



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Marge Schmuckal, Zoning Administrator*

March 27, 2014

Marsha Weeks Traill, P.A.
Attorney at Law
31 Main Street
Gorham, Maine 04038

RE: 19 Ray Street and accompanying parcels: 407-D-6, 7, 8, 9, 10, 11, 12, 13, 25 (the "Property")

Dear Attorney Traill,

I am in receipt of your determination request concerning the Property. All of the Property is located within the R-3 Residential Zone. My determination is based upon a "Boundary Retracement Survey and Conveyance Parcel" sealed and signed by Terry H. Leighton, a Professional Land Surveyor. Copies of prepared deed descriptions were also submitted.

I have determined that the developed parcels with the single family dwelling and 33,766.20 square foot of land meets all the dimensional requirements of the R-3 zone after a proposed parcel has been conveyed out. I have also determined that the vacant 8,996.31 square foot parcel being conveyed out meets, or can meet all of the R-3 zone requirements. This one division of land does not constitute a Subdivision under State Law or City Ordinance. However, prior to development of the conveyed vacant parcel, applications for site plan review and building permit must be submitted, reviewed and approved.

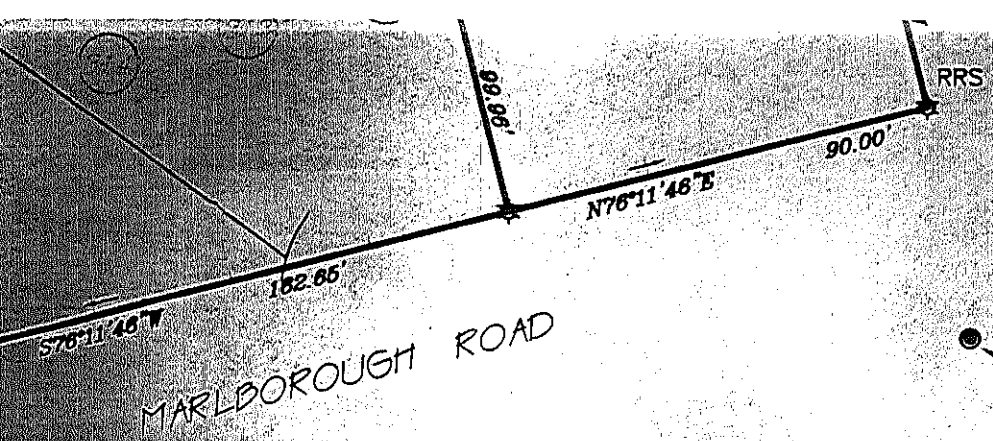
It is also noted that Section 14-403 of the Land Use Zoning Ordinance requires that newly developed properties must comply with minimum street construction standards.

If you have any questions regarding this determination, please feel free to contact me at (207) 874- 8695.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, Maine



5/8" IB PLS #1328
4" Above Grade

5/8" IB PLS #1328
4" Above Grade

MARLBOROUGH ROAD

TORONITA STREET

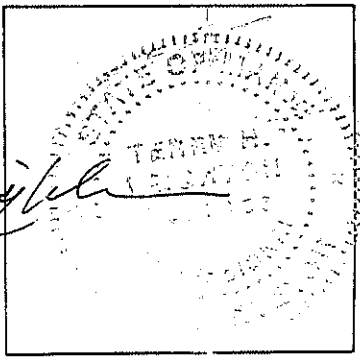
NEWBURGH STREET

RAY GARDENS
(see plan reference 1)

To the best of my knowledge and belief this survey has been completed in accordance with the Maine Board of Licensure for Professional Land Surveyors Technical Standards (adopted April 1, 2001).

Terry H. Leighton

Terry H. Leighton
Professional Land Surveyor #2006



LEIGHTON & ASSOCIATES
Land Surveying - Civil Engineering

1037 Wiscasset Road
Boothbay, Maine

207-633-4446 terry.leighton@myfairpoint.net

DRAWN BY: C.M.M.	DATE: 03-02-2013
CHECKED BY: T.H.L.	DRAWING NO.: 4-1895
JOB NO.: 4-1895	SHEET 1 OF 1

Applicant: Mangha Weeks Trill, P.A. Date: 3/27/14

Address:

C-B-L: 407-D-6-7-8-9-10-25
407-D-11-12-13

CHECK-LIST AGAINST ZONING ORDINANCE

Date -	195 12th St Developed	New VACANT lot
Zone Location - R-3		
Interior or corner lot -		
Proposed Use/Work -	Existing single family	for sale - can only be if a
Sewage Disposal -		Need St meet 14-40' 90' street stand side
Lot Street Frontage - 50' min	109.24'	
Front Yard - 25' min	53' F	can meet
Rear Yard - 25' min	140' at closest	can meet
Side Yard - 2 story 14' 1 story 0'		can meet either
Projections -		
Width of Lot - 65' min	109.24'	90'
Height - 35' max	existing	can meet
Lot Area - 6,500 sq ft min	33,766.20 sq ft	8,996.31 sq ft
Lot Coverage/Impervious Surface - 35%	well over	can be meet
Area per Family - 6,500 sq ft	33,766.20 sq ft	8,996.31 sq ft
Off-street Parking - 2 req	2 car garage	can meet
Loading Bays - N/A		
Site Plan - New Lot will need		stephan howard req.
Shoreland Zoning/Stream Protection - N/A		
Flood Plains - Panel 2 - Zone X		

one Division - Not a Subdiv

Marsha Weeks Traill, P.A.

Attorney at Law

31 Main Street
Gorham, Maine 04038

TEL: 207-839-7771

FAX: 207-839-7781

March 14, 2014

Marge Schmuckal
City of Portland
Zoning Administration
389 Congress Street/Room 308
Portland, ME 04101

Re: 195 Ray Street/Portland, Maine
Patricia Peightal

RECEIVED

MAR 18 2014

Dept. of Building Inspections
City of Portland Maine

Dear Marge:

R-3

Following up on our conversation of Tuesday, March 11th I enclose the following:

1. Copy of recorded deed from Patricia Peightal to herself for property at 185 Ray Street consisting of 33,766.20 sq. ft. with the house thereon.
2. Deed for property formerly entitled Ray Gardens from Patricia Peightal to herself by deed dated June 7, 2013 land only containing 8,996.31 sq. ft.
3. Boundary survey for the aforementioned prepared by Leighton Associates and dated March 2, 2013 and used in the deeds above is based.
4. I enclose the legal descriptions as drafted by the surveyor and based upon the plan enclosed.
5. I enclose a check made payable to the City of Portland in the amount of \$150.00.

What we are seeking is a determination letter after you have a chance to look at this survey to determine that the properties as divided do meet all current zoning requirements as two separate parcels.

We appreciate your help with this, let me know if you have any questions.
Thank you.

Very truly yours,


Marsha Weeks Traill, Esq.

Enc.

Cc: Patricia Peightal
MWT/mms

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, Patricia M. Peightal, of the Town of East Waterboro, County of York and State of Maine, for consideration paid grant to Patricia M. Peightal, her heirs and assigns forever, with **WARRANTY COVENANTS** a certain lot or parcel of land together with any buildings thereon located in the City of Portland, County of Cumberland and State of Maine being more particularly bounded and described as follows:

Beginning at a reinforcing rod set into the earth on the Southeast side of Ray Street, so called, and also being at the most Westerly corner bound of land now or formerly of Eugene H. Leighton; thence South 54 degrees 34 minutes 16 seconds East a distance of 198.83 feet by last named land to a reinforcing rod set into the earth at the South east corner of last named land also being on the Northerly bound of other land now or formerly of Patricia Peightal; thence North 76 degrees 11 minutes 46 seconds East a distance of 1.93 feet by last named land to a reinforcing rod set into the earth at the Northwesterly corner of lot 311 as shown on plan entitled RAY GARDENS, Portland, Maine. Owned by J.W. Wilbur dated September 1, 1914 and recorded at the Cumberland County Registry Of Deeds in Plan Book 12, Page 103 and other land now or formerly of Patricia Peightal; thence South 14 degrees 04 minutes 00 seconds East a distance of 99.96 to feet by last named land to a reinforcing rod set into the earth at the Southwesterly corner of other land now or formerly of Patricia Peightal and the Northerly bound of Marlborough Road, so called; thence South 76 degrees 11 minutes 46 seconds West a distance of 162.65 feet by the Northerly bound of the said Marlborough road to a 1" iron pipe at the Southeasterly corner of land now or formerly Kate R. Squire; thence North 14 degrees 04 minutes 00 seconds West a distance of 99.96 feet by last named land to a 3/8" iron bolt in stone; thence North 50 degrees 28 minutes 56 seconds West a distance of 94.27 feet by last named land to an iron pipe set into the earth on the

Southeast side of the said Ray Street; thence North 35 degrees 30 minutes 21 seconds East a distance of 109.24 feet by the Southeast side of the said Ray Street to an iron pipe set into the earth; and thence by the same bearing and by the Southeast side of the said Ray Street a distance of 5.76 feet to the point of beginning. This land parcel contains 33,766.20 square feet.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belong to, Patricia M. Peightal, the said Grantee, her heirs and assigns forever.

IN WITNESS WHEREOF, I, the said, Patricia M. Peightal, have hereunto set my hand and seal this 7th day of June, 2013.

Wendolyn C Clarke
Witness

Patricia M Peightal
Patricia M. Peightal

State of Maine
County of Cumberland

June 7, 2013

Then personally appeared the above named Patricia M. Peightal and acknowledged the foregoing instrument to be her free act and deed.

SEAL

Before me,

WENDOLYN C. CLARKE
NOTARY PUBLIC
MAINE

Wendolyn C Clarke
Notary Public

my commission expires 9/27/17

Received
Recorded Register of Deeds
Sep 09, 2013 11:34:49A
Cumberland County
Pamela E. Lovley

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, Patricia M. Peightal, of the Town of East Waterboro, County of York and State of Maine, for consideration paid grant to Patricia M. Peightal, her heirs and assigns forever, with **WARRANTY COVENANTS** a certain lot or parcel of land together with any buildings thereon located in the City of Portland, County of Cumberland and State of Maine being more particularly bounded and described as follows:

Beginning at a reinforcing rod set into the earth at the Northwesterly corner of lot 311 as shown on plan entitled RAY GARDENS, Portland, Maine. Owned by J.W. Wilbur dated September 1, 1914 and recorded at the Cumberland County Registry Of Deeds in Plan Book 12, Page 103 and remaining land now of Patricia Peightal; thence South 14 degrees 04 minutes 00 seconds East a distance of 99.96' feet by last named land to an iron rod set into the earth at the Southeasterly corner of said Peightal and the Northerly bound of Marlborough Road, so called; thence North 76 degrees 11 minutes 46 seconds East a distance of 90.00 feet by the Northerly bound of the said Marlborough road to a reinforcing rod set into the earth at the most Southerly corner bound of land now or formerly of the City of Portland; thence North 14 degrees 04 minutes 00 seconds West a distance of 96.96 feet by last named land to a reinforcing rod set into the earth on the Southerly bound of land now or formerly of King Construction Corp.; thence South 76 degrees 11 minutes 46 seconds West a distance of 2.05 feet by last named last named land to an iron pipe set into the earth at the most Southerly corner bound of land now or formerly of Mary E. Joyce, and also being at the most Easterly corner bound of land now or formerly of Eugene H. Leighton; thence by the same bearing and by last named land a distance of 89.88 feet to the point of beginning. This land parcel contains 8,996.31 square feet.

Reference should be made to Boundary Retracement Survey and Conveyance Parcel for Patricia Peightal dated March 2, 2013 prepared by Leighton & Associates and recorded in the Cumberland County Registry of Deeds.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belong to, Patricia M. Peightal, the said Grantee, her heirs and assigns forever.

IN WITNESS WHEREOF, I, the said, Patricia M. Peightal, have hereunto set my hand and seal this 7th day of June, 2013.

Wendolyn C. Clark
Witness

Patricia M. Peightal
Patricia M. Peightal

State of Maine
County of Cumberland

June 7, 2013

Then personally appeared the above named Patricia M. Peightal and acknowledged the foregoing instrument to be her free act and deed.

Before me,

WENDOLYN C. CLARKE
NOTARY PUBLIC
MAINE

Wendolyn C Clarke
Notary Public
my commission expires 9/27/14

SEAL

Received
Recorded Register of Deeds
Sep 09, 2013 11:34:13A
Cumberland County
Pamela E. Lovley

Leighton & Associates, Inc.

Land Surveyors

Phone 207-633-4445

04537

P.O. Box 176 ~ Boothbay, Maine

Fax 207-633-4482

<http://www.leightonlandsurveyors.com>

terry.leighton@myfairpoint.net

**33,766.20 SQUARE FOOT LAND PARCEL
PROPERTY OF
PATRICIA PEIGHTAL
RAY STREET and MARLBOROUGH ROAD
PORTLAND, MAINE**

DEED DESCRIPTION: Beginning at a reinforcing rod set into the earth on the Southeast side of Ray Street, so called, and also being at the most Westerly corner bound of land now or formerly of Eugene H. Leighton; thence South 54 degrees 34 minutes 16 seconds East a distance of 198.83 feet by last named land to a reinforcing rod set into the earth at the South east corner of last named land also being on the Northerly bound of other land now or formerly of Patricia Peightal; thence North 76 degrees 11 minutes 46 seconds East a distance of 1.93 feet by last named land to a reinforcing rod set into the earth at the Northwesterly corner of lot 311 as shown on plan entitled RAY GARDENS, Portland, Maine. Owned by J.W. Wilbur dated September 1, 1914 and recorded at the Cumberland County Registry Of Deeds in Plan Book 12, Page 103 and other land now or formerly of Patricia Peightal; thence South 14 degrees 04 minutes 00 seconds East a distance of 99.96 to feet by last named land to a reinforcing rod set into the earth at the Southwesterly corner of other land now or formerly of Patricia Peightal and the Northerly bound of Marlborough Road, so called; thence South 76 degrees 11 minutes 46 seconds West a distance of 162.65 feet by the Northerly bound of the said Marlborough road to a 1" iron pipe at the Southeasterly corner of land now or formerly Kate R. Squire; thence North 14 degrees 04 minutes 00 seconds West a distance of 99.96 feet by last named land to a 3/8" iron bolt in stone; thence North 50 degrees 28 minutes 56 seconds West a distance of 94.27 feet by last named land to an iron pipe set into the earth on the Southeast side of the said Ray Street; thence North 35 degrees 30 minutes 21 seconds East a distance of 109.24 feet by the Southeast side of the said Ray Street to an iron pipe set into the earth; and thence by the same bearing and by the Southeast side of the said Ray Street a distance of 5.76 feet to the point of beginning. This land parcel contains 33,766.20 square feet.

For further ties and cultural features, see a plan by Leighton & Associates, Inc., File No. 4-1895, dated March 2, 2013.

May 13, 2013

Leighton & Associates, Inc.

Land Surveyors

Phone 207-633-4445
04537

P.O. Box 176 ~ Boothbay, Maine
Fax 207-633-4482

<http://www.leightonlandsurveyors.com>

terry.leighton@myfairpoint.net

**8,996.31 SQUARE FOOT CONVEYANCE PARCEL
PROPERTY OF
PATRICIA PEIGHTAL
RAY STREET and MARLBOROUGH ROAD
PORTLAND, MAINE**

DEED DESCRIPTION: Beginning at a reinforcing rod set into the earth at the Northwesterly corner of lot 311 as shown on plan entitled RAY GARDENS, Portland, Maine. Owned by J.W. Wilbur dated September 1, 1914 and recorded at the Cumberland County Registry Of Deeds in Plan Book 12, Page 103 and remaining land now of Patricia Peightal; thence South 14 degrees 04 minutes 00 seconds East a distance of 99.96' feet by last named land to an iron rod set into the earth at the Southeasterly corner of said Peightal and the Northerly bound of Marlborough Road, so called; thence North 76 degrees 11 minutes 46 seconds East a distance of 90.00 feet by the Northerly bound of the said Marlborough road to a reinforcing rod set into the earth at the most Southerly corner bound of land now or formerly of the City of Portland; thence North 14 degrees 04 minutes 00 seconds West a distance of 96.96 feet by last named land to a reinforcing rod set into the earth on the Southerly bound of land now or formerly of King Construction Corp.; thence South 76 degrees 11 minutes 46 seconds West a distance of 2.05 feet by last named last named land to an iron pipe set into the earth at the most Southerly corner bound of land now or formerly of Mary E. Joyce, and also being at the most Easterly corner bound of land now or formerly of Eugene H. Leighton; thence by the same bearing and by last named land a distance of 89.88 feet to the point of beginning. This land parcel contains 8,996.31 square feet.

For further ties and cultural features, see a plan by Leighton & Associates, Inc., File No. 4-1895, dated March 2, 2013.

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

CBL 407 D011001
Land Use Type VACANT LAND
 Verify legal use with Inspections Division
Property Location 0 MARLBOROUGH RD
Owner Information PEIGHTAL PATRICIA M
 PO BOX 292
 EAST WATERBORO ME 04030
Book and Page 31001/278
Legal Description 407-D-11-12-13
 MARLBOROUGH RD 112-118
 9000 SF
Acres 0.2066

Services

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[Maps](#)

[Tax Relief](#)

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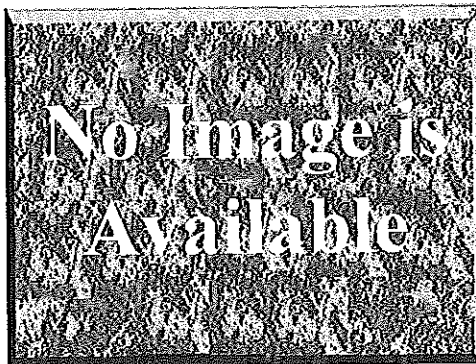


Best viewed at 800x600, with Internet Explorer

Current Assessed Valuation:

TAX ACCT NO.	47566	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$7,700.00	PEIGHTAL PATRICIA M
BUILDING VALUE	\$0.00	PO BOX 292
NET TAXABLE - REAL ESTATE	\$7,700.00	EAST WATERBORO ME 04030
TAX AMOUNT	\$149.46	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.



[View Map](#)

Sales Information:

Sale Date	Type	Price	Book/Page
9/9/2013	LAND	\$0.00	31001/278
10/29/1992	LAND + BUILDING	\$0.00	10371/288

[New Search!](#)

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

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[browse facts and links a-z](#)



Best viewed at 800x600, with Internet Explorer

CBL 407 D006001
Land Use Type SINGLE FAMILY
 Verify legal use with Inspections Division
Property Location 195 RAY ST
Owner Information PEIGHTAL PATRICIA M
 PO BOX 292
 EAST WATERBORO ME 04030
Book and Page 31001/280
Legal Description 407-D-6-7-8-9-10-25
 RAY ST 187-195
 MARLBOROUGH RD 100-110
 33208 SF
Acres 0.7624

Current Assessed Valuation:

TAX ACCT NO.	42046	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$91,200.00	PEIGHTAL PATRICIA M
BUILDING VALUE	\$159,800.00	PO BOX 292
NET TAXABLE - REAL ESTATE	\$251,000.00	EAST WATERBORO ME 04030
TAX AMOUNT	\$4,871.92	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Building 1

Year Built 1955
Style/Structure Type CAPE
Stories 1.5
Units 1
Bedrooms 3
Full Baths 1
Half Baths 1
Total Rooms 7
Attic NONE
Basement FULL
Square Feet 2083

[View Sketch](#)

[View Map](#)

[View Picture](#)

Sales Information:

Sale Date	Type	Price	Book/Page
9/9/2013	LAND + BUILDING	\$0.00	31001/280
10/29/1992	LAND + BUILDING	\$0.00	10371/288
8/17/1990	LAND + BUILDING	\$0.00	9283/65

[New Search!](#)

195 Ray St



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

RECEIPT OF FEES

Application No: 0000-1869	Applicant: PEIGHTAL PATRICIA M
Project Name: 195 RAY ST	Location: 195 RAY ST
CBL: 407 D006001	Application Type: Determination Letter
Invoice Date: 03/18/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	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 407 D006001
Bill to: PEIGHTAL PATRICIA M
 PO BOX 292
 EAST WATERBORO, ME 04030

Application No: 0000-1869
Invoice Date: 03/18/2014
Invoice No: 44433
Total Amt Due: \$0.00
Payment Amount:

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/planning/permitstatus.asp>