

93-95 WEST STREET

SHAW-WALKER

First cut # 920R - Half cut # 9202R - Third cut # 9203R - Fifth cut # 9205R

PERMIT TO INSTALL PLUMBING				PERMIT NUMBER	3532
Date Issued		Feb. 1, 1974		Address	
Portland Plumbing Inspector		By ERNOLD R. GOODWIN		95 West St.	
App. First Insp.		Date		Installation For	
Date		By		Dr. Office	
App. Final Insp.		Date		Owner of Bldg.	
Date		By		Dr. Irving J. Poliner	
Type of Bldg.		Plumber		Owner's Address	
<input type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Single <input type="checkbox"/> Multi Family <input type="checkbox"/> New Construction <input type="checkbox"/> Remodeling		Andrew P. Iverson		same	
		PO Box 27 Portland.		Date: 2-1-74	
		NEW		FEE	
		PEPL		NO.	
		SINKS			
		LAVATORIES		1 2.00	
		TOILETS		1 2.00	
		BATH TUBS			
		SHOWERS			
		DRAINS FLOOR SURFACE			
		HOT WATER TANKS			
		TANKLESS WATER HEATERS			
		GARBAGE DISPOSALS			
		SEPTIC TANKS			
		HOUSE SEWERS			
		ROOF LEADERS			
		AUTOMATIC WASHERS			
		DISHWASHERS			
		OTHER			
		Base Fee		3.00	
		TOTAL		2 7.00	

Building and Inspection Services Dept.: Plumbing Inspection





R4 RESIDENCE CODE

## APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, January 13, 1971

To the INSPECTOR OF BUILDING, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 95 West Street Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Dr. Irving J. Poliner, Hillcrest Rd., Cape Eliz. Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Office \_\_\_\_\_ Telephone 771-2925  
Contractor's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets X 2  
Proposed use of building Apt. and doctors' offices (4) No. families \_\_\_\_\_  
Last use \_\_\_\_\_ " and 2 doctors' offices \_\_\_\_\_ N families \_\_\_\_\_  
Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ \_\_\_\_\_ Fee \$ \_\_\_\_\_

## General Description of New Work

To provide new doctor's office on first floor and on second floor as per plans making 4 offices in all - 2 on first and 2 on second floor

This application is preliminary to get settled the question of zoning appeal. In the event the appeal is sustained the applicant will furnish complete information and ~~pay~~ pay fee.

*Appeal withdrawn 1/28/71*

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO Dr. Poliner

## Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_  
Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing Lumber-Kind \_\_\_\_\_ Dressing or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

## If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

APPROVED:

## Miscellaneous

Will work require disturbing of any tree on a public street? \_\_\_\_\_  
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Dr. Irving J. Poliner

CS 301

INSPECTION COPY

Signature of owner

By:

*Russ A. Wood, Attorney*

PC

Permit No.

74

Location

95 West St

Owner

Dr. Irving J. Palmer

Date of permit

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

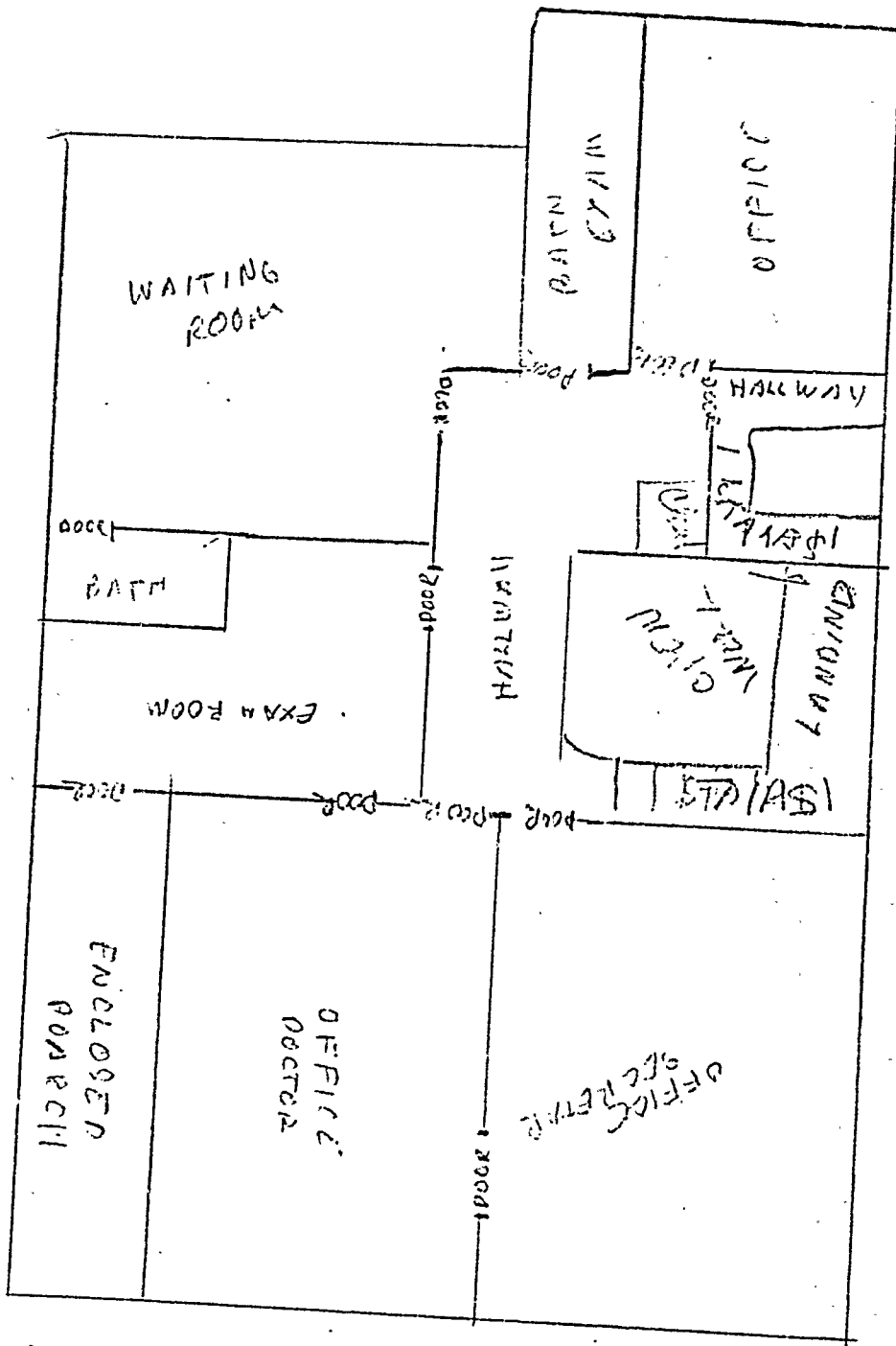
NOTES



← <sup>75</sup> WEST ST →



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JAN 13 1971  
DEPT. OF BIOL. RES.  
CITY OF PORTLAND



~~Red Cross to not outlast~~

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LIB. OF BLOOMING.  
CITY OF PORTLAND

← <sup>9.5</sup> WEST ST →

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ANP 12612

130-14  
100-15-17

MAIN  
STAIRS

LABORATORY

10

10

Page 1

FFIC

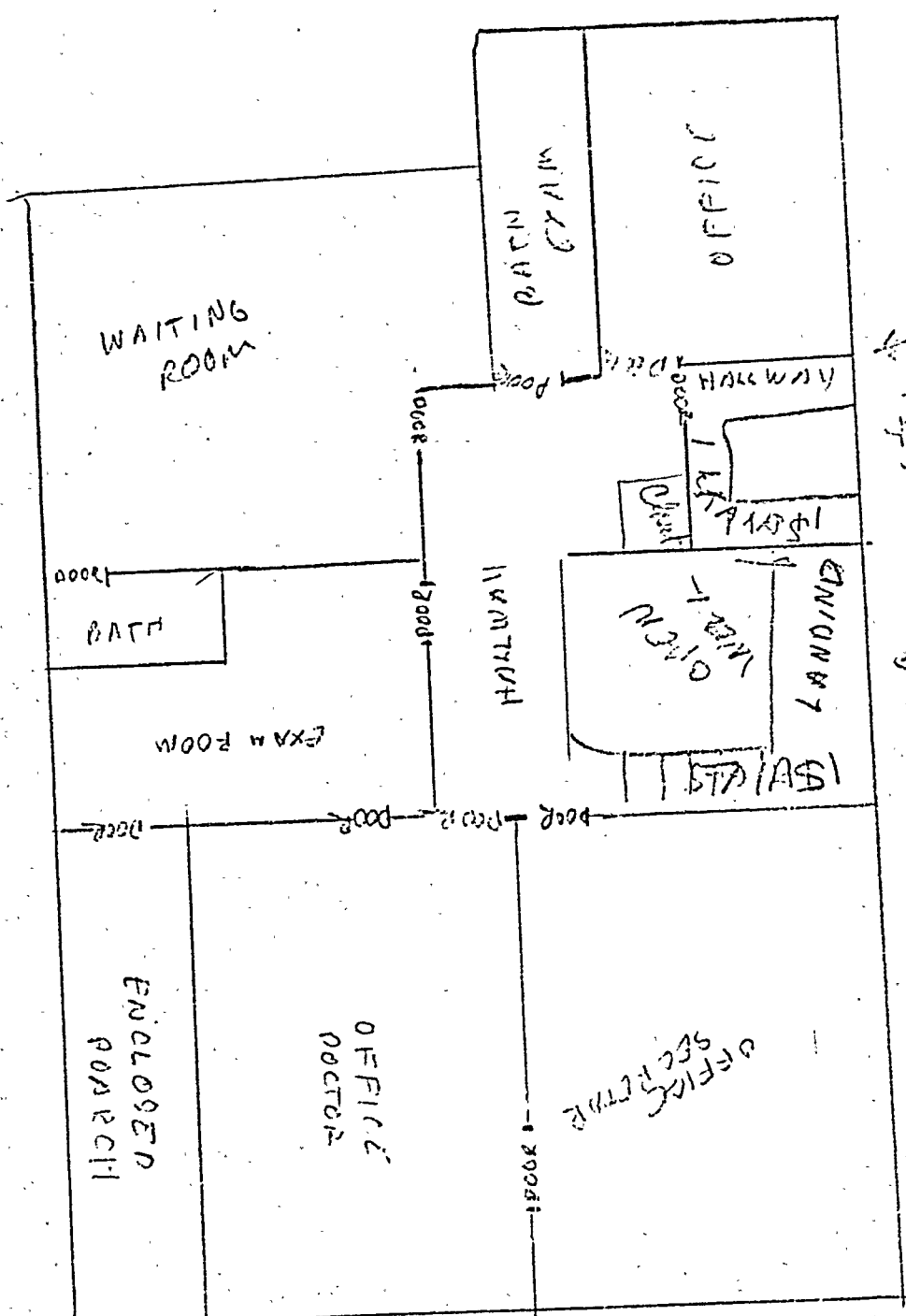
CPD 100B CH

REF ID: A920

Doc 2

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RECEIVED  
JAN 1 1971  
FBI - NEW YORK  
COMM. DIVISION



Red Star  
to left  
outward

Red Star  
to right  
outward

FRONT OF HOUSE

56 WEST ST  
FE



MEMORANDUM FOR APPEALS BOARD:

February 3, 1972

Appeal of Irving J. Poliner

Premises at 95 West Street, Portland, Maine

Zone: Residence R-4

This is an appeal for a conditional use under Section 602.24D of the Zoning Ordinance seeking permission to locate a third doctor's office in the building at 95 West Street.

Appellant, under the Ordinance, needs to show that the granting of such permission will not adversely affect property in the intent of the Ordinance.

Summary: Dr. Poliner, a gastro-enterologist, is Chief of Medicine at Mercy Hospital, consults at various hospitals and clinics in Southern Maine, and therefore only holds office hours for patients from 1:00 p.m. to 5:00 p.m. four (4) days per week; he sees no patients all day Tuesday, Saturday and Sunday. Only seldom does he see patients in the mornings of Monday, Wednesday and Friday.

Dr. Poliner sees approximately four (4) to eight (8) patients each afternoon he is in his office. Of these, only about one-third to one-half drive their own cars and park in the vicinity.

Dr. Allen, a plastic surgeon, spends only Monday and Wednesday afternoons in his office from 1:00 p.m. to 4:00 p.m. He is not there all day Tuesday, Thursday, Friday, Saturday or Sunday.

An average doctor in the Portland area who depends on his office patients for his income sees on the average 30 to 40 patients per day. Drs. Poliner and Allen together see well under this figure.

The primary purpose in requesting the third doctor's office at this time is to furnish space for an assistant to Dr. Poliner who finds that increasingly there is more demand for his services at Mercy Hospital and for general consultation with other hospitals and doctors. If this appeal is granted, Dr. Poliner will obtain such an assistant to help him handle his present general practice.

Conditions: In order to assure the Appeals Board that the third doctor is for such assistance purposes and to assure the Board that there will be no additional parking problem in the area, he is willing to have the Appeals Board impose the following conditions:

1. That not more than two doctors in the building hold office hours for patients at one time.
2. That he will provide parking for eight to ten cars in the rear of his said premises for use of staff and patients. There is such space and access thereto available.

In view of the limited patient load of these two doctors and a third assistant in the same general field of practice plus the number of hours in the week when the premises are not used at all for doctor's purposes, this request, if granted, will not adversely affect property in the neighborhood. The additional parking space in the rear of the building will tend to lighten the parking congestion. It is anticipated the three doctors, seeing patients only two at a time, will see about one-half the patients together per day than one average office practitioner sees in one day.



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Conditions: In order to assure the Appeals Board that the third doctor is for such assistance purposes and to assure the Board that there will be no additional parking problem in the area, he is willing to have the Appeals Board impose the following conditions:

1. That not more than two doctors in the building hold office hours for patients at one time.
2. That he will provide parking for eight to ten cars at the rear of his said premises for use of staff and patients. There is such space and access therein available.

In view of the limited patient load of these two doctors and a third assistant in the same general field of practice plus the number of hours in the week when the premises are not used at all for doctor's purposes, this request, if granted, will not adversely affect property in the neighborhood. The qualified parking space in the rear of the building will be used to relieve the parking congestion. It is anticipated the total number of seeing patients only two at a time, will see about 100 patients together per day when the average office population sees in one day.



*Mrs. Charles E. Dixon  
Smugglers' Cove  
Cape Elizabeth, Maine 04107*

January 24, 1972

Board Of Appeals  
City Of Portland, Maine

Gentlemen:

I strongly oppose the appeal of  
Irving J. Poliner unless provision is  
made for underground or covered parking.

The board of appeals is invited to inspect  
the incredible parking situation in this  
area during office hours of the medical  
profession.

Very truly yours,

*Norothy H. Dixon*

MRS. LESTER F. WALLACE  
97 CHADWICK STREET  
PORTLAND, MAINE 04102

January 25, 1972

Board of Appeals  
City Hall  
Portland, Maine

Gentlemen:

As a resident of Chadwick Street,  
I am appalled by the parking  
situation in this area of the city and  
the extent to which the City of  
Portland has permitted this disgrace-  
ful condition to continue.

My guests can never find  
available space in front of my  
home to park their cars and I am  
often hindered or find it impossible  
to back out of my own garage.

A large volume of these  
cars represent doctors' patients.

(over please)

MRS. LESTER F. WALLACE  
97 CHADWICK STREET  
PORTLAND, MAINE 04102

You have, in effect, made a  
parking lot of our streets for  
the convenience of a select  
few.

I oppose the appeal of  
Irving J. Roliner.

Sincerely Yours,

Mrs. Lester F. Wallace



WILLIAM H. AUSTIN, M. D.  
125 CHADWICK ST.  
PORTLAND, MAINE 04102  
TELEPHONE 774-1949

January 19, 1972

William B. Kirkpatrick  
Chairman, Board of Appeals  
City of Portland  
Maine

Dear Mr. Kirkpatrick:

I am writing in support of Dr. Irving J. Poliner's request for an exception to the zoning ordinance. I feel that his request is reasonable, and that such a change will not be detrimental to the neighborhood.

Sincerely,

*William H. Austin*

William H. Austin, M.D.

Feb. 3, 1972

Total: 51 Names (8 doctors)

Everyone whose name

appears on this list has authorized the use of his ~~name~~ signature as opposed to this appeal under the following statement.

We, the undersigned, strenuously oppose the granting of an appeal for any further exception to the zoning ordinance, to change the use of the building at 95 West St. from the present 2 doctors offices and one apartment (which have previously been granted and already exceeds the zoning ordinance), to 3 doctors offices and one apartment.

We feel that any further exception will most definitely have an adverse effect on our property in the neighborhood.



name	address
Helen E. Turner -	29 West St.
Helen H. Sylvester - Ralph Ross -	171 Vaughan St. 176 Vaughan St.
<del>William H. Austin, M.D.</del>	<del>125 Chadwick St.</del>
<del>Frederick C. Austin</del>	<del>125 Chadwick St.</del>
Francis H. Fox, M.D.	83 West St.
Catherine C. Fox -	83 West St.
Alta L. Murray -	58 West St.
Peter L. Murray -	58 West St.
William H. McNamee -	34 West St.
Henry H. McNamee -	34 West St.
Ada F. Leites -	181 Vaughan
Robert W. Leites M.D. -	175 Vaughan



We, the undersigned, oppose the appeal to the Board of  
Zoning Appeals which would allow the establishment of multiple  
doctors' offices at the corner of Vaughn and West Street on  
premises which are part of the Percival Baxter estate.

Name:

Address:

<u>Elio Boldini -</u>	<u>89 West St.</u>
<u>Mrs. Elio Boldini -</u>	<u>89 West St.</u>
<u>Mrs. Ruth E. L. Loring -</u>	<u>107-109 West St.</u> <u>also 104-111 West St.</u>
<u>Dr. Ronald J. Carroll -</u>	<u>255 Western Promenade</u>
<u>Mary Lou Carroll -</u>	<u>255 Western Promenade</u>
<u>Robert R. Raper -</u>	<u>132 Chadwick St.</u>
<u>C. Philip Rife -</u>	<u>132 Chadwick St.</u>
<u>Barbara Cheney -</u>	<u>119 Chadwick St.</u>
<u>Ed. McManamy -</u>	<u>77 West St. Bldg.</u>
<u>John Smith -</u>	<u>66 West St.</u>
<u>Albert Smith -</u>	<u>66 West St.</u>
<u>Pauline Pagan -</u>	<u>64 West St.</u>
<u>Edward Pagan -</u>	<u>64 West St.</u>
<u>Dr. Paul Winter -</u>	<u>Chadwick St. (Appts. house)</u>

Mrs. K. Cope -

265 Western Promenade

Samuel M. Cope -

265 Western Promenade

Helen F. Brown -

135 Vaughan St.

S. R. Polsoner M.D. -

143 Vaughan St.

Camilla J. Polsoner -

143 Vaughan St.

Archibald W. Gendreau -

105 West

Bernice Gendreau -

105 West

Wm. L. Lancaster -

111 West St.

Vella E. Wallace -

97 Chadwick St.

Thomas Linn Cope -

171-171  
~~171-171~~ Birch St.



187 VAUGHAN ST.

151 Vaughan St.

157 Vaughan St

57 Wert 3

54 lb. S

Vaughan S

~~63 - Chelworth~~

53. Chadwick

53 Chelwick

112 Vaughan St.

55 cable

134 - Vauzelle

196 P.M.C. 2

1960 Plate



Feb. 3, 1972

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(Frank)	Grace Elam	87 Carroll St.
	Robert Elam	" " "
	Clara King	59 CHANDLER ST.
	(OFF STREET IS PROVIDED ACCORDING TO STANDARD OF MEDICAL JOURNAL)	
	Margaret Phillips	90 Carroll St.
	E.R. Payson Jr.	83 Carroll St.
	Muriel Nelson	71 Carroll St.
	Luene T. Atwood	223 Western Promenade
	Freith Sarge	46 West St.
	Cynthia Sarge	46 West St.
	Donald Phillips	90 Carroll St.

CITY OF PORTLAND, MAINE  
Department of Building Inspection

Re: 93-95 West Street

January 5, 1972

Irving J. Poliner  
Hillcrest Rd.  
Cape Elizabeth, Maine 04107

cc to: Corporation Counsel  
Louis Wood, Atty.  
57 Exchange Street

Dear Sir:

Building permit and certificate of occupancy for changing the use of the building at the above named location from one apartment and two doctors offices to one apartment and three doctors offices (additional office on the first floor) is not issuable because the increase in doctors offices is not allowable in the R-4 Residential Zone unless authorized by the Board of Appeals under provisions of Section 602.5A.4d. of the Zoning Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 shall be paid at this office for a conditional appeal at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW/c

C  
O  
P  
Y

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

January 17, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, February 3, 1972 at 4:00 p.m. to hear the appeal of Irving J. Poliner requesting an exception to the Zoning Ordinance to permit and certificate of occupancy for changing the use of the building from one apartment and two doctors offices to one apartment and three doctors offices (additional office on the first floor) at 95 West Street.

This permit is presently not issuable under the Zoning Ordinance because the increase in doctors offices is not allowable in the R-4 Residential Zone unless authorized by the Board of Appeals under provisions of Section 602.5A.4d of the Zoning Ordinance.

This permit is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning Ordinance.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 ft. of the premises in question as required by Ordinance.

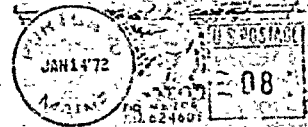
BOARD OF APPEALS

William B. Kirkpatrick  
Chairman



CITY OF PORTLAND, MAINE

Legal Department  
208 City Hall  
Portland, Maine 04111



- ☒ Moved, left no address
  - ☐ No such number
  - ☐ Moved, not former owner
  - ☒ Addressee unknown
- KH*

The One Hundred One Corp.  
377 Fore St.  
Portland, Maine 04111

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95 West St

7/1/69

Ed

Special Reading 7/31/69

Plans 63, 54, 62, 69

55

- ✓ Western Prom
- ✓ West St
- ✓ Bramhall St
- ✓ Chadwick
- ✓ Brackett St
- ✓ Vaughan
- ✓ Marshall
- ✓ Neal
- ✓ Pine

✓ Western Prom 215-271 ✓

Neal St 98-150 ✓

✓ West St 56-124 ✓

57-125 ✓

Pine St 151-209

✓ Bramhall 1-41 ✓

2-40 ✓

✓ Chadwick 81-167 ✓

82-160 ✓

✓ Brackett St 290-326 ✓

✓ Vaughan 61-245 ✓

162-246 ✓

Marshall St 1-43 ✓

2-44 ✓

Western Prom. Appeal - 95 West St

12-30-71

Saw from 209 to 223

223. Luena H. Atwood - 223 Western Prom.

225-229 The Red Ctr - 22 Tremble St

231-237 Same

239-245 Same

255- Ronald J & Mary Louise Carver - 255 West Prom.

259-261 Adams P. Leighton Series - 261 " "

263-267 Samuel M & Sara L. Caper - 115 Wayside Rd.

269-271 Allen C & Ruth Mary Waterman

160 Ann Mary Brown Mr - Warwick, R.I.

West St.

56 Carolyn S. Holdbrook - 56 West St

58-60 Peter L & Anita J. Murray - 58 West St

62-64 Edw. J & Pauline R. Regan - 64 West St

64 1/2 Albion C & Helen Bennett - 66 " "

66-68 Same

72 Walter B. Goldfords - 72 West St

74-76 Margaret P & Raymond J. Borge - 74 West St

81-86 Percival P. Easter Est (nr) 1/2 Boston Safe Deposit

88-90 Same & Trust C. Egan - 100 Franklin St Boston, Mass

92-94 Same

96-100 General H. Corp (nr) - 131 Chadwick St

102-110 Ruth B. Loomis - 107 West St

112-124 Ship V

57-63 Brigant Realty Co. Inc - 129 Woodfield Rd

67-69 Dorothy A. De Luca - 23 Leighton Rd - West Falmouth

71-73 C. H. Berry (nr) Grand Ave - Old Orchard

75-77 J. B. Brown & Sons Beach

57 Exchange St

Kent St (cont)

81-83 Francis H & Catherine C Fay - 83 West St

85-91 Eric & Mary Buldine - 89 West St

95 Appellant - P. Jones ✓

97-101 The One Hundred One Corp. - 377 Fore St

105 Richard W & Service M Jendrasko - 105 West St

107 Ruth H. Simonds Wp - 107 West St

111-117 Mary Rose Lancaster - 111 " "

117 Dup ✓

119-123 Dup ✓

Bramhall St

1-9 Dup ✓

13-15 Wm H & Edith E. Monoran - 76 Brook Rd

17-19 Dup ✓

21-23 Clinton S. Mason Jr - 23 Bramhall St

25-27 Donald F & Helen J. Marshall - 25 Bramhall St

29-33 Geo. R. Maltby - 31 Bramhall St

37-41 Port. Water Dist - 225 Houghlass St

2-8 Dup ✓

10-12 Dup ✓

16 Dup ✓

18 Dup ✓

22-24 Dup ✓

36-40 Edna M. Applebee - 54 Harris Ave

Chadwick St

81-89 Dorothy H. Wilson (NR) Snugglers Cove - Cape Elizabeth

69-D-12 Dorothy J. Humphries - 77 Pleasant Ave



Chadwick St (cont)

91-95 Villa E. Wallace - 91 Chadwick St

97-109 Dup ✓

119 Dup ✓

123-127 Wm H. & Judith C Austin - 123 Chadwick St

129-133 Chadwick Realty Corp - 135 Chadwick St

135-137 Same

139-167 Dup ✓

82-92 Gerald R. & Ely F. Shuff - 55 Orland St

94-96 Dup ✓

98-102 Dup ✓

106-110 Dup ✓

63-A-14 Dup ✓

122-130 Richard A. Levy - 128 Chadwick St

132-134 Chas. Philip & Mary L. Lape - 132 Chadwick St

136-138 Same

140-144 Norman P. & Opal M. McCauley - 140 Chadwick St

146-150 Chas. E. & Patricia H. Miles - 146 " "

152-154 Dup ✓

156-162 Dup ✓

Brackett St

288-290 Correll H. & Lorraine L. News - 34 Carter St

294 Eva M. Forgiione - 294 Brackett St

R-296 Rodrick B. & Eva M. Steele - 294 Brackett St

298-300 Mary Ely Thompson - 298 Brackett St

302 Louise M. Browne - 302 Brackett St

304-306 Philip S. Meffield Jr. - 321 Brackett St

308-326 Dup ✓

Vaughan St

161-169 Wm. S. L. Beatrice C. Noble - 161 Pine St  
171-173 Ellen A. Sylvester - 171 Vaughan St  
175-177 Lillian W. Lister - 175 Vaughan St  
181 Eva F. Lister - 175 " "  
187 Jas. H. Bourke et al - 187 " "  
189-191 Hup ✓  
197-199 Hup ✓  
201-205 Hup ✓  
207-209 Hup ✓  
211-213 Hup ✓  
215 Hup ✓  
217-219 Hup ✓  
221 Hup ✓  
223-225 Hup ✓  
227-229 Fred J. Foley, Jr - 16 Cass St  
22-227-229 Same  
233 Same  
237-243 Hup ✓  
162-172 Hup ✓  
174-178 Ralph Ross - 176 Vaughan St  
180-192 Hup ✓  
198-204 Hup ✓  
208 Chas. R. & Mary A. Sur - 208 Vaughan St  
212 Same  
214-218 Hup ✓  
220-246 Hup ✓

Marshall St

1-11 Sup ✓

13 Sup ✓

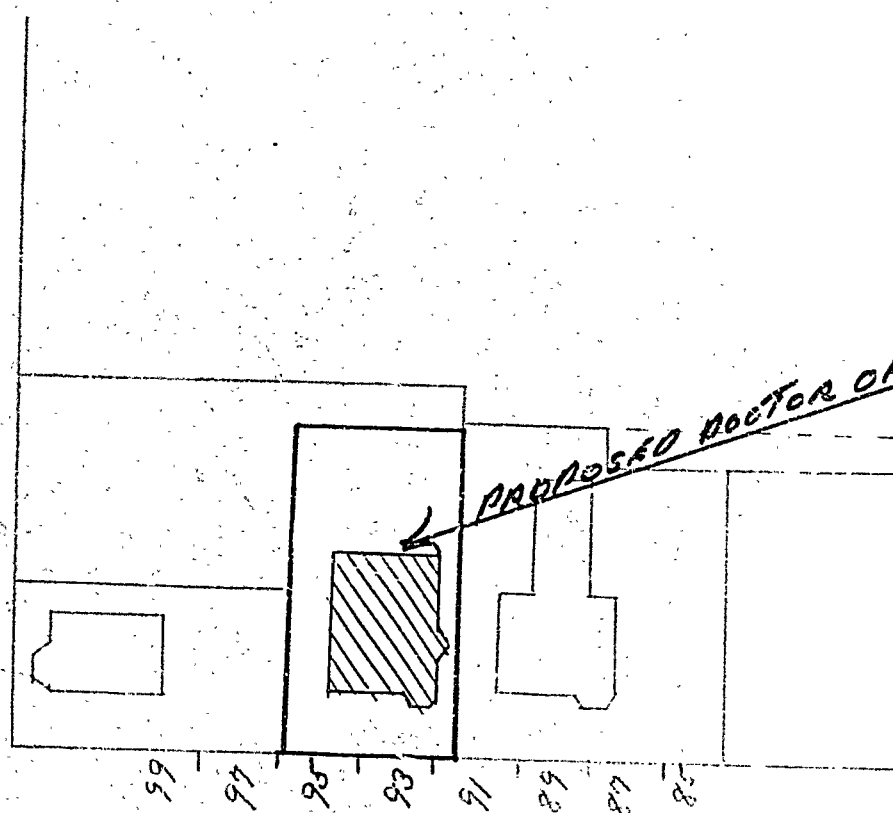
15-17 Engine W. McKeally - 130 Neal St



93-95 WEST ST.

1/17/77

CHADWICK ST.



WEST ST.

VANCOUVER ST.

Re: 93-95 West Street

January 5, 1972

Irving J. Poliner  
Hillcrest Rd.  
Cape Elizabeth, Maine 04107

cc to: Corporation Counsel  
Louis Wood, Atty.  
57 Exchange Street

Dear Sir:

Building permit and certificate of occupancy for changing the use of the building at the above named location from one apartment and two doctors offices to one apartment and three doctors offices (additional office on the first floor) is not issuable because the increase in doctors offices is not allowable in the R-4 Residential Zone unless authorized by the Board of Appeals under provisions of Section 602.5A.4d. of the Zoning Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 shall be paid at this office for a conditional appeal at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW/c

93-95 WEST ST.

11/3/75

14600.

CHECK LIST AGAINST ZONING ORDINANCE

✓ Date - NEW

✓ Zone Location - R-4

✓ Interior or corner Lot -

✓ 40 ft. setback area (Section 21) - NO

→ Use - 1 APT. & 3 DOCTORS OFFICES

~~Sewage Disposal~~ -

SEE 602.57.4d.

~~Rear Yards~~ -

APT. ON THIRD FLOOR

~~Side Yards~~ -

6 DOCTORS OFFICES ON FIRST FLOOR

~~Front Yards~~ -

1 DOCTORS OFFICE ON SECOND FLOOR

~~Projections~~ -

~~Height~~ -

~~Lot Area~~ -

~~Building Area~~ -

~~Area per Family~~ -

~~Width of Lot~~ -

~~Lot Frontage~~ -

✓ Off-street Parking -

60214B.10

TOTAL FLOOR AREA = 8237 sq. ft.

6 PARKING SPACES



389 /

VERRILL DANA PHILBRICK PUTNAM & WILLIAMSON  
ATTORNEYS AT LAW  
57 EXCHANGE STREET  
PORTLAND, MAINE 04111

RONALD WARD PHILBRICK  
EDWARD FOX DANA  
DONALD LOCKEY PHILBRICK  
ROGER ASHURST PUTNAM  
ROBERT D. WILLIAMSON, JR.  
JOHN ALBERT MITCHELL  
LOUIS ALFRED WOOD  
LOYD J. FARRAGUT SEWALL  
JOHN WINTHROP PHILBRICK  
JOHN LAWRENCE SULLIVAN  
PETER BRIDGMAN WEBSTER  
HOWARD HINKLEY DANA, JR.  
CHARLES R. OESTREICHEN  
MICHAEL THOMAS HEALY  
CHRISTOPHER J. W. COGGESHALL  
CHARLES LANGMAID CRAGIN III  
SAMUEL C. V. D. KILBOURN

December 9, 1971

VERILL DANA PHILBRICK  
1898-1970  
BROOKS WHITEHOUSE  
1894-1969  
AREA CODE 207  
774-4573  
P. O. BOX 586  
PEARL STREET STATION

Mr. Allen Soule  
Department of Building Inspection  
Portland City Hall  
Congress Street  
Portland, Maine

Re: Dr. Irving Poliner, 95 West Street,  
Portland, Maine

Dear Allen:

Dr. Poliner would like to have an additional doctor's office in his building at 95 West Street. He has space for five or six cars in the back of his building and has right of access into the back of his building across the Austin property on Chadwick Street but this right of access can be revoked. In such case of revocation Irving proposes to construct a driveway on the easterly side of his house along the property line through to his backyard where he has the parking spaces.

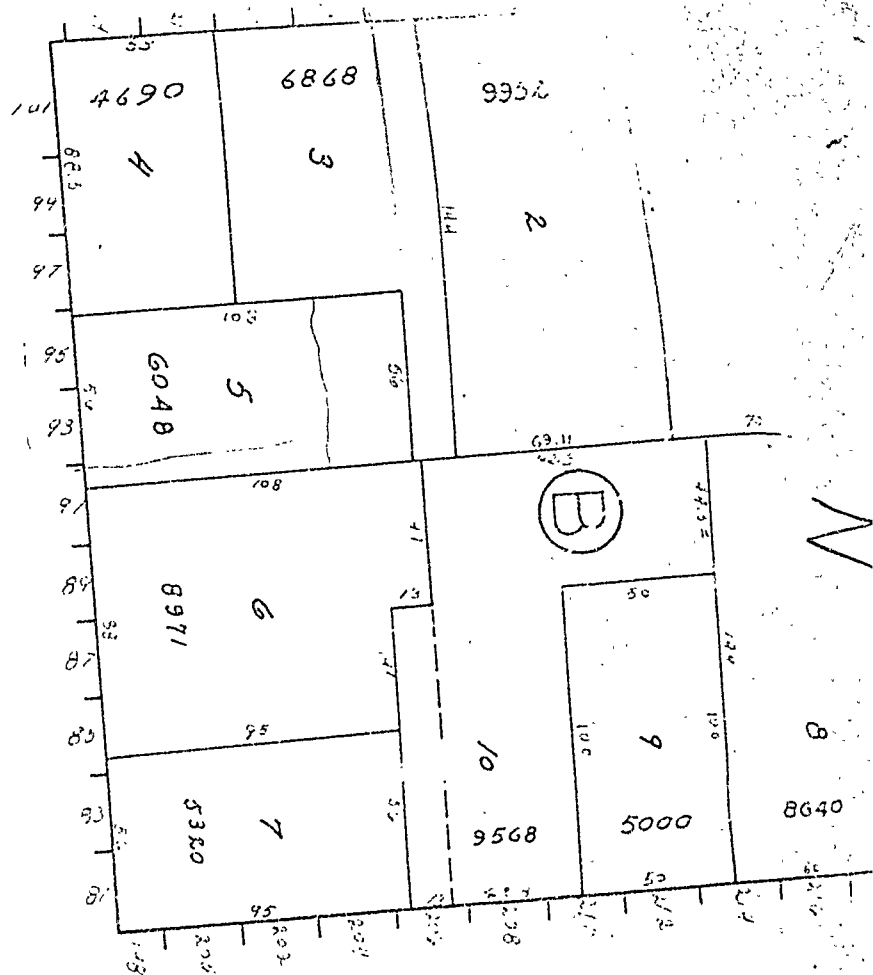
He would like to appeal for this variance at the first Appeals Board hearing in January. I write this letter now thinking that it might be important, as a prerequisite, for it to be determined that he can construct this driveway on his premises to get into his rear yard parking spaces should the Austin right of way be revoked.

I write this to just get this matter before you and I will come in in a day or so and discuss it with you.

Sincerely yours,

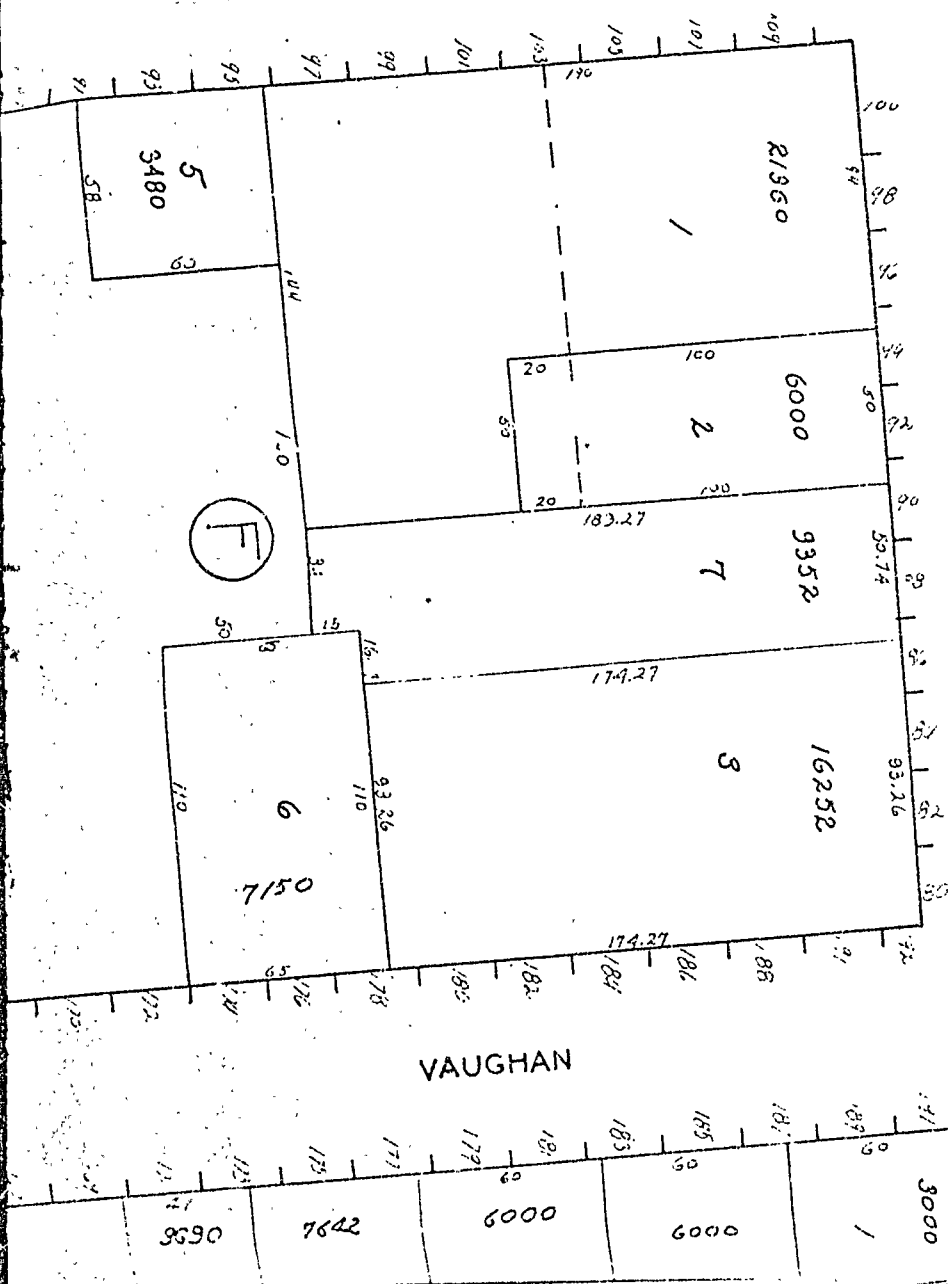
*Louis Wood*

LAW:w



WEST

STREET



VAUGHAN

MEMORANDUM FOR APPEALS BOARD:

February 3, 1972

Appeal of Irving J. Poliner

Premises at 95 West Street, Portland, Maine

Zone: Residence R-4

This is an appeal for a conditional use under Section 602.24D of the Zoning Ordinance seeking permission to locate a third doctor's office in the building at 95 West Street.

Appellant, under the Ordinance, needs to show that the granting of such permission will not adversely affect property in the intent of the Ordinance.

Summary: Dr. Poliner, a gastro-enterologist, is Chief of Medicine at Mercy Hospital, consults at various hospitals and clinics in Southern Maine, and therefore only holds office hours for patients from 1:00 p.m. to 5:00 p.m. four (4) days per week; he sees no patients all day Tuesday, Saturday and Sunday. Only seldom does he see patients in the mornings of Monday, Wednesday and Friday.

Dr. Poliner sees approximately four (4) to eight (8) patients each afternoon he is in his office. Of these, only about one-third to one-half drive their own cars and park in the vicinity.

Dr. Allen, a plastic surgeon, spends only Monday and Wednesday afternoons in his office from 1:00 p.m. to 4:00 p.m. He is not there all day Tuesday, Thursday, Friday, Saturday or Sunday.

An average doctor in the Portland area who depends on his office patients for his income sees on the average 30 to 40 patients per day. Drs. Poliner and Allen together see well under this figure.

The primary purpose in requesting the third doctor's office at this time is to furnish space for an assistant to Dr. Poliner who finds that increasingly there is more demand for his services at Mercy Hospital and for general consultation with other hospitals and doctors. If this appeal is granted, Dr. Poliner will obtain such an assistant to help him handle his present general practice.

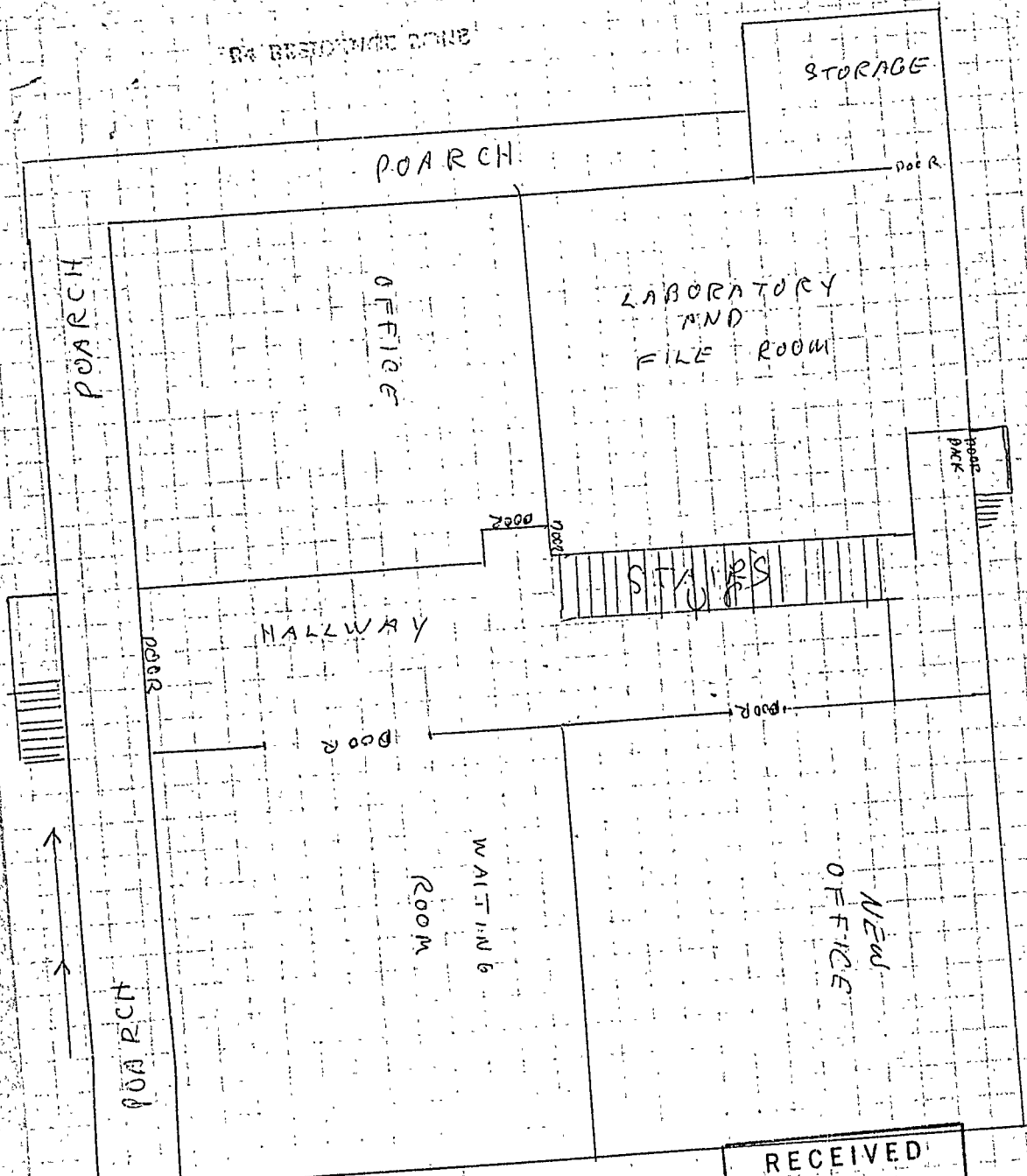


Conditions: In order to assure the Appeals Board that the third doctor is for such assistance purposes and to assure the Board that there will be no additional parking problem in the area, he is willing to have the Appeals Board impose the following conditions:

1. That not more than two doctors in the building hold office hours for patients at one time.

2. That he will provide parking for eight to ten cars in the rear of his said premises for use of staff and patients. There is such space and access thereto available.

In view of the limited patient load of these two doctors and a third assistant in the same general field of practice plus the number of hours in the week when the premises are not used at all for doctor's purposes, this request, if granted, will not adversely affect property in the neighborhood. The additional parking space in the rear of the building will tend to lighten the parking congestion. It is anticipated the three doctors, seeing patients only two at a time, will see about one-half the patients together per day than one average office practitioner sees in one day.



RA RESERVATION DONE

STORAGE

PORCH

PORCH

OFFICE

LABORATORY  
AND  
FILE ROOM

STAIRS

HALLWAY

WAITING  
ROOM

NEW  
OFFICE

PORCH

RECEIVED

DEC 29 1971

DEPT. OF BLDG. INSP.  
CITY OF PORTLAND

FIRST  
FLOOR

95 WEST STREET



# APPLICATION FOR PERMIT

R4 RESIDENCE ZONE

Class of Building or Type of Structure

Portland, Maine,

Dec. 29, 1971

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 95 West St.

Owner's name and address Irving J. Poliner, Hillcrest Rd., Cape Elizabeth

Within Fire Limits?

Dist. No.

Lessee's name and address

Telephone 772-2825

Contractor's name and address H. J. J. J. J.

Telephone

Architect

Telephone

Proposed use of building Doctor's offices (3) and one apt.

Plans

No. of sheets

Last use

(2)

No. families

Material

No. stories

Heat

Style of roof

Roofing

Other buildings on same lot

Estimated cost \$

## General Description of New Work

Fee \$ 5.00

paid

To change use of bldg. from 2 doctor's offices and 1 apt. to 3 doctor's offices and one apt. appeal Denied 2-3-72

This application is preliminary to get settled the question of zoning appeal. In the event the appeal is sustained the applicant will furnish complete information, estimated cost and pay legal fee.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO Lewis A. Wood, 57 Exchange St.

## Details of New Work

Is any plumbing involved in this work?

Is any electrical work involved in this work?

Is connection to be made to public sewer?

If not, what is proposed for sewage?

Has septic tank notice been sent?

Form notice sent?

Height average grade to top of plate

Height average grade to highest point of roof

Size, front

depth

No. stories

solid or filled land?

earth or rock?

Material of foundation

Thickness, top

bottom

cellar

Kind of roof

Rise per foot

Roof covering

No. of chimneys

Material of chimneys

of lining

Kind of heat

fuel

Framing Lumber-Kind

Dressed or full size?

Corner posts

Sills

Size Girder

Columns under girders

Size

Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters:

1st floor

2nd

3rd

roof

On centers:

1st floor

2nd

3rd

roof

Maximum span:

1st floor

2nd

3rd

roof

If one story building with masonry walls, thickness of walls?

height?

## If 2 Garage

No. cars now accommodated on same lot, to be accommodated, number commercial cars to be accommodated.

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVED:

## Miscellaneous

Will work require disturbing of any tree on a public street?

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

CS 301

INSPECTION COPY

Signature of owner

Lewis A. Wood, his attorney



Permit No. 711  
Location 95 West St.  
Owner Irving J. Polner  
Date of permit 12/ 171  
Notif. closing-in \_\_\_\_\_  
Inspn. closing-in \_\_\_\_\_  
Final Notif. \_\_\_\_\_  
Final Inspn. \_\_\_\_\_  
Cert. of Occupancy iss...d \_\_\_\_\_  
Staking Out Notice \_\_\_\_\_  
Form Check Notice \_\_\_\_\_

NOTES

#13-0d 12/29/71

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

REX Irving J. Poliner, owner of property at 95 West St.  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland,  
hereby respectfully petitions the Board of Appeals to: permit and certificate of  
occupancy for changing the use of the building at the above named location  
from one apartment and two doctors offices to one apartment and three  
doctors offices (additional office on the first floor). This permit is  
not issuable because the increase in doctors offices is not allowable in  
the R-4 Residential Zone unless authorized by the Board of Appeals under  
provisions of Section 602.5A.4d of the Zoning Ordinance.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals  
finds that such use of the premises will not adversely affect property in the  
same zone or neighborhood and will not be contrary to the intent and purpose of  
the Ordinance.

Philip A. Wood, Esq., attorney  
APPELLANT

DECISION

After public hearing held February 3, 1972, the Board of Appeals finds that  
such use of the premises will not adversely affect property in the same zone or  
neighborhood and will not be contrary to the intent and purpose of the Ordinance.

It is, therefore, determined that permit should not be issued in this case.

W. E. Skelton  
W. E. Skelton  
BOARD OF APPEALS

95 West Street

March 22, 1971

Dr. Irving J. Poliner  
Hillcrest Road  
Cape Elizabeth

Dear Dr. Poliner:

I thought I would drop you a note after our conversation the other day on the telephone, at which time I told you an appeal would be necessary.

In checking the Zoning Ordinance we find that an allowance is made for existing buildings that have open porches not closer than 5' to the lot line, therefore a permit for work on a wooden porch, 4'x5' is being issued today to H.B. Clark & Sons.

Very truly yours,

A. Allan Soule  
Assistant Director

AAS:m





## APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class  
Portland, Maine, March 17, 1971

PERMIT  
MAR 22  
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 95 West St. Within Fire Limits? Dist. No.  
Owner's name and address Dr. Irving J. Poliner, Hillcrest Road Cape Eliz. Telephone 772-2825  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address H. B. Clark & Son, P.O. Box 421, Gray Maine Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans no No. of sheets \_\_\_\_\_  
Proposed use of building (2) Doctor's Offices & One Apartment No. families 1  
Last use \_\_\_\_\_ No. families \_\_\_\_\_  
Material frame No. stories 2 1/2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_ Fee \$ 3.00  
Estimated cost \$ 500.00

### General Description of New Work

To construct 4' x 5' wooden platform and steps on right side of building.  
To change window to exit door (same area)

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** contractors

### Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_  
Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing Lumber--Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, height? \_\_\_\_\_  
If one story building with masonry walls, thickness of walls? \_\_\_\_\_

### If 1 Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

### Miscellaneous

Will work require disturbing of any tree on a public street? no  
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

APPROVED:

3/19/71 ZONING OR PLAN

CS 301

INSPECTION COPY

Signature of owner \_\_\_\_\_ by \_\_\_\_\_

Dr. Irving J. Poliner  
H. B. Clark & Son

*[Signature]*

7m

Permit No. 711 262  
Location 95 West St  
Owner Dr. Irving J. Kalin  
Date of permit 3/24/71  
Notif. closing-in \_\_\_\_\_  
Inspn. closing-in \_\_\_\_\_  
Final Notif. \_\_\_\_\_  
Final Inspn. \_\_\_\_\_  
Cert. of Occupancy issued \_\_\_\_\_  
~~Field Insp.~~ IRVING  
~~Sealing Out Notice~~ \_\_\_\_\_  
Form Check Notice \_\_\_\_\_

NOTES  
4/26/71 Work started  
4/28/71 Same  
5/28/71 Same  
6/22/71 Same  
9/1/71 Completed

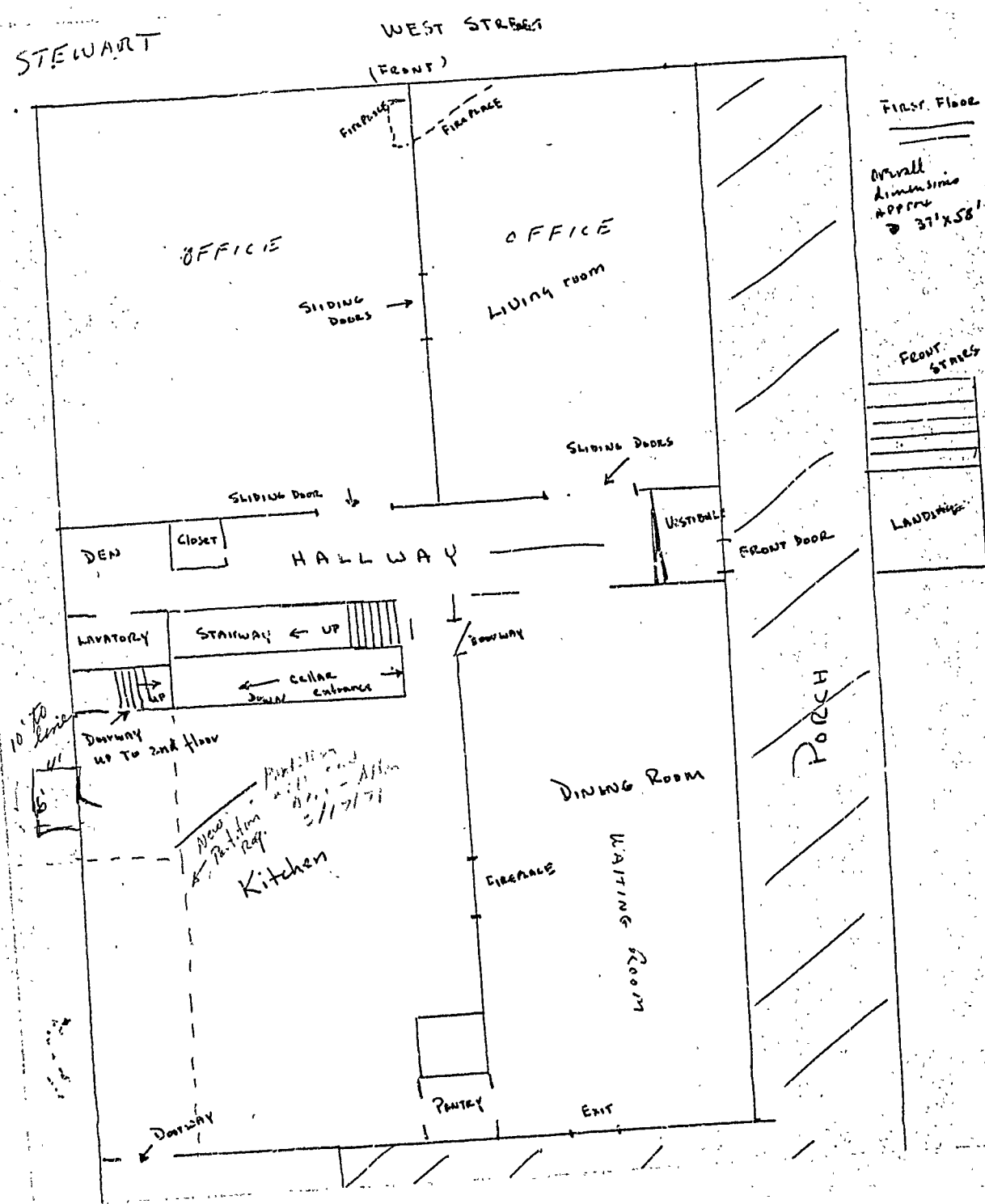
95 WEST ST.  
WOODEN PLATFORM STEPS  
R-4

3/18/71 M.S.W.

CHECK LIST AGAINST ZONING ORDINANCE

- ✓ Date - ~~EXISTING~~
- ✓ Zone Location - R-4
- Interior or ~~corner~~ lot -
- ✓ 40 ft. setback area (Section 21) - 10
- ✓ Use - DR. OFFICES & APARTMENT
- ✓ Sewage Disposal - PUBLIC
- Rear Yards -
- ✓ Side Yards - 10' - 5' REQ.
- Front Yards -
- ✓ Projections - PORCH 4' x 5'
- Height -
- Lot Area -
- Building Area -
- Area per Family -
- Width of Lot -
- Lot Frontage
- Off-street Parking -
- Loading bays -





VERRILL DANA PHILBRICK PUTNAM & WILLIAMSON

ATTORNEYS AT LAW  
57 EXCHANGE STREET  
PORTLAND, MAINE 04101

January 25, 1971

DONALD WARD PHILBRICK  
EDWARD FOX DANA  
DONALD LOCKEY PHILBRICK  
ROGER ASHURST PUTNAM  
ROBERT B. WILLIAMSON, JR.  
JOHN ALBERT MITCHELL  
LOUIS ALFRED WOOD  
LOYALL FARRINGTON SEWALL  
JOHN WINTERS PHILBRICK  
JOHN LAWRENCE SULLIVAN  
PETER BRIDGES WILSTER  
HOWARD HENRI DANA, JR.  
CHARLES N. GELBERGER  
MICHAEL THOMAS HEALY  
CHRISTOPHER J. W. COOGESHALL  
CHARLES LANGMAID CRAGIN III

ROBINSON VERRILL  
1896-1970  
GROUP 3 WHITEHOUSE  
1904-1969

AREA CODE 207  
774-4573

Mr. A. Allan Soule  
Assistant Director  
Department of Building Inspection  
City of Portland, Maine

Dear Allan:

This letter will confirm my telephone call to you this morning.

Doctor Poliner has instructed me to withdraw his zoning appeal for 95 West Street scheduled to be heard by the Board of Appeals on January 28, 1971.

We appreciate your inspection of the premises and letter detailing certain requirements dated January 15, 1971.

Sincerely yours,

*Louis Wood*

LAW/lb

cc: Dr. Irving J. Poliner



95 West St -  
Change of use  
Apt. 2 doctors office to  
Apt. 4 doctors offices  
RY

1/14/70

Allen

CHECK LIST AGAINST ZONING ORDINANCE

✓ Date - Bldg. before 6/15/57

✓ Zone Location - RY

Interior or corner lot -

40 ft setback area? (Section 21) -

→ Use - Apt - 4 doctors offices

Sewage Disposal ..

✓ Rear Yards -

Side Yards -

Front Yards -

Projections -

Height -

Lot Area -

Building Area -

Area per Family -

Width of Lot -

Lot Frontage -

→ Off-street Parking - 4 motor vehicles



95 West Street

Jan. 15, 1971

Dr. Irving J. Poliner  
Hillcrest Road  
Cape Elizabeth

cc to: Louis A. Wood, Attorney  
57 Exchange Street  
cc to: Corporation Counsel

Dear Dr. Poliner:

Building permit and certificate of occupancy for establishing four doctor's offices, two on the first floor and two on the second with an apartment on the third floor at the above named location in the R-4 Residential Zone in which this property is located is not issuable under the Zoning Ordinance for the following reasons:

1. Increase in doctor's offices is not allowable unless authorized by the Board of Appeals under provisions of Section 602.5A.4d of the Zoning Ordinance.
2. Parking for four motor vehicles as required under Section 602.14B.10 of the Ordinance will not be provided.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at this office at the time the appeal is filed.

If the above is approved by the Board of Appeals, then the following Building Code requirements will need to be met:

1. A solid core door having a nominal uniform thickness of not less than 1-3/4" will be needed at the foot of the stairs from the third floor apartment to the second floor.

Dr. Irving J. Poliner

Page 2

Jan. 15, 1971

2. A solid core door 1-3/4" thick will also be needed at the second floor level leading from the hallway to the stairs in the rear. This solid core door would cut off both hallways with a fire rated separation.
3. The rear stairway at the first floor level where it enters the kitchen will need to be cut off from the kitchen area leading to the outdoors so that you may be able to go from the third floor apartment to the outside of the building without passing through private quarters of another. A separate permit or an amendment to this permit, if approved by the Appeal Board, will be needed before work can start on this platform on the outside.

Under permit No. 69-705 you received permission to establish a 1-family apartment on the third floor but before this apartment can be put to use a building permit will be required from this office to construct the outside platform for this exit.

Very truly yours,

A. Allan Soule  
Assistant Director

AAS:24

CHADWICK ST.

WEST ST.



VAUGHAN ST.

93-95

WEST

ST.

1/25/71

M.B.W.



Mrs. Lester F. Wallace  
97 Chadwick St.  
Portland, Maine 04102

January 26, 1971

City Of Portland, Maine  
Board Of Appeals  
Room 209  
City Hall

Gentlemen:

I strongly oppose the petition of Dr. Irving J. Poliner which, if possible, would make the parking in this area more difficult.

The City Of Portland has allowed the parking problem in this area to reach a state of complete and utter disorder.

Granting this appeal would constitute one more act of disservice and injustice to the residents.

Very truly yours,  
*Lester F. Wallace*  
Mrs. Lester F. Wallace



Board Of Appeals  
Room 209  
City Hall  
Portland, Maine



January 25, 1971

Dr. Irving J. Poliner  
Hillcrest Road  
Cape Elizabeth, Maine 04107

cc: Louis A. Wool, Attorney  
57 Exchange St.  
Portland, Maine 04111

January 28, 1971



Practice Limited to Pediatrics

FRANCIS H. FOX, M.D.  
83 WEST STREET  
PORTLAND, MAINE 04102

January 21, 1971

Board of Appeals  
City of Portland

Gentlemen:

I wish to express my opposition to the appeal of Dr. Irving J. Poliner requesting an exception to the Zoning Ordinance to permit establishing four doctor's offices, two on the first floor and two on the second with an apartment on the third floor at 95 West Street.

The reason for my objection is that it is unrealistic to aggravate the already overcrowded automobile traffic situation by the addition of more professional offices in this area.

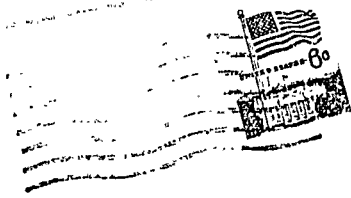
Very truly yours,

*Francis H. Fox*

Francis H. Fox, M.D.

FHF/cf

FRANCIS H. FOX, M.D.  
25 WEST STREET  
PORTLAND, MAINE - 04102



Board of Appeals  
City Hall  
City of Portland, Maine 04101

for  
11/2/71



*Mrs. Charles E. Dixon*  
*Smugglers' Cove*  
*Cape Elizabeth, Maine 04107*

January 26, 1971

Board Of Appeals  
City Hall  
Portland, Maine

Gentlemen:

The appeal of Dr. Irving J. Poliner  
is entirely without merit.

Parking must be provided off street  
and underground or undercover if the City  
Of Portland intends to protect this area  
from further abuse by members of the medical  
profession.

Very truly yours,  
*Dorothy H. Dixon*  
Dorothy H. Dixon