



Ann Machado <amachado@portlandmaine.gov>

1167/1159 Washington Avenue

Jeffrey Herbert <JHerbert@optlaw.net>

Mon, Aug 8, 2016 at 5:37 PM

To: Ann Machado <AMACHADO@portlandmaine.gov>

Cc: "best@sacoriver.net" <best@sacoriver.net>, Wayne Berzinis <wayne@indrain.com>

Hi Ann,

I am following up on our meeting of a couple of weeks ago regarding the potential lot configuration of the above referenced parcels. I have attached a copy of the Tax Map showing the current 3 lots (Map 408, Lots D019, D011, and D012). All lots are controlled by the same person, although in different ownership forms (Berzinis Realty LLC, Mountain Road Properties, LLC, and Wayne and Suzanne Berzinis).

You will find attached a sketch of the proposed lot configuration prepared by Dick Hamilton based upon your feedback at our meeting on July 13. The proposed lot configuration calls for 4 conforming lots to be created from the 3 existing lots. Each of the lots provides for the required 50 feet of road frontage and 65 feet of lot width. Also, the configuration keeps the 75 feet from the stream on the rear of the property.

As we discussed at our meeting, I do not believe there is a subdivision issue as the proposal only calls for one new lot to be created, and the adjustments to be made to the lot lines will be done by virtue of a conveyance to an abutter, which does not create a lot for the purposes of the definition of a subdivision. In addition, the proposed configuration provides that all 4 lots will be legally conforming lots, whereas currently Lot D011 is legally existing but nonconforming.

Can you please confirm that we do not have any issues with subdivision as the owner would like to start this project as soon as possible. Thanks very much Ann.

Best,

Jeff

Jeffrey B. Herbert, Esq.

The Law Offices of Robert E. Danielson

65 West Commercial Street, Suite 106

P.O. Box 545

Portland, Maine 04101

Telephone (207) 879-1337

Cell Phone (207) 956-3204

Fax. (207) 879-1579

jherbert@optlaw.net

2 attachments

 **Existing Lots.pdf**
216K

 **PROPOSED LOT CONFIGURATION REVB.pdf**
829K