.

It doesn’t make economic sense to let our Portland house sit empty when we are not in it for weeks and months at a time. If the only options are to live all year on Pineloch or let it stay empty, we have a jam at least as difficult as the problems Dewey says he has with our rentals. Our short term rentals are low-impact, to reputable people, and do not pose any more threat to others than normal movement of people

through the world does.

Portland establishing a clear policy on STRs which includes AirBnB will help not only us, but others in similar situations

Sincerely,

Richard Grossinger (cowritten with my wife Lindy Hough)

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