

3/2/91
C.A.
C.P.

Sharon House
Charles - Brackett - Vaughn
Misc. Appeal
4-11-91

- 1. Sanborn ✓
- 2. Issues ✓
- 3. Lot Abuts ✓
- 4. Env. Abuts ✓
- 5. Lot Abuts
- 6. Lot Owner

Charles - Brackett - Vaughn
 Sharon House
 BUILDING PERMIT APPLICATION

Misc. Appeal
 Permit # _____ City of Portland BUILDING PERMIT APPLICATION Fee \$50.00 Zone _____ Map # _____ Lot # _____
 Please fill out any part which applies to job. Proper plans must accompany form.

Owner: June & Rodney Philbrick Phone # _____
 Address: _____
 LOCATION OF CONSTRUCTION 269 Vaughan & Chadwick & Brackett
 Contractor: _____ Sub: _____
 Address: _____ Phone # _____
 Est. Construction Cost: _____ Proposed Use: Parking
 Past Use: Parking
 # of Existing Res. Units _____ # of New Res. Units _____
 Building Dimensions L _____ W _____ Total Sq. Ft. _____
 # Stories _____ # Bedrooms _____ Lot Size: _____
 Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
 Explain Conversion Miscellaneous Appeal to share parking lot

For Official Use Only
 Date: March 20, 1991 Subdivision: _____
 Inside Fire Limits _____ Name _____
 Edg. Code _____ Lot _____
 Time Limit _____ Ownership: _____ Public _____ Private _____
 Estimated Cost _____
 Zoning: Street Frontage Provided: _____
 Provided Setbacks: Front _____ Back _____ Side _____ Side _____
 Review Required:
 Zoning Board Approval: Yes _____ No _____ Date: _____
 Planning Board Approval: Yes _____ No _____ Date: _____
 Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____
 Shoreland Zoning Yes _____ No _____ Floodplain: Yes _____ No _____
 Special Exception _____
 Other (Explain) _____

Foundations:
 1. Type of Soil: _____
 2. Set Backs - Front _____ Rear _____ Side(s) _____
 3. Footings Size: _____
 4. Foundation Size: _____
 5. Other: _____
Floor:
 1. Sills Size: _____ Sills must be anchored.
 2. Girder Size: _____
 3. Lally Column Spacing: _____ Size: _____
 4. Joists Size: _____ Spacing 16" O.C.
 5. Bridging Type: _____ Size: _____
 6. Floor Sheathing Type: _____ Size: _____
 7. Other Material: _____
Exterior Walls:
 1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Sizes _____ Span(s) _____
 5. Bracing: Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____
Interior Walls:
 1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Span(s) _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 5. Other Materials _____

Ceiling:
 1. Ceiling Joists Size: _____
 2. Ceiling Strapping Size _____ Spacing _____
 3. Type Ceiling: _____
 4. Insulation Type _____ Size _____
 5. Ceiling Height: _____
Roof:
 1. Truss or Rafter Size _____ Span _____
 2. Sheathing Type _____ Size _____
 3. Roof Covering Type _____
Chimneys:
 Type: _____ Number of Fire Places _____
Heating:
 Type of Heat: _____
Electrical:
 Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____
Plumbing:
 1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____
Swimming Pools:
 1. Type: _____
 2. Pool Size: _____ x _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law.
 Permit Received By Latini
 Signature of Applicant Peter G Rich Date 3/20/91
 Signature of CEO _____ Date _____
 Inspection Dates _____

Appeal sustained 4-11-91

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



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ERIC J. GOUVIN
Secretary

RAY M. JOHNSON
JOHN C. KNOX
DEWEY A. MARTIN, JR.
MERRILL S. SELTZER
MICHAEL E. WESTORT

269 Vaughan Street

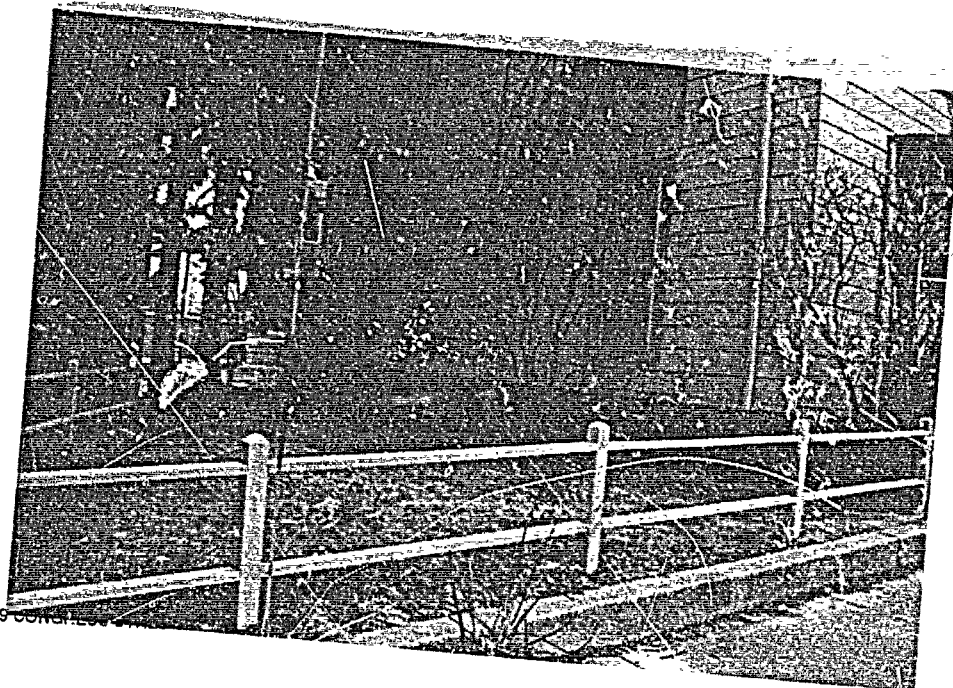
All persons interested either for or against this Miscellaneous Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, April 11, 1991 at 7:00 P.M. This notice of required public hearing has been sent to the owners of property directly abutting and directly across a street or alley from the property as required by the Ordinance.

Mr. Peter Rich, Esq., on behalf of the Shalom House, prospective purchaser of the property at 269 Vaughan Street, is requesting approval of a proposed lease for two offsite parking spaces at the Maine Medical Center parking lot located at the intersection of Chadwick, Brackett and Vaughan Streets as required by the City Zoning Ordinance.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473(c)1 of the Zoning Ordinance have been met.

Eric J. Gouvin
Secretary

/el
3/21/91



389-0000-1000

MAINE MEDICAL CENTER

March 22, 1961

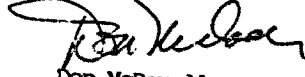
Joseph Brannigan
Shalom House, Inc.
1 Pleasant Street
Portland, Maine 04101

Dear Joe:

This letter will confirm our agreement that the Maine Medical Center will provide two parking spaces in our Branhall parking lot for the use of the Shalom House. This agreement will extend for two years from the date you occupy your new facility. The annual rental charge will be \$1.00.

We fully support your efforts and are pleased to be in a position to help in your new endeavor. If we can provide any further assistance, please let me know.

Sincerely,



Don McDowell
Interim President

DLM/gs
15064

c: DEQ



CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



THOMAS F. JEWELL
Chairman

ERIC J. GOUVIN
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DEWEY A. MARTIN, JR.
MERRILL S. SELTZER
MICHAEL E. WESTORT

269 Vaughan Street

March 20, 1991

Peter G. Rich, Esq.
Attorney at Law
477 Congress Street
Portland, Maine 04101

Dear Mr. Rich:

This will acknowledge receipt of a miscellaneous appeal for offsite parking to provide two parking spaces by lease from the Maine Medical Center at the parking lot at the site of the old reservoir at the intersection of Chadwick, Brackett and Vaughan Streets within 200 feet of the building proposed for use by Shalom House at 269 Vaughan Street in the R-6 Residence Zone.

Shalom House is purchasing the building at 269 Vaughan Street from June G. and Rodney L. Philbrick for the purpose of providing facilities for handicapped persons. The City Zoning Ordinance requires that there be two offstreet parking spaces for the subject premises.

If this appeal is granted by the Board of Appeals, a lease for the two parking spaces will be executed with the Maine Medical Center for the use by Shalom House. This appeal will be scheduled for review by the Board of Appeals at their meeting on Thursday evening, April 11, 1991, at 7 P.M. in Room 209, City Hall, Portland, Maine. A copy of the agenda will be sent to you as soon as it becomes available for distribution.

Sincerely,

Warren J. Turner
Warren J. Turner
Administrative Assistant

cc: Thomas F. Jewell, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
William D. Giroux, Zoning Administrator
Marland Wing, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTOFT
CHRISTOPHER DINAN

MISCELLANEOUS APPEAL

APPLICATION

Applicant's name and address: Shalom House

1 Pleasant Street, Portland, Maine

Applicant's interest in property (e.g., owner, purchaser, etc.):

Purchaser

Owner's name and address (if different):

June G Philbrick and Rodney L. Philbrick

Address of property (or Assessor's chart, block and lot number):

Premises being purchased are 269 Vaughan Street

Parking is at Chadwick and Brackett Streets

Zone: R-6

Present Use: Parking

Proposed Use: Parking
(if different)

Appeal pertains to: Section 14- 333

Basis for Appeal and relief requested:

Miscellaneous exception sought to enable applicant to carry out its purpose of providing for handicapped persons.

NOTE: If site plan approval is required, attach proposed or final site plan.

The undersigned hereby makes application for a the appeal as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: March 18, 1991, 19

Shalom House
By [Signature]
Signature of Applicant
Its Attorney

PETER G. RICH

ATTORNEY AT LAW

477 CONGRESS STREET
PORTLAND, MAINE 04101

TEL (207) 773-3253
FAX (207) 773-3678

March 19, 1991

Zoning Board of Appeals
City of Portland
Portland City Hall
389 Congress Street
Portland, Maine 04101

Re: Shalom House Miscellaneous Appeal

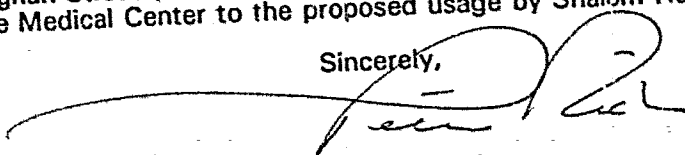
Dear Gentlepeople,

Shalom House has a contract to purchase the property at 269 Vaughan Street (The Premises) from June G. and Rodney L. Philbrick (The Present Owners) for the purpose of providing facilities for handicapped persons. The Zoning Ordinance of the City of Portland requires that there be two off-street parking places provided for The Premises. Prior owners of The Premises, E. June Clark and Irene M. Watson, acquired an easement to park two cars adjacent to The Premises from Bramhall House Associates. Parking Easement Deed dated January 31, 1989 and recorded in the Cumberland County Registry of Deeds in Book 8652, Page 57 (The Parking Easement Deed), a copy of which is attached hereto.

This easement would appear to satisfy the needs of Shalom House and make the present miscellaneous appeal unnecessary. Unfortunately, however, at the time The Parking Easement Deed was granted, Bramhall House Associates had mortgaged the property over which the easement ran to Fleet National Bank (The Bank); and The Bank declines at this time to release easement granted in The Parking Easement Deed from the prior mortgage given by Bramhall House Associates.

Accordingly, at this time Shalom House asks this Board to grant its appeal to use two parking places in the Maine Medical Center parking lot at the site of the old Portland Water District reservoir at the intersection of Chadwick, Brackett and Vaughan Streets, within 300 feet of the premises. Enclosed is the approval of Maine Medical Center to the proposed usage by Shalom House.

Sincerely,



Peter G. Rich

PGR/wp
Enclosures
0134co.391

EX8652PG057

006052

PARKING EASEMENT DEED

Bramhall House Associates, a Maine limited partnership, doing business at 75 Market Street, Portland, Maine, for consideration paid, grants to E. June Clark and Irene M. Watson, both of Portland, Cumberland County, Maine whose mailing address is 269 Vaughan Street, Portland, Maine with quitclaim covenant as joint tenants, and not as tenants in common, their heirs and assigns forever, the following parking and access easement over land southeasterly of Vaughan Street, in Portland, Cumberland County, Maine, more fully described as follows:

The exclusive right to use a parcel of land of the Grantor labeled "Easement for the exclusive use to the property of E. June Clark and Irene M. Watson" on the "On Site" Site Plan/Parking Layout of Bramhall House by Terrien Architects, a copy of a portion of which is attached hereto as Exhibit A, said parcel being located near the parcel of land conveyed to the Grantees herein by Knud E. Petersen and Edna C. Petersen, by deed dated August 16, 1971, and recorded in the Cumberland County Registry of Deeds in Book 3185, Page 210, and being southeasterly of the House presently on the Grantee's aforementioned parcel of land, and being approximately 9 feet by 22 feet in size;

Also conveying herewith a non-exclusive right of ingress and egress to and from said parking parcel, over the remainder of the Grantor's land, the location of said access to be determined by the Grantor, its successors and assigns, and the Grantor, its successors and assigns, reserves the right to relocate said access from time to time.

The Grantor, its successors and assigns, agrees to pave and maintain the parking space(s) located on said parking parcel, and the adjacent land of the Grantees.

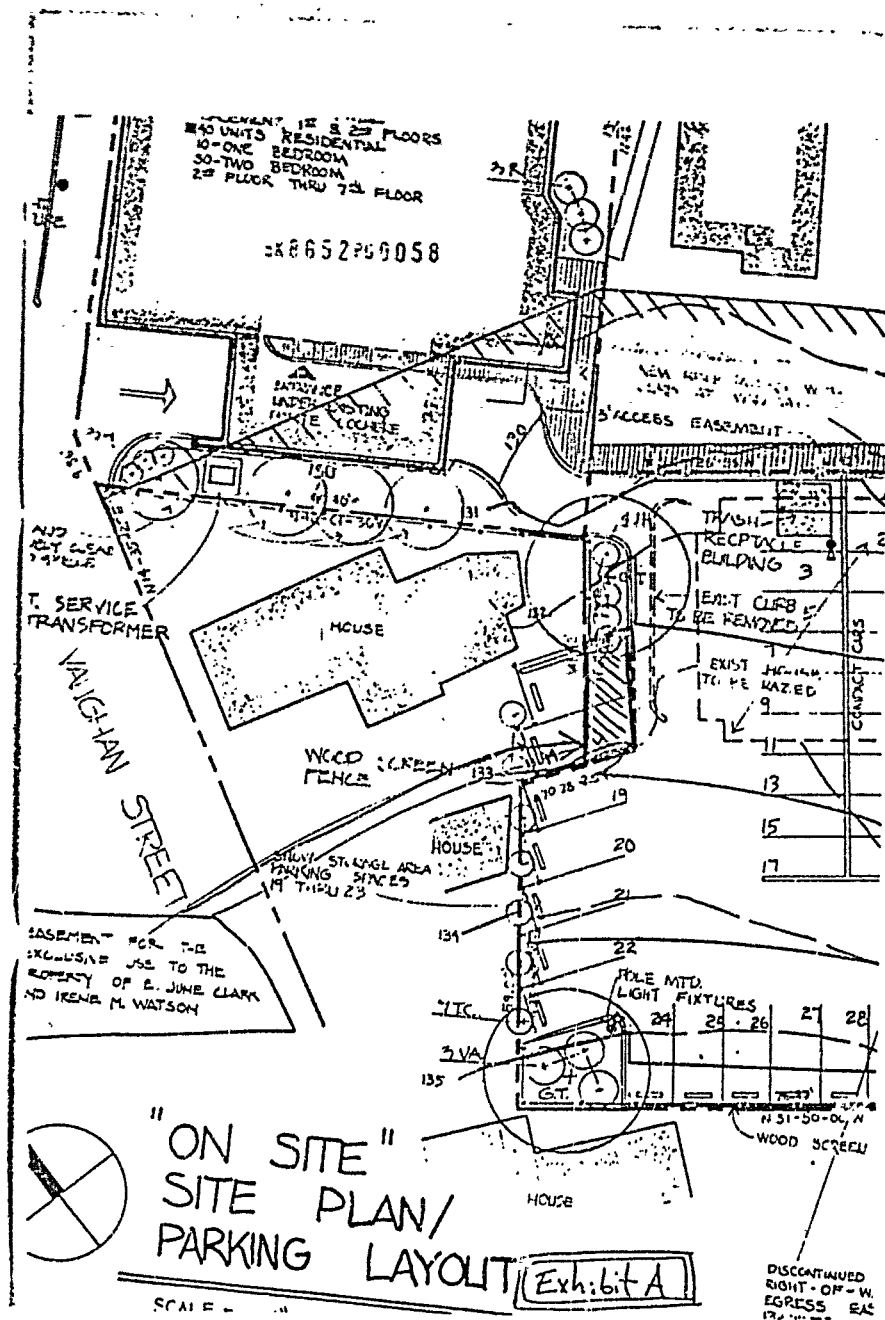
IN WITNESS WHEREOF, the said Bramhall House Associates has caused this instrument to be signed in its name by Realty Development Group, Inc., its Managing Partner, thereto duly authorized, this 21 day of JANUARY, 1989.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

BRAMHALL HOUSE ASSOCIATES

BY REALTY DEVELOPMENT GROUP,
INC., its Managing Partner

By Charles M. Carroll
Charles M. Carroll, its
President



2X865270059

STATE OF MAINE
COUNTY OF CUMBERLAND, SS

January 31, 1989

Personally appeared the above-named Charles M. Carroll, the President of Realty Development Group, Inc., the Managing Partner of said Grantor, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation as General Partner of said partnership, and the free act and deed of said partnership.

Before me,

Marc M. Poulin
Notary Public/Attorney-at-Law

SEAL

Print Name: _____
My Commission Expires: _____

WAGSD

MARC M. POULIN
NOTARY PUBLIC - MAINE
MY COMMISSION EXPIRES JULY 19, 1991

RECEIVED
RECORDS & CLERK OF DEEDS

1989 FEB -9 AM 9:19

CUMBERLAND COUNTY
James J. Walsh

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



THOMAS F. JEWELL
Chairman

ERIC J. GOUVIN
Secretary

RAY M. JOHNSON
JOHN C. KNOX
DEWEY A. MARTIN, JR.
MERRILL S. SELTZER
MICHAEL E. WESTORT

269 Vaughan Street

April 12, 1991

Peter G. Rich, Esq.
Attorney at Law
477 Congress Street
Portland, Maine 04101

Re: Miscellaneous Appeal for
Shalom House at 269 Vaughan
Street for off-site parking
by lease from Maine Medical
Center at Former Reservoir

Dear Mr. Rich:

At the meeting of the Board of Appeals on Thursday evening, April 11, 1991, the Board voted by a unanimous decision of the six members present to grant a miscellaneous appeal for two offstreet parking spaces within 200 feet of the building at 269 Vaughan Street, as required by the City Zoning Ordinance.

Following the granting of this appeal, a lease for the two parking spaces will be executed with the Maine Medical Center for use by Shalom House for the purpose of providing facilities for handicapped persons at 269 Vaughan Street in the building which is being purchased from June G. and Rodney L. Philbrick. A copy of the Board's decision is enclosed for your records.

Sincerely,

Warren J. Turner
Warren J. Turner
Administrative Assistant

Enclosure: A copy of the Board's Decision

cc: Thomas F. Jewell, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
William D. Giroux, Zoning Administrator
Marland Wing, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel



CITY OF PORTLAND

MISCELLANEOUS APPEAL
APPEAL FROM 14-333

DECISION

The Record

Names and addresses of witnesses (proponents, opponents and others):

JOSEPH BRAMBLEMAN

PETER RICH, ESQ.

Exhibits admitted (e.g. renderings, reports, etc.):

Findings of Fact

1. The Board finds as fact that: THE SPACES ARE WITHIN 300 FT.
OF THE STRUCT

2. The finding(s) of fact above-stated is (are) based on the following reasons:

TESTIMONY

Determination of Law

1. The Board concludes that: THE PARKING SPACES ARE WITHIN
300 FT, WILL NOT DISPLACE EXISTING PARKING.

2. The conclusion (s) above-stated is (are) based on the following reasons:

TESTIMONY



CITY OF PORTLAND

MISCELLANEOUS APPEAL
APPEAL FROM 14-323

DECISION

For The Record

Names and addresses of witnesses (proponents, opponents and others):
JOSEPH BRAMBLAN

PETER RICH, Esq.

Exhibits admitted (e.g. renderings, reports, etc.):

Findings of Fact

1. The Board finds as fact that: THE SPACES ARE WITHIN 200 FT.
OF THE STREET

2. The finding(s) of fact above-stated is (are) based on the following reasons:

TESTIMONY

Determination of Law

1. The Board concludes that: THE PARKING SPACES ARE WITHIN
300 FT, WILL NOT DISPLACE EXISTING PARKING

2. The conclusion (s) above-stated is (are) based on the following reasons:

TESTIMONY

Conclusion

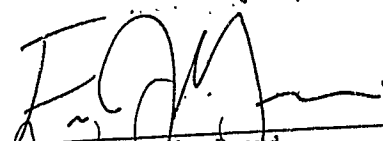
After public hearing on April 11, 1991, and for the reasons above-stated, the accompanying application is hereby (check one)

granted. 6-0

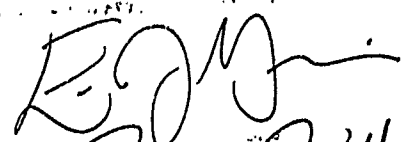
granted subject to the following condition(s):

denied.

Dated: April 11, 1991


Secretary of the Board

IN FAVOR


Thomas G. Kelly
Merrill Selzer
Ray M. Johnson
John C. Johnson
Seymour H. [unclear]

OPPOSED

54-I-1
54-F-14

Shalom House
Chadwick-Brackett - Vaughn

54-H m.m.c. Dup.

19

54-D-7 m.m.c. Realty Corp
22 Bramhall St 04102

54-E-9 Jasmin Telfer
2 Candlelight Cir R.R. 2
Columbus, N.J. 08022

54-E-10 Thomas H. + Gwennie M. Mc Guern
6 Fairlawn Ave So Part 04106

54-E-11 Theodore Barrios
1714 Westbrook St 04102

54-F-33 James + Coore
PO Box 2807 So Part 04106

F-1 Fleet National Bank
Bldg - Suite 800 Providence, R.I. 02903

F-2 Barbara Doughty
63 Parsons Rd 04103

F-4 City of Portland

F-17 Mary Louisa, Robert + Timothy C. Barden
267 Vaughn St 04102

54-B-6 66 Bramhall Realty Assoc's
66 Bramhall St 04102

E-1 Fifty nine Bramhall St Assoc.
Co-Op Mgt. PO Box 10741 04104

F-7 Reginald F. Jr + Sandra J. Rouse
24 Wadsworth St 04103

63-C-1 Roger & Paula E. Borgelli
15 Myrtle Ave So Por 04106

C-4 Vaughn St Realty Assoc
Property Mgmt Assoc (PO Box 406)
PO Box 151 04102 (04112 DTS)

9 Vaughn St
C-5 Portland Biologic Realty Assoc
Realty Assoc. 229 Vaughn St 04102

C-6 } Vaughn St Dev. Co.
PO Box 207 04112

C-7 } Dup

C-8)

B-1 Alfred and Dorothy Osher
131 Chadwick St 04102

B-8 MMC
22 Bramhall 04102

A-1 Dup

A-2 Dup

A-15 Patricia H. Taylor
146 Chadwick St 04102

A-16 Opal M. McCausland
140 Chadwick St 04102

A-17 Marjorie ^{Ann} Boyd
132 Chadwick 04102

