



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

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

December 31, 2009

Thomas R. Kelly, Esq.
Robinson, Kriger & McCallum
PO Box 568
Portland, Maine 04112

Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930

Pat Duggan, Esq.
Jones, Haywood, Bick, Kistner & Jones, P.C.
7700 Bonhomme, Suite 200
St. Louis, MO 63105

David Aborn, Esq.
Counsel
Federal Housing Commissioner
Manchester Field Office
227 Chestnut Street
Manchester, NH 03101-2487

RE: Deering Pavilion, 880 Forest Avenue – 136-E-5, 137-H-1, 142-G-7-4 (the
"Property") - R-6 Residential Zone

Dear Sirs/Madams:

I am in receipt of your request for a letter indicating the Property's compliance with zoning and land use regulations for the City of Portland, Maine. The Property is currently located within an R-6 Residential Zone which permits the development and use of residential properties.

The Property was approved as a 200 unit for elderly housing in an eleven story building by an issued permit on December 15, 1971. Prior to issuance, the Zoning Board of Appeals granted a variance to allow the 11 story building height (108'4" high instead of the 65' maximum allowed at that time). At the same time the Zoning Board granted a variance for the required number of parking spaces (57 parking spaces instead of the minimum required of 200 parking spaces). These variances are still in force and valid.

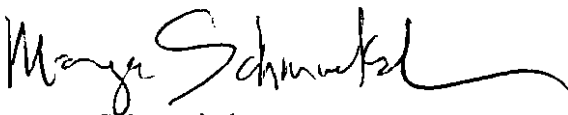
The Property project was also approved by the Planning division under site plan review. Subsequently, a certificate of occupancy was issued on July 17, 1973.

It appears that the Property is in compliance with all other zoning requirements of the City of Portland, Maine, including but not limited to, density, lot coverage and setback restrictions. I am not aware of any violations concerning the Property. There are no pending or anticipated legal actions against the Property.

Attached hereto are true copies of documents, permits, variances and certificates of occupancy in regard to the Property.

If there are any questions concerning this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long, sweeping horizontal line extending to the right.

Marge Schmuckal
Zoning Administrator

Enclosures

CC: file

15.00 pd 8-9-71 c.

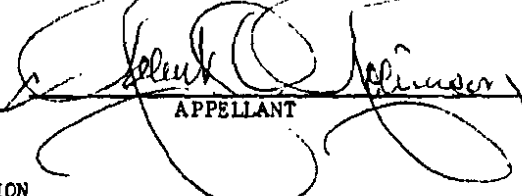
CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

granted 9/16/71

VARIANCE APPEAL

Diocesan & Bureau of Housing, owner of property at 856-882 Forest Ave. under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: construction of an 11-story masonry building approximately 109' x 137' at the above named location. This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The maximum height for a building in the R-4 Residential Zone in which this building is to be located, as established in Section 602.7B.8 is 5 stories or 65 ft. This building is 11 stories and 108'4" high. (2) Section 602.14B.1 requires one parking space for each dwelling unit. Two hundred ~~XXXX~~ parking spaces will need to be provided instead of 57 spaces as indicated on the plan.

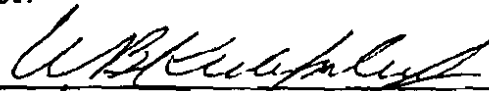
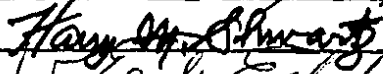

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.


APPELLANT

DECISION

After public hearing held September 16, 1971, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case.




Board of Appeals



R6

RG RESIDENCE ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, August 3, 1971

PERMIT ISSUED

DEC 15 1971

CITY of PORTLAND 1561

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 852 E. Forest Avenue Within Fire Limits? _____ Dist. No. _____
 Owner's name and address Diocesan & Bureau of Housing, c/o Robert C. Robinson Telephone 773-7281
 Lessee's name and address 120 Exchange St. Telephone _____
 Contractor's name and address Stewart & Williams Telephone _____
 Architect _____ Specifications _____ Plans yes No. of sheets 8
 Proposed use of building Housing for the Elderly No. families _____
 Last use _____ No. families _____
 Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ 2,500,000. Fee \$ 7,500. paid 12-10-71

General Description of New Work

To construct 11-story masonry building as per plans

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

When final contractual cost have been arrived at, any difference between this figure and that will be paid by amendment.

Appeal sustained 9/16/71

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 Robert C. Robinson

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 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:

Robert C. Robinson

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

Diocesan & Bureau of Housing

CITY OF PORTLAND, MAINE
BUILDING AND INSPECTION DEPARTMENT
ROOM 113, CITY HALL

Area Code 207
Tel. 774-8221
Ext. 234

PROJECT Deering Pavilion
LOCATION FOREST AVENUE, PORTLAND
General Contractor STEWART & WILLIAMS INC
Address 108 ARSENAL ST.
AUGUSTA, MAINE

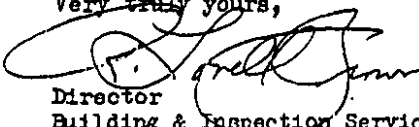
Gentlemen:

In order that the Building Inspection Services of the City of Portland, Maine may coordinate and more efficiently serve your interests, will you kindly fill out and forward us the information listed below concerning all sub-contractors expected to work on the above project:

PLUMBING P.C. Ford
ELECTRICAL Keriz Electric
HEATING Fels
VENTILATION Fels
OIL, GAS TANKS Fels
KITCHEN EQUIPMENT & VENTILATION Burbank Douglas
SPRINKLERS High Point Sprinkler
FIRE ALARM Keriz Electric
SIGNS NONE

Permits for above work are issued by this department only to the actual installers and sub-contractors should be advised by the general contractor that they must apply for separate permits for their work.

Very truly yours,


Director
Building & Inspection Services



(COPY)



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION

Issued to **Diocesan & Bureau of Housing**
(Deering Pavilion)

Date of Issue **July 17, 1973**

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. **71/1561**, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Housing for the elderly

Limiting Conditions:

none

This certificate supersedes
certificate issued

Approved:

Nelson F. Cartwright
(Date) Inspector

[Signature]
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 880 Forest Ave 136-E-005

Issued to Atlantic Telcom Services Inc.

Date of Issue April 7 2000

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 991373, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire equipment shelter on roof

type 2B use group R2 Boca 96

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

4/7/00 *Michael Wing*
(Date) Inspector

[Signature]
Inspector of Buildings

[Stamp] 04/07/00

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



CITY OF PORTLAND

April 6, 2001

Ms Ellen Kantrowitz, Executive Vice President
Continental Wingate Associates, Inc.
63 Kendrick Street
Needham, MA 02494

FEDERAL HOUSING COMMISSIONER
U.S. Department of Housing and Urban Development
New Hampshire State Office
Norris Cotton Federal Building
275 Chestnut Street
Manchester, NH 03101-2487

RE: Deering Pavilion, 880 Forest Avenue 136-E-5, 137-H-1, 142-G-7-4 - R-6 zone

Dear Ms Ellen Kantrowitz,

This letter is to verify the property located at 880 Forest Avenue, called the Deering Pavilion, is zoned R-6, which permits the development and use of residential properties (see attached R-6 zone).

The project as is now exists, 200 units for elderly housing in an eleven (11) story building, was approved by the Planning division under site plan review and was issued a valid building permit on December 15, 1971 (see attached copy). Prior to issuance, on September 16, 1971, the Zoning Board of Appeals granted a variance to allow the 11 story building height and to allow the reduced parking spaces as proposed (see attached copy). A certificate of occupancy was issued on July 17, 1973 (see attached copy).

It appears that the property is in compliance with all other zoning requirements of the City of Portland, ME, including but not limited to, density, bulk, lot coverage, and setback restrictions. Please note that if there were any nonconformities and the structure was damaged, there is an allowance under the current zoning ordinance that would permit the reconstruction within one year of the damage (Section 14-385 attached).

ROBINSON
KRIGER &
MCCALLUM

TWELVE PORTLAND PIER
POST OFFICE BOX 568
PORTLAND, MAINE 04112-0568

TELEPHONE (207) 772-6565
FACSIMILE (207) 773-5001
E-MAIL - attorneys@rkmlegal.com

JOHN M. MCCALLUM
RICHARD F. VAN ANTWERP
LAWRENCE B. GOODGLASS
JAMES C. HUNT
THOMAS QUARTARARO
THOMAS R. KELLY
DOUGLAS J. ALOFS
DARBY C. UREY
MARIANNA M. FENTON
RICHARD D. BAYER
CARA L. BIDDINGS
JENNIFER T. MINKOWITZ
THOMAS G. MUNDHENK
STEPHEN A. BELL

OF COUNSEL

JAMES S. KRIGER
ROBERT C. ROBINSON

December 23, 2009

Marge Schmuckle
Zoning Administrator
City of Portland, City Hall
389 Congress Street
Portland, Maine 04101

Re: **Zoning Compliance Letter** 136-E-5 R-6
Deering Pavilion, 880 Forest Avenue, Portland, Maine

Dear Marge:

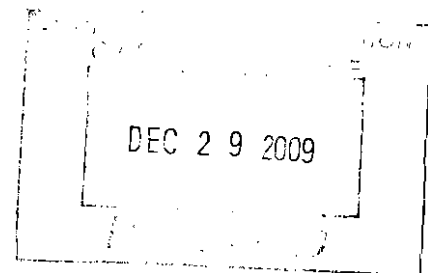
We represent Diocesan Bureau of Housing (DBH), which operates Deering Pavilion at 880 Forest Avenue. Kindly accept this as a request for a letter indicating DBH's compliance with zoning and land use regulations of the City. Enclosed please find the check for the fee in the amount of \$150.00.

The letter is needed as part of the underwriting process for a HUD-related loan. Kindly send the letter to me, but address the letter to the following recipients:

Thomas R. Kelly, Esq.
Robinson, Kriger & McCallum
PO Box 568
Portland, Maine 04112

Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930

Pat Duggan, Esq.
Jones, Haywood, Bick, Kistner & Jones, P.C.
7700 Bonhomme, Suite 200
St. Louis, MO 63105



Ms. Marge Schmuckle

December 23, 2009

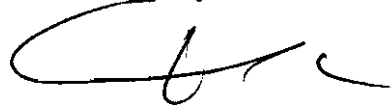
Page 2

David Aborn, Esq.
Counsel
Federal Housing Commissioner
Manchester Field Office
227 Chestnut Street
Manchester, NH 03101-2487

The project was built back in the 1970s.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to be 'Thomas R. Kelly', written over a horizontal line.

Thomas R. Kelly

TRK:dm

Enc.

DEC 29 2009



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

12-31 20 39

Received from

William L. Lee

Location of Work

825 Forest Ave

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (IL) _____ Plumbing (IS) _____ Electrical (IE) _____ Site Plan (U2) _____

Other Zoning Determination

CBL: _____

Check #: 52217 Total Collected \$ 150

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: J. A. W.

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

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

City Home Departments City Council E-Services Calendar Jobs

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:**Services**

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

CSL 136 E005001
Land Use Type BENEVOLENT & CHARITABLE
Property Location 880 FOREST AVE
Owner Information DIOCESAN BUREAU OF HOUSING
 880 FOREST AVE
 PORTLAND ME 04103
Book and Page
Legal Description 136-E-5 137-H-1
 142-G-7-4 HOLLY ST 2
 -10 & 28-30 FOREST AVE
 854-910 305660 SF
Acres 7.017

Current Assessed Valuation:browse city
services a-zbrowse facts and
links a-z

TAX ACCT NO.	20104	OWNER OF RECORD AS OF APRIL 2009 DIOCESAN BUREAU OF HOUSING
LAND VALUE	\$648,000.00	
BUILDING VALUE	\$8,418,100.00	880 FOREST AVE PORTLAND ME 04103
BENEVOLENT AND CHARITABLE (\$9,066,100.00)		
NET TAXABLE - REAL ESTATE	\$0.00	
TAX AMOUNT	\$0.00	



Best viewed at
800x600, with
Internet Explorer

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](mailto:treasury@portlandmaine.org).

Building Information:

Card 1 of 1
Year Built 1973
Style/Structure Type APARTMENT - HIGH RISE
Units 200
Square Feet 135968

[View Sketch](#)[View Map](#)[View Picture](#)**Exterior/Interior Information:**

Card 1
Levels 01/01
Size 4016
Use OFFICE ENCLOSURE
Height 10
Walls BRICK/STONE
Heating HW/STEAM
A/C CENTRAL

Card 1
Levels 01/01
Size 4016
Use OFFICE ENCLOSURE
Height 10
Walls BRICK/STONE
Heating HW/STEAM
A/C CENTRAL

Card 1
Levels 01/01
Size 4016
Use SUPPORT AREA
Height 10
Walls BRICK/STONE
Heating HW/STEAM
A/C CENTRAL

Card 1
Levels 02/11
Size 12392
Use APARTMENT

Height	10
Walls	BRICK/STONE
Heating	HW/STEAM
A/C	CENTRAL

Other Features:

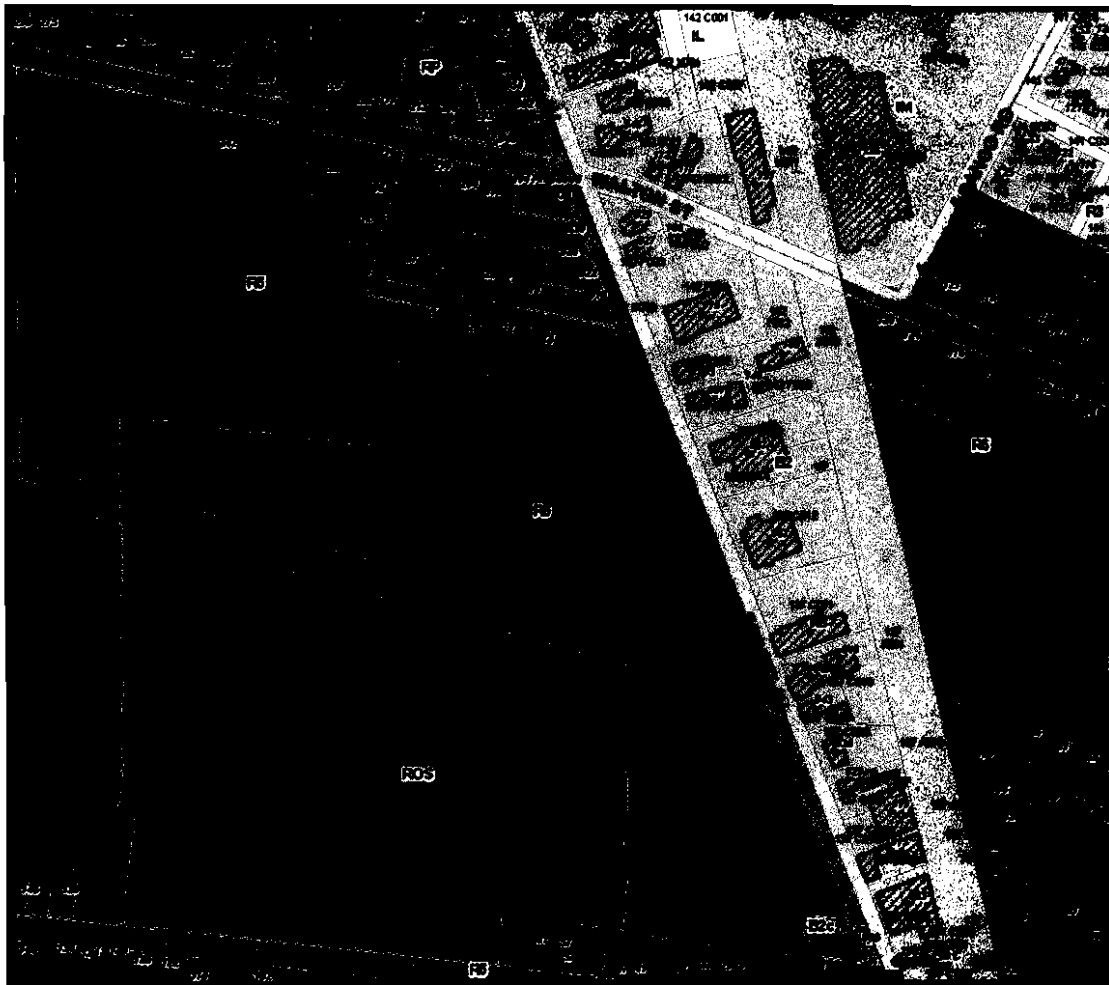
	Card 1
Structure	ELEVATOR - HYD. PASSENGER
Size	2400X100

	Card 1
Structure	OPEN AREA - MOTEL/APARTMENT
Size	344X1

Outbuildings/Yard Improvements:

	Card 1
Year Built	1973
Structure	ASPHALT PARKING
Size	44379
Units	1
Grade	C
Condition	3





City of Portland
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

**Copyright 2007
City of Portland
389 Congress St.
Portland, Maine
04101**

JOB CONFERENCE:

DEERING PAVILLION HOUSING FOR THE ELDERLY

DATE:

16 SEPTEMBER 1971

THOSE PRESENT:

Portland Building Inspection: E.L. Brown, dir.
Allan Soule, deputy

KRUMBHAR & SOLT

Nicholas Holt, A.I.A.

PURPOSE OF THE MEETING:

Preliminary review of the subject project.

ITEM

1. The Architect outlined the developed design showing revised typical floor plans, the complete pre cast and poured in place structure, with a perspective, sections and typical layouts.
2. Review procedure for the City of Portland will be handled by the Inspection Department. Departments that will be checked by the Inspection Department include the Fire Department, City Planning Office, Public Works for drainage and curb cuts, Health for kitchen and possibly the air port.
3. The Architect stressed the community aspect of each floor which depends heavily on attractively situated inviting lounge areas in front of almost every apartment door. This layout does a great deal to create a home like feeling and eliminate the institutional atmosphere.
4. The Architect requested general approval or other comment on the following items.
 - 4.1 Protection ratings as follows. Beam support structure 4 hours; beams and girders 2 hours, floor to floor construction and stair enclosures and vertical openings 2 hours, corridor walls 1 hour.
 - 4.2 Smoke exiting provision.
 - 4.3 Necessity for sprinklers.
 - 4.4 Acceptability of incinerator.
 - 4.5 Typical floor corridor arrangement.
5. Stairs should be located to reach all significant areas on the premises. Stairs with 75 feet of travel are preferred.
6. Double doors must be 1 1/2 hour rated.
7. Pipe chases must be fire sealed at each floor with normal fire stopper treatment within ducts.
8. A sprinkler head must be installed over the incinerator. The elevator must be louver-vented and naturally lit with breakable glass with wire screen below.

JOB CONFERENCE:

DEVELOPING PAVILLION HOUSING FOR THE ELDERLY

9. The Architect will appear at the zoning Appeal Hearing with respect to building height and number of parking places. Although not anticipated, he discussed the possible need for a slight adjustment in each floor. Minimum 37 parking places are provided: one for each 4-apartment unit and 5 spaces for in-house personnel. This is a recognized standard for elderly.
10. The site plan was discussed in some detail. It has been reviewed and accepted in concept by Mr. Don Magathlin of the Planning Office. The Architect would like to know any comments on this layout as soon as possible.
11. The design development plans were left for review on a pre-final basis.
12. The Architect thanked Mr. Brown and Mr. Soule for their kind help and interest in the project.

KRUMHOLTZ & SONS

Nicholas Holt, AIA, AIAA

KH:ap

cc

May 23, 1973

Mr. Nick Holt
Krumphaar & Holt Associates
66 Main Street
Ellsworth, Maine

Dear Mr. Holt:

Yesterday, the Planning Board discussed your amendment to the previously approved site plan for Deering Pavilion. This amendment incorporates the additional parking FHA and the developer have requested.

The Planning Board feels that this site plan embodies a sizeable disadvantage in that the average walking distance from parked car to main entry is excessive, thereby increasing the likelihood of potential mishaps, especially in winter when slippery conditions can prevail. Most members of the Board felt that the functional needs of the elderly should dictate the form of the site plan ("form follows function") and that the basic need of walking from car to building is a more meaningful day-to-day consideration than the maintenance of a near-perfect idyllic setting. In this particular case, however, the Board's views are merely advisory and cannot therefore be binding. The Board would strongly urge to further evaluate this matter by placing the parking more southerly and westerly.

If you persist in this particular location we would strongly suggest a setback from Forest Avenue of at least 20 feet so as to not conflict with any future widening of Forest Avenue and also, so as to allow maximum room for parking lot screening from passing vehicular and pedestrian traffic. The abutting residential properties should also be buffered by retaining as much of the existing vegetation cover as possible and desirable. The present setback is 15 feet.

Sincerely,

Gerald A. Holtenhoff
Ass't Planning Director

cc: R. Lovell Brown, Building Inspector
Nelson Cartwright, Building Inspection

GAH/jk

Re: 886-882 Forest Ave.

August 5, 1971

Diocesan & Bureau of Housing,
c/o Robert C. Robinson
170 Exchange Street

cc: Corporation Counsel

Gentlemen:

Building permit for construction of an 11-story masonry building approximately 109' x 137' at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The maximum height for a building in the R-6 Residential Zone, in which this building is to be located, as established in Section 602.7B15 is 3 stories or 65 feet. This building is 11 stories and 106' 4" high.

2. Section 602.14B.1 requires one parking space for each dwelling unit. Two hundred parking spaces will need to be provided instead 57 spaces as indicated on the plan.

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

Very truly yours,

R. Lovell Brown
Director

AAS/g

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

September 3, 1971

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, September 16, 1971 at 4:00 p.m. to hear the appeal of the Diocesan & Bureau of Housing requesting an exception to the Zoning Ordinance to permit the construction of an 11-story masonry building approximately 109' x 137' at 856-882 Forest Avenue.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The maximum height for a building in the R-6 Residential Zone in which this building is to be located, as established in Section 602.7B.6 is 5 stories or 65 ft. This building is 11 stories and 108'4" high. (2) Section 602.4B.1 requires one parking space for each dwelling unit. Two hundred parking spaces will need to be provided instead of 57 spaces as indicated on the plan.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the 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 property in question as required by Ordinance.

Chairman

BOARD OF APPEALS

PORTLAND PLANNING BOARD REPORT
MEETING OF JULY 13, 1971, AT 4 P.M.
ROOM 302, CITY HALL, PORTLAND, MAINE

Roll Call: Four Members Present (Cummings, Childs, Conway & Rand)

→ 1. Proposed Change of Zone - From R-5 Residence to R-6 Residence - In The Vicinity of Forest Avenue and Holly Street - Diocesan Bureau of Housing, Applicant

The Planning Director reported that the site plan for the proposed 236 housing project for the elderly was found to be acceptable to the staff. Upon approval of this change of zone, the applicant will have to go to the Board of Appeals with respect to building height and parking requirements. The Planning Director suggested that the Planning Board send a recommendation to the Board of Appeals for approval of these factors. Mr. Holt of Krumbhaar Holt & Associates, Architects, explained the project plans for the Board's information.

Mr. George A. Hunt, 12 Pershing Street, questioned where access to the project would be located and inquired as to how close the proposed development would be to his residence. It was reported that Mrs. McCone, a resident of Holly Street, is very much in favor of the project and the zone change. She feels that the project will be an asset to the neighborhood.

On motion made by Mrs. Childs and seconded by Mr. Conway, the Board voted unanimously to forward this zoning amendment to the City Council with a recommendation for its approval, provided the details of the site plan will be brought back to the Board for final approval.

2. Possible Relocation of St. James Street - State Highway Commission

On recommendation by the Planning Director, this matter was tabled to permit additional time for study by the State Highway Commission.

3. Westbrook Street Zone Change From R-1 Residence to A-B Airport-Business

The Planning Director recommended that a minimum lot size of 20,000 square feet be established in the A-B Zone. This would coincide with the statutory requirements for residential lots in unserved areas.

Mr. Mulkerrin, a local resident expressed opposition to the concept of minimum lot size. On motion made and duly seconded, the Board unanimously voted to approve this zoning amendment with the accompanying change in the text of the Zoning Ordinance.