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*Penny St. Louis Littell- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

December 10, 2008

Michael Burnham
P.O. Box 2282
Portland, ME 04116-2282

Patricia and Page Burnham
P.O. Box 6816
Scarborough, ME 04074

RE: 629-631 Congress Street – 046-D-027 – B-3 Zone with PAD and Historic Overlay

Dear Michael Burnham,

Thank you for meeting with Ann Freeman and me yesterday on site. I'm glad we were able to discuss our concerns as outlined in our previous letters with you and your associate.

As I mentioned and pointed out on site, I am of the understanding that the previous building came up to the end of what is known as Deering Street Place which is located near to the rear entry of your adjacent building at 633-635 Congress Street. I have found more documentation supporting exactly where the previous building existed. I have copies of overhead photos taken in 2001, prior to the demolition of the 629-631 building in 2002. It clearly shows the building extending to Deering Street Place. It shows no parking on this lot. I also have historical photos of Congress Street showing the building fronts. I see no 50' alley that extends from the rear of this property forward to Congress Street as you suggested. It shows your existing building and the previous building directly abutting each other. I am enclosing copies of this documentation.

Based upon this further documentation, it is necessary to immediately move the barriers that you recently placed on site, to a position at the end of your lot where it abuts the end of Deering Street Place. This action will prohibit parking on your property which is currently illegal.

I also heard your concern relating to how Public Services plows snow from Deering Street Place into your lot. I will be forwarding this concern to the plowing supervisor at Public Services.

As was also related to you, parking lots are allowed as a Conditional use in the B-3 Zone with Planning Board approval. I encourage you to move forward to gain the required approvals to allow parking. However, in the mean time, the lot shall remain vacant (no parking) and the barriers moved in front of Deering Street Place to prohibit illegal parking.

A reinspection is scheduled for your property two weeks from the date of this letter, on December 24, 2008, to confirm compliance with the City's Ordinances. If there is no compliance at that time, this matter will again be turned over to our Corporation Counsel for the appropriate legal proceedings.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Penny Littell, Director of Planning and Development
David Marshall, City Councilor
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