

December 10, 1956

AP 1279-1287 Congress St.—Proposed outdoor telephone booth contrary to
Zoning Ordinance

New England Tel. & Tel. Co.
Att: Mr. Kerry S. Jackson
Comm'l. Rep.
45 Forest Ave.
Mr. Yolani J. Boulanger
1281 Congress St.

Gentlemen:

Building permit to authorize erection of an outdoor telephone booth on the lots at 1279-1287 Congress St., corner of Edwards St. (occupant Donald's Cut-Rate, owner, Mr. Yolani J. Boulanger) is not issuable under the Zoning Ordinance because the property is in a Residence D Zone where, according to Section 9A of the Ordinance the business use is not allowable (the enlarged retail store on the property was authorized by the Board of Appeals), because the proposed small building would be about 12 feet from the street line of Congress St., (inside edge of public sidewalk) and only two feet from the property line instead of the 15 feet and seven feet, respectively, stipulated by Sections 9D and 9C of the Ordinance.

You are, no doubt, familiar with the owner's appeal rights under the Zoning Ordinance.

If the owner decides to seek a variance, please notify this office so that a certification letter may be sent. In event you should appeal, it is important that Mr. Jackson's sketch filed with the application be changed to show that the proposed booth would be three feet from the side property line. This is a requirement of the Building Code, which is not subject to appeal.

The sketch shows the booth as intended 18 feet from the street. Either this must mean from the pavement of the street or else the figure is in error. Our record shows that the store on the property is only about 15 feet from the street line (inside edge of public sidewalk), and the sketch shows the booth somewhat closer to the street than the store. Please indicate on the sketch also the correct distance from the street line.

Very truly yours,

Warren McDonald
Inspector of Buildings

WHC:D/B

(COPY)

CS MAINE PRINTING CO. PORTLAND

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 1201 Cong. St.

Date of Issue Oct. 31, 1955

Issued to Edmund S. Boulanger

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed under Building Permit No. 5572-54, 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

1201 Cong. St.

Limiting Conditions:

Building to be used for storage only

Appeal sustained 11/18/55

This certificate supersedes
certificate issued

Approved:

6/14/56
(Date)

Inspector

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.



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. # 2
Portland, Maine, May 3, 1956

PERMIT ISSUED

MAY 4 1956

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 55/2254 pertaining to the building or structure comprised in the original application 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 1281 Congress Street Within Fire Limits? no Dist. No.
Owner's name and address Yoland J. Boulanger, 1261 Congress St. Telephone
Lessee's name and address Telephone
Contractor's name and address owner Telephone
Architect Plans filed No. of sheets
Proposed use of building Store No. families
Last use " No. families
Increased cost of work Additional fee 50

Description of Proposed Work

To eliminate ~~4x8~~ 4x10 Douglas Fir beam over span of opening between new addition and existing building and eliminate posts and replace with steel beam as per plan

To close up front door of existing building.

Details of New Work owner

Is any plumbing involved in this work? Is any electrical work involved in this work?
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
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size 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

Approved:

ON-573/56-agg

Signature of Owner

Yoland J. Boulanger

Approved:

574/56 Inspector of Buildings

INSPECTION COPY

C-10-154-5C-Marks

INTER-OFFICE CORRESPONDENCE

W. McDonald
CITY OF PORTLAND, MAINE
CORPORATION COUNSEL

TO: Warren McDonald, Inspector of Buildings

DATE: January 26, 1956

FROM: Robert W. Donovan, Assistant Corporation Counsel

SUBJECT: Question of allowance of slight change in location of proposed addition
at 1281 Congress Street from that indicated in zoning appeal.

We believe that you do have authority to issue the permit for the construction of the addition granted by the Board of Appeals on November 18, 1955 in the location shown on the attached pencil sketch.

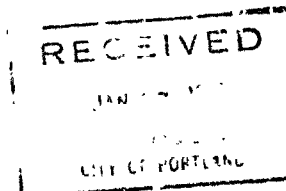
The "slight change in location" does not seem to be a material discrepancy from the right given Mr. Boulanger by the Board of Appeals. The blueprint plan (which I assume is the same plan presented to the Board at the hearing) indicates that the front of the proposed addition is set back exactly fifteen feet from the line of Congress Street and that the distance between the rear wall and the rear property line is thirty feet, plus or minus. Under these circumstances, I do not believe that the fact that the rear wall of the addition is approximately twenty-seven feet from the rear line is enough to prohibit Mr. Boulanger from exercising his rights under the appeal.

The sketch and plan are herewith returned to you.

Robert W. Donovan
Robert W. Donovan
Assistant Corporation Counsel

K
Attachments

*Agree. note and prepare permit
for issuance*
W. McDonald
1/27/56



January 25, 1956

Robert W. Donovan, Ass't. Corporation Counsel

Warren McDonald, Inspector of Buildings

Question of allowance of slight change in location of proposed addition at 1281 Congress St. from that indicated in zoning appeal.

You will remember the appeal of Yoland Boulanger granted on November 18th to allow construction of a one story frame addition 30 feet by 40 feet on the existing non-conforming retail store at 1281 Congress St., corner of Edwards. There was considerable opposition from the neighborhood, but the Board granted the appeal without conditions.

The plat plan submitted with the application was carelessly drawn and was in error principally because the Boulanger lot was shown as rectangular with the front wall of the existing store parallel to the street line of Congress St. and 15 feet from that street line. Actually the lot is not rectangular and the front wall of the existing store is not parallel to the street line of Congress St., but the front corner nearer Edwards St. is 15 feet from the street line of Congress St. and the other front corner of the existing store a greater distance from that street line. Please refer to pencil sketch attached.

The original plat plan (blueprint also attached) indicated that the front wall of the addition was to be in the same plane as the front wall of the existing store. When the true condition was known as to shape of the lot and location of the existing store, it was found that the front wall of the proposed addition would be closer than 15 feet to the street line of Congress St. which is the required minimum setback in the Residence D Zone where the property is located and also the setback indicated in the appeal.

The appellant now proposes to construct the addition so that the front wall of it will be parallel to and 15 feet from the street line of Congress St., thus making an angle where the two front walls join. This maintains the 15-foot setback from Congress St. which was shown on the plan approved by the Board, but it will place the rear wall of the addition approximately three feet closer to the rear line of the Boulanger lot than the 30 feet plus or minus shown on that plan.

Do I have authority under the appeal grant to issue the permit for this location somewhat closer to the next lot having frontage on Edwards St?

P. S. While it may not have a bearing on your answer to the above question, we anticipate difficulty at this location because the appeal for the addition to the store did not carry with it any request for off street parking on the Boulanger lot, a use which WMCD/G is non-conforming in the Residence D Zone.

Attachment: Paper tracing and one blueprint

Inspector of Buildings



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 1

Portland, Maine, Jan. 25, 1956

PERMIT ISSUED

JAN 30 1956

LEV 01

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 55/2251 pertaining to the building or structure comprised in the original application 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 1281 Congress St. Within Fire Limits? no Dist. No. Telephone 3-9127
Owner's name and address Roland J. Boulanger, 1281 Congress St. Telephone
Lessee's name and address Telephone
Contractor's name and address owner Telephone
Architect Plans filed No. of sheets
Proposed use of building store No. families
Last use No. families
Increased cost of work Additional fee 50.

Description of Proposed Work

To construct addition on left hand side back 4' making the front wall 42' long and the rear wall 38' long.

Amendment to be issued to Roland O'Brien, 25 High St.
Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
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
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering of lining
No. of chimneys Material of chimneys
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size 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
Roland J. Boulanger

Approved: C.N. 1/25/56 ags

Signature of Ownerby: Roland J. Boulanger

Approved: 1/30/56 - W.M.K. Inspector of Buildings

INSPECTION COPY

C-10-154-SC-Marks

December 6, 1955

BP 1279-1287 Congress Street

Mr. Yoland Boulanger
1281 Congress Street

Dear Mr. Boulanger:

Through an oversight, we failed to call your attention in letter sent with permit for construction of an addition to your store at the above location to the need for use of split ring timber connectors in making joints of trussed rafters. Although not clearly indicated on plans filed with application for permit, it is necessary that such connectors be used wherever bolted joints are shown.

Very truly yours,

Albert J. Sears
Deputy Inspector of Buildings

AJS/G

AP-1279-1287 Congress Street

December 1, 1955

Mr. Roland J. Boulanger
1281 Congress St.

Dear Mr. Boulanger:

Your appeal under the Zoning Ordinance having been sustained, building permit for construction of a one story addition 30 feet by 40 feet on left hand side of retail store building at the above location is issued herewith based on plans filed with application for permit, but subject to the conditions listed below. If for any reason you are unwilling or unable to provide the construction indicated or if you do not understand what is meant, no work is to be started and permit is to be returned to this office for adjustment. Conditions under which permit is issued are as follows:

1. Before notice is given for checking of forms and location prior to pouring concrete for foundation walls, approval of the following construction is to be secured from this department:
 - a-Framing and foundation of rear exit platform.
 - b-Type of hardware to be installed on double doors at front entrance.
2. Addition is to be used for retail sales space and any preparing or serving of food or drink now carried on in existing building is not to be enlarged or changed in location. *OK*
3. Cellar area of both existing building and addition is to be used only for storage since neither section has the two means of egress required for sales areas or places where more than two persons are to be habitually employed. *OK*
4. Exit signs are to be provided over rear doors from both sections of completed building. *OK*
5. Both front and rear doors in existing building are to be provided with vestibule latch set if they are not already so equipped. Similar hardware is to be installed on front and rear doors of addition. For your information a vestibule latch set is one whereby the door may be opened from the inside at any time without the use of a key, even though locked against entrance from the outside, merely by turning the usual knob or by pressure on the ordinary thumb lever. *OK*
6. There is no indication as to how addition is to be heated. If the existing heating plant is not adequate to care for the addition, a separate permit issuable only to the actual installer will be required for the installation of any additional heating system. *NO*
7. The permit is issued on basis that, unless the 2x10 floor timbers are to be of fullsize hemlock or dressed Douglas Fir, they will be spaced not over 12 inches instead of 16 inches on centers. *OK*

December 1, 1955

Mr. Yoland J. Boulanger-----2

8. The 4x8 headers over window openings in front wall must be of Douglas Fir ^{OK}
rather than spruce or hemlock lumber in order to figure out.

9. Notification for an inspection by this department is to be given before ^{OK}
any lath or wall board is applied to walls or ceilings.

Very truly yours,

Warren McDonald
Inspector of Buildings

AJS/B

File 178

November 1, 1955

AP 1281 Congress St.—addition to retail store
and zoning appeal relating thereto

Copy to Corporation Counsel

Mr. Roland J. Boulanger
1281 Congress St.

Dear Mr. Boulanger:-

Building permit intended to authorize construction of a one story frame addition about 30 feet by 40 feet on the left hand side (as one faces the lot from Congress St.) of the retail store at 1281 Congress St., corner of Edwards St., is not issuable under the Zoning Ordinance because the present store is not an allowable use in the Residence D Zone where the property is located (being allowed to continue because it existed when the property was placed in that zone) and because increase in volume of a non-conforming building is not permitted by Sect. 14A of the Ordinance.

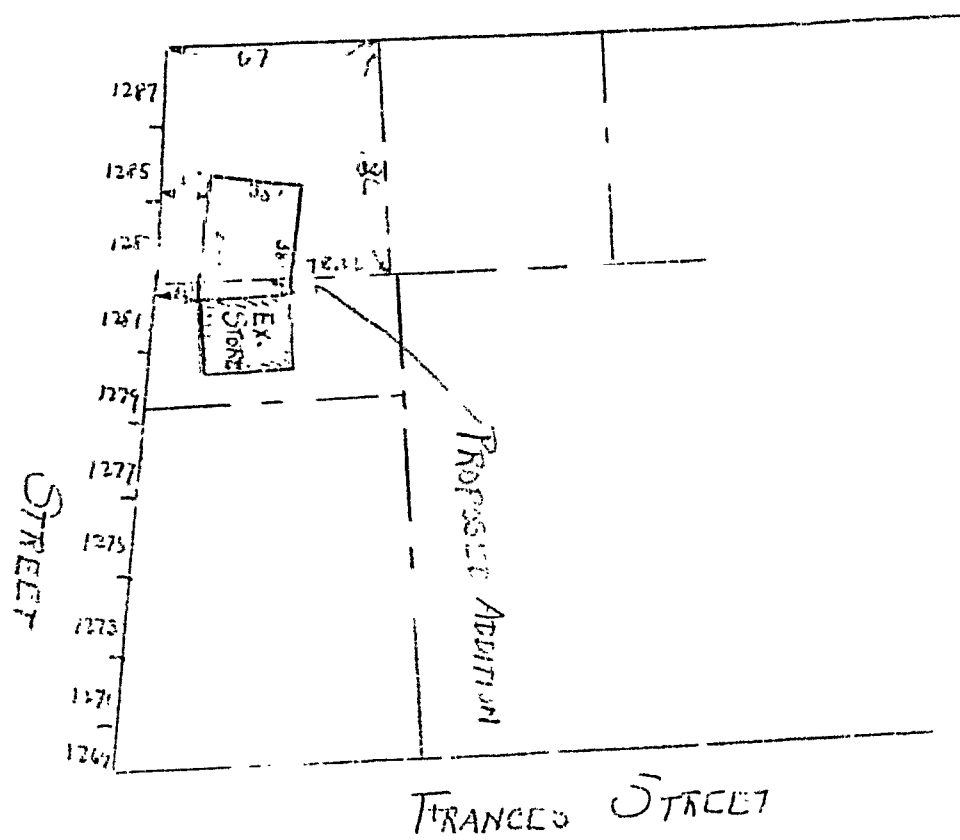
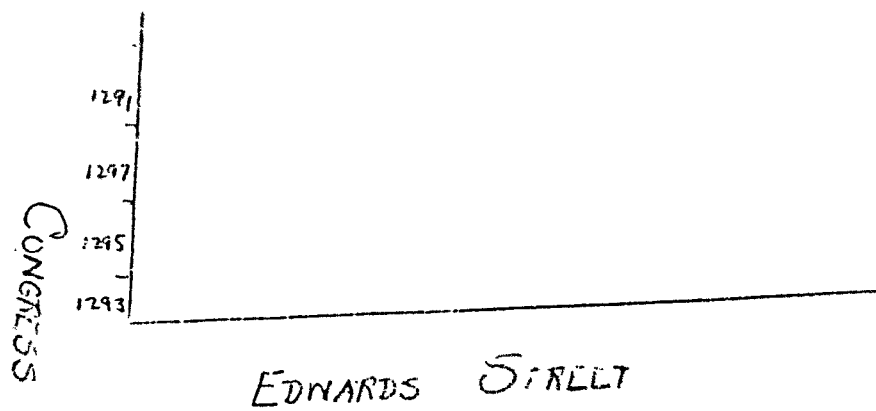
You have indicated your desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

If you desire consideration by the Board at the earliest possible date, please file the appeal at the of the Corporation Counsel before noon of Thursday, November 3rd.

Very truly yours,

Warren McDonald
Inspector of Buildings

WPCB/G
Enclosure: Outline of appeal procedure





APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, Oct. 3, 1955

PERMIT ISSUED

022001
1 1955

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to alter ~~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 1281 Congress St. Within Fire Limits? no Dist. No.
Owner's name and address Roland J. Boulanger, 1281 Congress St. Telephone 2-9127
Lessee's name and address Telephone
Contractor's name and address owner Telephone
Architect Specifications Plans yes No. of sheets 3
Proposed use of building retail store No. families
Last use " " No. families
Material wood No. stories 1 Heat Style of roof Roofing
Other building on same lot
Estimated cost \$ 5,000. Fee \$ 5.00.

General Description of New Work

To construct 1-story frame addition 30' x 40' on left hand side of building as per plan.
To remove about 20' of existing wall on left hand side of store.

Permit Issued with Letter

11/18/55
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 Roland J. Boulanger

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
Solid or filled land? solid earth or rock? earth
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
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 Girt or ledger board? Size
Girders Size 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?

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:

with letter By AGJ

INSPECTION COPY

Signature of owner

CLB-254-1M-Marks

NOTES

12-19-55 Excavation
underway. *OK*
12-22-55 Remaining
forms to back into
store foundation
Fence all excavation
& around coal. spring.
Flat plan in error.
Angle in street brings
new foundation close
to store line where
straight with store
front. *OK*

1/25/56 - *Amat #1*
in charge of
located failed
Jan. 15. but held
pending decision
of transfer. - *MM*

3-16-56 Forms OK
as to location.

Mr. Boulanger says
no rear platform &
will install the re-
quired hardware on
all doors. *OK*

3-19-56 Forms OK *OK*

3/20/56 - *Use single*
3' wide door with ves-
tibule latch set on
front entrance or if
blow doors less than
3' wide are used, they
will swing out and
have anti-panic bar
on standing door. If
two 3' wide doors are
used vestibule latch
set on working door
will be satisfactory. *OK*

Permit No. 551 2254
Location 1234 *McBoulanger*
Owner *McBoulanger*
Date of permit 12/11/55
Notif. closing-in 4-23-56 *HA*
Inspn. closing-in 4-23-56 *OK*
Final Notif.
Final Inspn.
Cert. of Occupancy issued *1/16/56*
Sinking Out Notice
Form Check Notice 3-16-56

4-3-56 Needs hold down
bolts all along front wall
where sill raised 3" to level *OK*

4-23-56 O.K. to close in *OK*

5-8-56 Spoke to Mr. Boulanger
about keeping Food bar
on existing part of store
Steel beam reaction to
go in. *OK*

6-14-56 Completed *OK*

City of Portland, Maine
Board of Appeals
—ZONING—

November 2, 1955, 19

To the Board of Appeals:

Your appellant, Yoland J. Boulanger, who is the owner of property at 1281 Congress Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit intended to authorize construction of a one-story frame addition about 30 feet by 40 feet on the left hand side of the retail store at 1281 Congress Street, corner of Edwards Street, is not issuable under the Zoning Ordinance because the present store is not an allowable use in the Residence D Zone where the property is located (being allowed to continue because it existed when the property was placed in that zone) and because increase in volume of a non-conforming building is not permitted by Section 14A of the Ordinance.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Yoland J. Boulanger
Appellant

After public hearing held on the 18th day of November, 1955, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Burt B. Wilson
Edward J. Colley
John W. Lake
William H. O'Brien
Harry K. Torrey
BOARD OF APPEALS

DATE: NOVEMBER 18, 1955

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF YOLAND J. BOULANGER
AT 1281 CONGRESS STREET

Public hearing on above appeal was held before the BOARD OF APPEALS

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
EDWARD T. COLLEY	(S)	()	
BEN B. WILSON	(S)	()	
HARRY K. TORREY	(S)	()	
WILLIAM H. O'BRIEN	(S)	()	
JOHN W. LAKE	()	()	
	()	()	
	()	()	

Record of Hearing:

IN FAVOR OF: Letters in file

OPPOSED: Walter C. Allen, 17 Frances Street
Rose M. Sylvester, 18 Davis Street
Richard Allen, 39 Edwards Street
Frank M. Ingerowski, 6 Edwards Street
letters in file

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 15, 1955

Mr. Roland J. Boulanger
1281 Congress Street
Portland, Maine

Dear Mr. Boulanger:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, November 18, 1955, at 10:30 a. m. to hear your appeal at above address under the Zoning Ordinance.

Please be present or be represented at this hearing in support of this appeal.

BOARD OF APPEALS

Edward T. Colley

Chairman

K

Nov. 18, 1955

City of Portland Maine
Board of Appeals

To Board of Appeals,

This is to notify you
that I am all for the
addition to the property
of Island T. Boulanger
located at 1581 Congress
Street. I think that it
would be a great asset
and a good thing for
this community.

Sincerely

Mr. & Mrs. Leonard Amos
95 Cowland Street
Portland,
Maine

Chairman,
Board of Appeals
City of Portland, Maine

As the owner of property located at 21 Bowland St.
in the City of Portland I would like to state: That I
am very much in favor of the Appeal of Roland J.
Boulanger, who is requesting permission to enlarge
his business at 1281 Congress St.

This business is in a growing neighborhood and
the type of store is a great asset.

The granting of this appeal will be of great value
to many of the families who patronize this store as there
will be many things carried here that may be needed
after many of the other places are closed.

Very Truly Yours
Everett H. Lineman

Mr Edward F. Colby . Winter Garden Fla
Dec. 12 1955
Dear Sir.

We have just received the notice of the public hearing to be held Nov 18 1955 at 10.30. to hear the appeal of Upland of Bonlanger in regard to construction of an addition to his present store.

As we are unable to be present we wish to enter a very vehement objection to any such plan. And we also ask that any such petition be refused.

This is in no way personal but we object strenuously to any thing that will increase or allow business to creep in any further to a residential area.

As it is, we pick up broken baskets of paper, such as gun

wrappers - candy bar wrappers, cigarette
pkg that are worse to pick up
I keep cleared than larger pieces
of paper. And all evening,
every evening until the store closes
cars are constantly stopping &
parking opposite us - and we
are awakened by car doors slamming
& motors starting up, when ~~they~~ ^{the} ~~they~~
leave the store. And in the
small hours of the morning
every morning, around 4 or 5 AM
we are awakened by the paper
truck slamming by pkg. of newspapers
down on the sidewalk in front
of the store - & then the noise
of the truck starting off again
and often loud tire.

These are just a few of the
reasons why we object so strenuously.
Furthermore, the people who live

downstairs, I have to keep early
sleeping hours because of the
nature of his work, and these
things do not enhance the
desirability of our rent

Again, we are very sorry
to have to oppose this
because of our fine regard
for Mr Bonhomme but its
simply that its our home
that is involved, and also
our health.

Sincerely
Mabel J and
Walter R Joss

1268 Congress St
Portland ME

EDWARD JARZOSKI
President
ROBERT S. TWISS
Vice-President
JAMES J. FOLEY
Recording Secretary
LEO A. BERTHIAUME
Financial Secretary
JAMES W. DOLAN
Treasurer
PAUL V. FEELEY
Sergeant-At-Arms

*National Association of
Letter Carriers*

WORCESTER BRANCH, NUMBER 12

WITHOLD P. IVASKA
Collector of N. S. B. A.
F. JOSEPH BECKER
Collector of M. B. A.
PATRICK H. FEENEY
Branch Scribe
LARRY FALCONE
Hospitalization Collector
C. GEORGE SHEA
BERNARD J. O'CONNOR
DENIS F. KELLY
Trustees

Worcester 8, Mass.

Nov 10

1955

Edward T. Golley, Chairman
Board of Appeals

Dear Sir; re appeal of Yoland Boulanger. 1281 Congress
I strenuously object to this contemplated eyesore in
front of my property. This would make my home worthless to me.

I plan on returning to Portland to live there at 9 Edwards
Street, and I am the only one directly affected as it adjoins my
lot alone. Is this notice of my disapproval (or will I have to hire
a lawyer) sufficient for your acceptance, as I will be unable to
get down there in person. I understand Mr Boulanger has other stores
in Westbrook where he has sufficient storeroom. You and I are well
aware of the attraction of empty tonic and beer bottles have for
vermin. I have confidence that the Board will deny this tragic
defacing of the beautiful City of Portland.

Respectfully Yours

Patrick H. Feeney
12 Duxbury Road
Worcester Mass.

Patrick H. Feeney

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 8, 1955

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, November 18, 1955, at 10:30 a. m. to hear the appeal of Yoland J. Boulanger requesting an exception to the Zoning Ordinance to authorize construction of a one-story frame addition about thirty feet by forty feet on the left hand side of the retail store at 1281 Congress Street, corner of Edwards Street.

This permit is presently not issuable under the Zoning Ordinance because the present store is not an allowable use in the Residence D Zone where the property is located (being allowed to continue because it existed when the property was placed in that zone) and because increase in volume of a non-conforming building is not permitted by Section 14.4 of the Ordinance.

This appeal is taken under Section 14.5 of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman

11/2/55
Appeal of Yolanda J. Boulanger at 1281 Congress St.

Edwards St. 1-45 ✓
2-44 ✓

Frances St. 1-47 ✓
2-48 ✓

Whitney Ave. 1-35 ✓
2-48 ✓

Milton St. 1-29 ✓
2-38 ✓

Powland St. 1-31 ✓
2-32 ✓

Davis St. 1-31 ✓
2-32 ✓

Sewall St. 2-8 ✓
1-15 ✓

Congress St. 1233-1325 ✓
1234-1322 ✓

Lowell St. 2-26 ✓

Scott St. Assessors Lot No. 186-A-23 Carmichael's Filmm. Co. 110 Bolton St.

✓ Craigie St. Assessors Lot No. 187-A-25 to 28 } The Minat Corp.
187-B-3 to 9 } 34 Probler St.

Edwards St.

- 1-5 Boulenger's Highland J. 12-14 Edwards St.
 7-11 Oatman H. Steiner 9 Edwards St.
 13-17 George M. Melroe 15 Edwards St.
 19-23 Myer A. M. - Shogren 21 Edwards St.
 25-29 Lillian S. Menden 29 Edwards St.
 31-35 Albert W. Mitchell 33 Edwards St.
 37-39 Robert L. & John C. Allen 37 Edwards St.
 41-43 Anna C. & Theodore L. Still 43 Edwards St.
 45-49 J. B. Brown & Sons 47 Edwards St.
 51-55 Arthur J. Haskell Sup.
 57-61 Johnston E. & Albert J. Haskell 57 Edwards St.
 63-67 Ernest A. & Marie C. Croft 63 Edwards St.
 69-73 Leonard D. & Shirley M. Coley 69 Edwards St.
 75-79 Benjamin H. Fuller 75 Edwards St.
 81-85 Margaret C. Woodard 81 Edwards St.
 87-91 Sup.

Frances St.

- 1-11 Roman Catholic Bishop of Portland 307 Frances
 13-15 Sup.
 17-19 Sup.
 21-23 Sup.
 25 Sup.
 27 John H. McDermott 27 Frances St.
 29-31 Sup.
 33-35 James O. & Helen S. Curran 33 Frances St.
 37-39 Richard J. & Helen T. Curran 37 Frances St.
 41-43 Phillip Joseph T. Curran 41 Frances St.
 45-47 Joseph C. Curran 45 Frances St.
 49-51 E. C. & Josephine E. Allen 49 Frances St.
 53-55 Walter Allen Jr. 53 Frances St.
 57-59 Ludwig & Anna M. Wagner 57 Frances St.
 61-63 Germaine Y. Butler 61 Frances St.
 65-67 Sup.
 69-71 George Deane 69 Frances St.
 73-75 Sup.

Wilton St.

(3)

- 1-7. Sarah & John 1310 Congress St.
 7-11. John & Mary 15 Wilton St.
 13-15 Dup.
 17-19 John & Mary 17 Wilton St.
 21-23 Margaret & George 23 Wilton St.
 25-27 Eliza M. Palmer 27 Wilton St.
 2-8. Kenneth & Alice M. Russell 4 Wilton St.
 10-12 Anne & John 12 Wilton St.
 20-22 Margaret & John 22 Wilton St.
 24-26 John & Mary 26 Wilton St.
 28-30 Steven & M. Louise Thomas 30 Wilton St.
 32-34 Thomas James & Ethel 34 Wilton St.

Davis St.

- 1-5 Walter & Fina 1248 Congress St.
 7-11 Joseph J. & Yvette J. Doyle 5 Davis St.
 9-11 Dup.
 13-15 John & Fina 13 Davis St.
 17-19 Joseph & Fina 17 Davis St.
 21-23 Dup.
 2-8 Dup.
 10-18 John & Fina 18 Davis St.
 20-24 George & Fina 20 Davis St.
 26-32 Dup.

Congress St.

- 1233-1237 Elmer Sawyer 1235 Congress St.
 1239-1241 Margaret & John Dup.
 1247-1255 Dup.
 1257-1259 Dup.
 1261-1263 Dup.
 1267-1277 Dup.
 1279-1281 John & Fina Dup.
 1283-1287 Dup.
 1293-1311 Dup.
 1317-1325 Arthur J. Blum 1325 Congress St.
 1327-1329 John & Fina 1327 Congress St.
 1336-1340 George & Fina 39 Brighton Ave.

1246-1256 Peter J. Rogers 14 Lowell St.
 1258-1261 Dup.
 1266-1268 Dup.
 1270-1272 Dup.
 1274-1280 Seelye Memorial Post VFW 1276 Congress St.
 1282-1290 Guy W. & Eleanor M. Farley 1290 Congress St.
 1292-1294 Dup.
 1296-1298 Katherine Kelly 1296 Congress
 1298-1304 (Over) Central 9 1/2 Grace St.

Lowell St.
 1-7 Peter J. Rogers Dup.
 9-11 Dup.
 13-31 Dup.
 3-8 ~~George H. & Mary M. Rogers Dup~~

Whitney Ave.
 1-7 Dup.
 9-13 Philip H. Manchester (D) 350 1/2 Stage Lake Man.
 15-17 Elizabeth S. Kilmartin 15 Whitney Ave.
 19-21 Schak W. Allard 19 Whitney Ave.
 23-25 Michael D. Mallett (D) 220 Wilson St. D.
 27-31 Margaret M. Hall 31 Whitney Ave.
 33-35 Anna C. & Wilfred A. Eastman 35 Whitney Ave.
 3-12 Dup.
 14-16 Joseph F. & Mary V. Burch 16 Whitney Ave.
 18-20 Joseph L. Guera 18 Beacon Ave.
 22-24 Lawrence P. & Mary A. & Sonnet 22 Whitney Ave.
 26 John J. O'Toole 26 Whitney Ave.
 28-32 Allen Rufus Bentley 30 Whitney Avenue
 34-36 Thomas H. Taher 34 Whitney Ave.
 38-40 Mary V. Keis 40 Whitney Ave.
 42-44 Stanley E. & Alice McKell 44 Whitney Ave.
 46-48 Dup.

Dowland St.
 1-7 Dup.
 9-11 Dup.
 13-15 Cotton W. & Julie M. Bridges 15 Dowland St.
 17-19 Andrew J. Nicholas (D) 135 Kenilwood St.

1870-7-0

Portland, Me. (1)

(D)

21-23 Everett H. + Adelaide H. Fenneman, 21 Bowland
25-27 Edward Frank & Eliza S. Anderson 25 Bowland
29-31 Sarah M. Nelson 34 Bowland St.
~~37-43 Frank & Eliza~~
3-8 Dep.
12-24 Arthur. G. Carr 30 West St.
28-30 Alfred J. + Silvia Lane 30 Bowland St.
30-32 Dep.

3-8 Russell
2-8 Frederick E. Dougherty 43 Cotton St.
10-12 Cassie W. Clark 10 Russell St.
14-18 Samuel W. + Louisa Gilgore 16 Russell St.
22-24 John W. McDonald 19 William St.
24-26 Dep.



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, March 28, 1952

015-104

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~and~~ alter ~~and~~ ~~the following building~~ ~~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 1281 Congress Street Within Fire Limits? no Dist. No. _____
Owner's name and address Donald's Cut Rate Store, 1281 Congress Street Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address E. G. Johnson Co., 3 Cliff Street Telephone 3-1630
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Store No. families _____
Last use _____ No. families _____
Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____ Fee \$ 2000 .50
Estimated cost \$ 1000 .65

General Description of New Work

~~To remove short non-bearing partition between stairwell and store and construct 3' x 3' platform approximately 42" above the floor with ship stairway. This platform is for the purpose of storing records.~~
To remove short non-bearing partition between stairwell and store and construct 3' x 3' platform approximately 42" above the floor with ship stairway. This platform is for the purpose of storing records.

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 E. G. Johnson Co.**

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? _____
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 _____
Material of underpinning _____ Height _____ Thickness _____
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 _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-15" 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? _____

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

Donald's Cut Rate Store
E. G. Johnson Co.

Signature of owner by: _____

APPROVED:

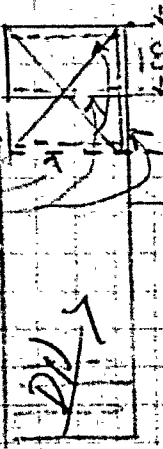
INSPECTION COPY

2.2. Work Completed without 20
closing in info w/for

Permit No. 52/404
Location 1381 Carnegie St.
Owner Donald's Pub & Gate House
Date of permit 4/8/52
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 4-2-52 109/142
Cert. of Occupancy issued _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 25 lines visible. The paper appears to be a standard notebook page or a form designed for handwritten entries. The edges of the paper are slightly irregular, suggesting it might be a scan of a physical document.

NEW PLATFORM
3' x 3'
2x4 CLEAR
4 FLOOR BEAM.



EXISTING
PARTITION

DECK SPACE

CEILING

SHELVES

2x4

REMOVE INSULATION
PARTITION

RAIL TO MATCH
WALLS

FLOOR

ELEVATION

DOTTED LINES
INDICATES NEW WORK

DON'S CUT RATE STORE ON
1201 CINGHET ST
CITY.

BASEMENT

AP 1261 Congress Street

April 3, 1952

Mr. Roland Doulander
1261 Congress Street
Portland, Maine

Copies to: E. C. Johnson Co.,
3 Cliff Street
Corporation Counsel

Dear Mr. Doulander:

Building permit to cover removing the recessed entrance doorway of your store at 1261 Congress Street and constructing the entrance doorway in the same plane as the front wall of the store, is not issuable under the Zoning Ordinance because, although the increase in cubical volume within the store would be quite small (perhaps no more than 100 cubic feet), Section 14A of the Zoning Ordinance provides that there shall be no increase at all in volume of such a non-conforming use as your store is in the Residence D Zone where it is located.

You have indicated your desire to seek an exception from the Zoning Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMC/D

Enc: Outline of appeal procedure

AF 1261 Congress Street

March 31, 1952

Donald's Out Rate Store
1261 Congress Street
E. G. Johnson Co.,
3 Cliff Street

Gentlemen:

While the item in application for a building permit to make alterations at 1261 Congress Street: "To enclose existing recessed entrance to store by providing door flush with front of building. Existing show windows to remain." is not exactly clear, but it is assumed that this change would increase the cubic volume within the outside walls of the store, although a very small increase.

If that is the case the building permit is not issuable under the Zoning Ordinance because the store is a non-conforming use in the Residence D Zone where it is located, according to Section 9A of the Zoning Ordinance applying to such Zones; is allowed to continue as a non-conforming use because it existed as a store when the area was placed in the Residence D Zone. However, Section 14A of the Zoning Ordinance provides that no non-conforming building shall be increased in volume.

As regards the other minor alterations, relating to removing of a short partition and building some type of platform and new partition over the stairway, we could, probably, issue that permit if there was enough information on the sketch and the application to show just what is intended and how the work will be supported. If you wish to go ahead with the inside alteration, please furnish a simple plan view and at least one cross sectional view to explain what will be the result as to spans of joists and load bearing capacity, together with indication as to how much weight will likely come upon it. The matter of enclosing the entrance could be deleted from the application and the permit for the interior change issued.

If you desire to try out the matter of enclosing the entrance and thus increasing the volume of the store, the only way that may possibly be done is to resort to the Board of Appeals. If you desire to do that, and will notify this office we will send you a letter which will tell you how to proceed with the Zoning Appeal. If you should secure the permit for the inside change, then you should file application for an amendment to that permit to cover the enclosure of the entrance in case you wish to go ahead with the Zoning Appeal.

If time is of any importance, and you intend to file such an appeal, it should be filed at the office of Corporation Counsel before the close of business on Thursday, April 3, if you expect to get consideration of the Board at the first opportunity.

Very truly yours,

Warren McDonald

Inspector of Buildings

WMCD/B

INQUIRY BLANK

ZONE RD

FIRE DIST. W

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date 1/30/52

Verbal
By ~~Telephone~~

LOCATION 1281 Congress Street OWNER _____

MADE BY Yoland Boulanger TEL. 3-9127

ADDRESS (Donald's Cut Rate) 1281 Congress

PRESENT USE OF BUILDING Variety Store - Patent Medicines Soda Fountain

CLASS OF CONSTRUCTION Third NO. OF STORIES One

REMARKS: _____

INQUIRY: 1- Question whether installing equipment
for serving hot dogs and ~~sandwich~~ hamburgers
will be an unlawful change of the existing
non-conforming use?

OK
7/15/52 ANSWER: 1- See letter

DATE OF REPLY 2/4/52

REPLY BY A. J. Sears

2/2/52

Inquiry concerning store at 1281 Congress Street

1- Building constructed under Permit 45/1742, dated Dec. 7, 1945. Property then in Limited Business Zone.

2- On Feb. 2, 1946 the property where store is located was placed in an R.D. Zone, so that the use of retail store became non-conforming.

3- Store occupied by Yoland J. Boulanger on Dec. 4, 1946, when permit for re-location of door in partition was issued (46/2546). Yoland J. Boulanger, owner. List as P. X. Variety Store in 1947 Directory.

4- Permit 48/110 issued 1/31/48 for moving non-bearing partition. Related permit for refrigeration (48/604) issued to H.P. Hood on 5/29/48. Related permit for warm air heating system issued to owner 5/14/48 (48/735). Listed as Donald's Cut Rate Store in 1948 + 1949 Directories.

5- Permit 49/929 issued 6/25/49 to H.P. Hood for refrigeration.

Inquiry 1281 Congress Street-I

February 4, 1952

Mr. Yoland Boulanger
1281 Congress Street
Portland, Maine

Dear Mr. Boulanger:

In regard to the question raised under the Zoning Ordinance as to whether the installation of equipment for serving of hot dogs and hamburgers in your store at 1281 Congress Street would constitute such a change of the non-conforming use of this building as to be unlawful, it appears that this use will not be such an extension of the soda fountain service already in the building as to constitute an unlawful change. However, it should be borne in mind that where existing non-conforming uses are involved, there are always questions which arise when any change or extension whatsoever is planned from the way in which the building or premises were being used when the use became non-conforming under the Zoning Ordinance. We also wish to make clear that any use in any zone, whether conforming or non-conforming, becomes unlawful if it proves objectionable to the neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration, noise, or other cause.

As you have been informed, a permit issuable only to the actual installer is required for the installation of the grille on which the hot dogs and hamburgers are to be prepared. As explained to you, there are a number of important details concerning the installation of this equipment and the hood with vent required over it about which full information as to compliance with Building Code requirements will be needed before issuance of any such permit. If it should turn out that the hood is to be vented by means of mechanical rather than gravity ventilation, a separate permit issuable only to the installer is required for that installation also.

Very truly yours,

Warren McDonald
Inspector of Buildings

AJS/G

City of Portland, Maine
Board of Appeals

—ZONING—

September 5, 1950

To the Board of Appeals:

Your appellant, Yoland Boulanger, who is the owner of property at 1281 Congress Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Permit to authorize construction of one-story wooden frame addition 30' x 40' on the side of existing store at 1281 Congress Street is not issuable under the Zoning Ordinance because the present store is a non-conforming use in the Residence "D" Zone where this property is located, and Section 14A of the Ordinance stipulates that no non-conforming building shall be increased in volume.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of Zoning Ordinance.

Yoland Boulanger
Appellant

After public hearing held on the 15th day of September, 1950 the Board of Appeals finds that an exception is not necessary to grant reasonable use of property where necessary to avoid confiscation and can not be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may not be permitted in this specific case.

Edward J. Colley
Chairman, Board of Appeals

BOARD OF APPEALS

DATE: September 15, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF YOLAND BOULANGER
AT 1281 Congress Street

Public hearing on above appeal was held before the Board of Appeals

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Colley	()	(x)	
Mr. Lake	(x)	()	
Mr. Moore	()	(x)	
Mr. O'Brien	()	(x)	
Dr. Holt	()	(x)	
	()	()	
	()	()	
	()	()	
	()	()	

Record of Hearing:

Robert D. Schwartz and Mr. Boulanger, pro se

Letters of approval in file

Opposed: Mr. and Mrs. Walter B. Foss, 1268 Congress Street
Walter Allen, 14 Francis Street
Herbert Davis, 1290 Congress Street
and letters and petition in file.

DONALD
INSPECTOR OF BUILDINGS

On reply to file
1281 Congress Street
Portland, Maine

CITY OF PORTLAND, MAINE

Department of Building Inspection

September 5, 1950

Mr. Yoland Boulanger
1281 Congress Street
Portland, Maine

Copies to: Mark Barrett, Assistant Corporation Counsel
Robert D. Schwarz, Esq., 97A Exchange Street
with copy of appeal procedure

Dear Mr. Boulanger:

Building permit to authorize construction of a one story wooden frame addition 30' x 40' on the side of existing store at 1281 Congress Street, is not issuable under the Zoning Ordinance because the present store is a non-conforming use in the Residence D Zone where the property is located, and because Section 14A of the Ordinance stipulates that no non-conforming building shall be increased in volume.

You have indicated your desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

You were told on Friday that we would be unable to process your appeal in time for the scheduled public hearing on September 15, but I find this morning that we are caught up on that sort of work and we are going to try to do our part of the work so that the Corporation Counsel's office can send out the notices postmarked today, just ten days before the appointed hearing.

It seems necessary to warn you before the appeal is filed, however, that you may be confronted with lack of authority on the part of the Board of Appeals to grant your appeal even though they should be inclined to do so, because the appeal clause of the Ordinance, Section 18E provides that in such a case the Board may only permit such exceptions in specific cases where necessary to avoid confiscation.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/G

Enclosure: Outline of appeal procedure

COPY

We, the undersigned, who own real estate in the City of Portland, located within five hundred feet (500') of the property at 1281 Congress Street, known as Donald's Cut-Rate Store, in said City, where Yoland J. Boulanger contemplates the construction of an addition to said store and the general improvement thereof, wish to go on record as favoring this addition and improvement.

1 <i>Peter J. Rogers</i>	29
2 <i>Mrs. Margaret E. Rogers</i>	30
3 <i>George H. Rogers</i>	31
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17	45
18	46
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24	52
25	53
26	54
27	55
28	56

We, the undersigned, who own real estate in the City of Portland, located within five hundred feet (500') of the property at 1231 Congress Street, known as Donald's Cut-Rate Store, in said City, where Yoland J. Boulanger contemplates the construction of an addition to said store and the general improvement thereof, wish to go on record as favoring this addition and improvement.

1	A. F. Randsted	29
2	Emile J. Casey	30
3	Fred LePoult	31
4	Mrs. Madeline Van Digue	32
5	Mrs. C. S. Morton	33
6	Arthur O. Hanson	34
7	Mrs. T. L. Stull	35
8	Bernie H. Fuller	36
9	Frederic B. Nixon	37
10	Albert W. Mitchell	38
11	Philip J. Bernard	39
12	Catherine McDermott	40
13	R. S. L. Fly	41
14	J. C. Curran	42
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25		53
26		54
27		55
28		56

September 13, 1950

THE UNDERSIGNED, BEING OWNERS OF PROPERTY, DIRECTLY AFFECTED, RESPECTFULLY PETITION YOU, REGARDING THE APPEAL OF ONE YOLAND BONLANGER, REQUESTING A PERMIT CONSTRUCTION OF A FRAME ADDITION ON THE SIDE OF THE EXISTING STORE AT 1231 CONGRESS STREET, as objectionable, our reasons are as follows:

- 1) Constant noise from groups of teen-aged children, hanging around the store every evening, on Saturday evenings until the store closes which is quite late.
- 2) Paper, candy wrappers, empty beer bottles, cartons etc., being constantly thrown on the lawns of adjacent properties. Private homes of undersigned people.
- 3) This is a residential neighborhood and as such, a store of this type should not have been allowed in the first place.
- 4) Cars constantly parked in private driveways, front door entrances, so that property owners must park their cars elsewhere and walk to their homes from a longer distance. During bad weather, this is especially inconvenient.
- 5) Paper truck delivery at 4:30 A.M. as the brakes are put on quickly, the tires make a screaming noise as they stop and then bundles of newspapers are thrown out with a loud thump accompanying each bundle.

The names of the petitioners below are all most vitally concerned - being either adjacent to or in front of Mr Bonlanger's store.

* Mrs Richard Murphy	* Walter C. Allen Jr.
* for Mr Patrick & Honey	* Loretta M. Allen
* Edith L. Davis	* Harry M. Sylvestre
* Walter R. Foss	* Johnston E. Bessett
* Mabel J. Foss	
	* Excepting article # 677

September 13, 1950

WE THE UNDERSIGNED, BEING OWNERS OF PROPERTY, DIRECTLY AFFECTED, RESPECTFULLY PETITION YOU, REGARDING THE APPEAL OF ONE VOLAND ROULANGER, REQUESTING A PERMIT CONSTRUCTION OF A FRAME ADDITION ON THE SIDE OF THE EXISTING STORE AT 1231 CONGRESS STREET, as objectionable, our reasons are as follows:

- 1) Constant noise from groups of teen-aged children, hanging around the store every evening, on Saturday evenings until the store closes which is quite late.
- 2) Paper, candy wrappers, empty beer bottles, cartons etc., being constantly thrown on the lawns of adjacent properties. Private homes of undersigned people.
- 3) This is a residential neighborhood and as such, a store of this type should not have been allowed in the first place.
- 4) Cars constantly parked in private driveways, front door entrances, so that property owners must park their cars elsewhere and walk to their homes from a longer distance. During bad weather, this is especially inconvenient.
- 5) Paper truck delivery at 4:30 . . . as the brakes are put on suddenly, the tires make a screaming noise . . . they stop and then bundles of newspapers are thrown out with a loud thump accompanying each bundle.
- * 6) Children gather around the store on Sunday mornings around 7:15 awaiting the Sunday Papers and for an hour or more ride their bikes up and down the streets, screaming their heads off, as they play being dare-devil riders, usually they are accompanied by dogs barking. We feel as though Sunday morning should be one morning that a business person should be enabled to sleep a little longer.
- * 7) Several people who have signed Mr. Boulanger's petition, are of the type, who practically live on beer, ~~at the store~~, ~~at the store~~. There are beer taverns several blocks to the left and several blocks to the right, where beer can be obtained, before the beer license granted to Mr. Boulanger, so there was no necessity of additional.
- 8) Mr. Feeney the original owner of this ~~store~~ was granted a permit to build, as he stated it was to be a drug store, which it never has been, the same reason is given now and we understand that once the building is erected it can be used for any purpose, as long as the permit has been granted.

* Mrs. Richard Murphy * Walter C. Allen Jr.
 * for Mr. Patrick * Honey * Loretta M. Allen
 * Edith L. Davis * Harry M. Sylvestre
 * Walter R. Foss * Johnston C. Bessett
 * *
 * Excepting article 677

Corporation Council.
Portland, Me.

Gentlemen:

I am a customer of Davis & Put
Rate Store and I feel that he should
be allowed to enlarge the store so
we can have a pharmacy in this
district. I have lived in this
neighborhood for about 16 years and
find it very inconvenient to go to
~~the~~ Union Station or Brighton Ave.
for the nearest pharmacy.

Sincerely Truly,

Mrs. Harold Webster
49 Boston St.
Portland, Me.

11. Redman Road
Portland 5, Maine
September 14, 1950

Corporation Council
Portland, Maine

To whom it may concern.

I think it would be a
great advantage for us people
who live on the Stroudwater
bus lines to have Donald's
bus route enlarged as it shows
many shopping trips to the
city and is much more con-
venient than carrying bundles
on the crowded buses.

Sincerely yours.

Ruth W. Paulson

to Corporation Council.

The enlargement of Donalds
cut rate store would be of
great value in this district as
the need of a drug store is
necessary, a larger store would
give better service in that line

Mrs Le Roy James
104 Frances St.,

Wm. Richard H. Lee
44 Townsend St

Corporation Council

Dear sirs:

In regards to
the extension of Donald's
Variety store located at
1281 Congress St. I am
very much in favor of it.
The store at present has
been very helpful to this
section & an addition of
a pharmacy will be very
useful. The people of this
section have no drug in
its immediate vicinity and
where there are numerous
children here it would
be very convenient to have.

prescriptions² filled here in
times of sickness.

Yours truly
Richard H. Lee
44 Cowland St
Portland 4 Maine

9/11/50

Corporation Counsel
City of Portland
Portland, Maine

Gentlemen:

I have been informed
that Yolande Selanger d/b/a
Donald's Cut. Fat at 1281
Congress St. is attempting
to get permission to enlarge
his store. I am heartily in
favor of this move as I
believe it is his plan to
have a Registered Pharmacist
if his plan goes thru. There
is no drug store very near
this neighborhood and families
with children should have
one nearer. I have one child
2 1/2 years old.

Very truly yours
David Mac Donald
17 Mutton Street

The Corporation Council
City of Portland

To whom it may concern -

It is my understanding that
Donald's drug store is endeavoring
to expand his service to our
neighborhood by enlarging his
store and offering medical
prescription service. It is my
 fervent hope that he will be
successful as I consider it
as a practical contribution to
the welfare of the citizens
of this locality. Thanking
you for your consideration
I remain yours - sincerely,

Michael F. Penley,
77 Francis St.
City.

I am in favor of having Fox's
Variety Store enlarged. There are
many items that I will be able
to get there without having to go
in town for.

As I have a small child it
would be so much easier for me
to be able to get some of the things
that I would need, especially
prescriptions.

Wm J. W. Hall

In regards to the enlargement
of Don's Variety Store, I am
very much in favor of it. as
I have 2 children who quite
often come in the need of medi-
cines and I have to go way
in town to have prescriptions
filled. so I think it is a
wonderful idea along that line.
also Don's has come in
handy when other big stores
are closed for needles articles
and I think an enlargement
would make a difference in
the need for things for the whole
family. So therefore I'm very
much for it and I hope it
goes through all right.

Mrs George Locke
25 Russell St.

To Corp. Council.

Being a daily patron
of Jones Variety Store, I see
no reason why they should
not be allowed to make an
addition to their store.

As I understand it, this will
make things much easier for
people living in the section
as they will be able to get
a few of the things that are
needed, and at a time when
some of the larger stores in
town are closed.

I personally do not see
how an addition would be harmful
in any way, but instead a great
benefit to the community.

Mrs. Clifford H. Whinn

17 Powsland Street
Portland, Maine
September 14, 1960

TO WHOM IT MAY CONCERN

I am completly in accord with the petition of Donald's Cut Rate to build an addition to the present building. It will be a decided asset to the neighborhood and its residents. We have been in need of a more complete neighborhood store for years. At the present, it is impossible to obtain even minor home needs, unless it is convenient to go into the center of Portland.

I sincerely hope that the board will find it feasible to issue the proper liscence needed for the addition.

Yours truly,

A.T. Nicholas
A.T. Nicholas

AN/am

Incorporation Council
Portland, Maine: -

Gentlemen: -

As a resident of the
western section of Portland
Maine I believe that an
enlargement of the store
known locally as "Dox's"
would greatly benefit
our section. We depend
on said store to furnish
us with various patent
medicines and sundries
that otherwise would
necessitate a trip

in town⁴ In the few
years he has been here
the store and the owner
have been both greatly
appreciated by the whole
community. His growth
is proof of the patronage
of our west enders.

Respectfully
Robert S. Doucette
28 Mass Ave
Portland Me

56 Gouldland Street
Portland 4, Maine

14 September 1950

Corporation Council
Portland, Maine

Dear Sirs,

As a regular customer of Donald's
Sweet Rate store on 281 Congress Street, I
feel that he should be allowed to build an
extension on his building to expand the
facilities of his business. It would be to
the advantage of many people in this
community to have a regular pharmacy in
this neighborhood due to the fact that the
nearest drug store is at Union Station, a
distance too far for some to walk and
inconvenient to get to by bus.

Yours truly,

Mrs. Paul Mair

Wts of Appeal
City Council.

Dear Sir
I live on 47 Bolton St and
have trading at Lord St and
think it would be a benefit to
the community if he desire to
expand his business.

Sincerely
Ed J. Brown

Sept 14, 1950

Corporation Treasurer.
Portland, Maine

Autism

I think Donald's Cut Rate Store at
1881 Congress St. is a great ad-
vantage - to most people in
this neighborhood. It definitely
is to me.
The most important is to be
able to purchase supplies
for my baby. With the addition
and a Registered Pharmacist,
it most certainly would be
much more so. We now have
to go approximately one mile
to the nearest drug store and
that is raised much earlier
than Donald's. The time element
in a good many cases is
very important.
If the store was not objected
to before, it is very inconse-
quential to object to an additional
that would be more advan-
tageous.

Very truly yours,
Mrs. Audrey Jacobs
54 Donald St.
Portland, Maine