

Rear 22-24 FREELE STREET



First cut # 828R - Half cut # 8222R - Third cut # 8203R - Fifth cut # 8215R

46/22

**City of Portland, Maine**

IN BOARD OF MUNICIPAL OFFICERS

April 1, 1946

**ORDERED:**

That the appeal under the Building Ordinance of Preble, Inc. at 22-24 Preble Street (rear) relating to construction of an extensive canopy using combustible materials in the canopy contrary to Section 472al of the ordinance as applied to construction in Fire District No. 1 where the property is located, be sustained subject to the following conditions:

1. That all terms of the Building Code not involved in this appeal be complied with.

2. That the entire cornice be covered with metal and that the under side of the wooden roof framing of the canopy be protected by a ceiling of non-burnable material.

BECAUSE enforcement of the ordinance in this specific case involves unnecessary hardship by preventing an economical method of constructing the roof of the canopy; and desirable relief may be given without substantially departing from the intent and purpose of the ordinance in that the wide open spaces under the canopy would obviate exposure fire hazards either to or from the proposed structure.

AP 22-24 Preble St.  
(Rear)-I

March 23, 1946

Preble, Inc.  
477 Congress Street  
Portland 5, Maine

Subject: Proposed Building Code appeal relating  
to construction of a canopy of combustible mat-  
erial in Fire District No. 1 at the Rear of 22-  
24 Preble Street

Gentlemen:

As referred to in my letter of December 20, 1945, your contractor has advised us that you wish to file a variance appeal under the Building Code with the Municipal Officers seeking the right to construct the canopy of combustible material at least in part.

Accordingly the Building Code appeal form is enclosed (original and one carbon copy, the latter for your information and file) with the statement on the form as to why a building permit covering the canopy cannot be issued.

Since the construction of the canopy was excluded from the building permit, it is now necessary for you or your contractor, acting as your agent, (he is receiving a copy of this letter) to file here an application for amendment to the original permit covering the construction of the canopy. Your appeal will then be based upon that application for amendment. Until the application for amendment is filed the filing of the variance appeal cannot be completed.

As to the appeal, you should fill in the information as to why compliance of the ordinance works unnecessary hardship upon you and why you think the Board of Municipal Officers ought to grant a variance, in the space on the form provided therefor. Then have the form signed by an authorized officer of the company and return the original to this office for filing with the Board of Municipal Officers to act as the Board of Appeals under the Building Code.

If you can have the application for amendment and the variance appeal form filed here no later than Tuesday night, March 26, the Board will probably afford hearing on the proposition at a meeting set for other matters at the Council Chamber, City Hall, on Friday, March 29, 1946, at eleven o'clock in the forenoon. In case you file the appeal by Tuesday night, please accept this letter as notification of the hearing and make arrangements to be represented at the hearing in support of the appeal.

Very truly yours,

Inspector of Buildings

ENCLOSURE

CC: J. H. Kennedy, 105 Preble Street

Messrs. John Howard & John Calvin Stevens, 187 Middle Street

BS  
ATH  
RMT  
PH  
AJS  
HL



PERMIT ISSUED

Original Permit No. 15/1817

Amendment No. RECEIVED

AMENDMENT TO APPLICATION FOR PERMIT 2-1946

Portland, Maine, March 29, 1946

DEPT. OF PUBLIC WORKS

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for an amendment to Permit No. 15/1807 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location Rear 22-21 Preble Street Within Fire Limits? Yea Dist. No. 1

Owner's or Lessee's name and address Preble, Inc., 177 Congress Street

Contractor's name and address J. R. Kennedy, 105 Preble Street

Plans filed as part of this Amendment see original plan No. of Sheets

Is any plumbing work involved in this work? Is any electrical work involved in this work?

Increased cost of work Additional fee

Framing Lumber: Kind? Dressed or Full Size?

Description of Proposed Work

To construct wooden frame canopy for parking area, as per plans.

Permit Issued with Letter

Special Sustained conditions 4/1/46

Preble, Inc.

Approved.

Signature of Owner - By: [Signature]

Chief of Fire Department

Approved: [Signature] Inspector of Buildings

Inspector of Public Works

BP 45-1807-Add. /1-1

April 2, 1946

Freble, Inc.  
477 Congress Street  
Mr. J. H. Kennedy  
105 Freble Street

Subject: Approved amendment to building permit  
at 23-24 Freble Street (rear), amendment to  
cover construction of canopy in the open air.  
Building Code appeal relating to combustible  
material in Fire District No. 1 having been  
sustained conditionally

Gentlemen:

Building Code appeal as above was sustained conditionally by the Board of  
Municipal Officers on April 1, 1946, the conditions being as follows: (1) That  
all terms of the Building Code not involved in the appeal be complied with; (2)  
That the entire cornice of the canopy be covered with metal and that the under side  
of the wooden roof framing of the canopy be protected by a ceiling of non-burnable  
material.

Accordingly the approved amendment governing construction of the canopy is issued  
herewith to the contractor.

Very truly yours,

Inspector of Buildings

WHD/s

CC: John Howard & John Calvin Stevens  
187 Middle Street

*File in this  
Room  
Preble 4/3/46*

JOHN HOWARD STEVENS, A.I.A. JOHN CALVIN STEVENS, 2ND, A.I.A.  
ARCHITECTS  
117 MIDDLE STREET, PORTLAND 3, MAINE

April 2, 1946

Mr. Warren McDonald  
Inspector of Buildings  
City of Portland, Maine

Steel girder - Preble, Inc.

Dear Sir:

On receipt of your letter of March 13, we added the required detail to our original drawing, and sent three copies to Preble, Inc. Drawing is dated "Revised Mar. 15-46".

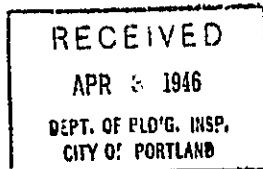
Our understanding was that the owner was to forward one of those prints to your department to take care of the proposed amendment covering the fact that an opening full width of the new corridor had been made, instead of the 6'0" opening for a door as shown by the original plans.

Sincerely yours,

*John Howard Stevens*  
John Howard Stevens

JHS:MM

cc Preble, Inc.



BP 45/1807-Amdt #1-I

ATH  
RLE  
LH  
AJL  
HL  
BS

April 1, 1946

Messrs. J. H. & J. C. Stevens  
187 Middle Street  
Portland 3, Maine

Gentlemen:

With reference to my letter of March 13 asking details of design and statement of design on a certain listel where opening in brick wall was changed at the Preble, Inc. job at the rear of 22-24 Preble Street, we have not yet received this information and are, therefore, <sup>not</sup> able to issue the amendment.

Will you be kind enough to furnish this information without delay, so that we may clear both the owner's and the contractor's records as to this work having been done without a permit?

Very truly yours,

Inspector of Buildings

wcb/s

Preble, Inc.  
177 Congress Street

J. H. Kennedy  
Preble Street







Original Permit No. 15/31 120

Amendment No. 1

APR 2 1946

AMENDMENT TO APPLICATION FOR PERMIT

Portland, Maine, Mar. 8, 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for an amendment to Permit No. ... pertaining to the building or structure contained in the original application in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location - Rear 22-24 Preble St. Within Fire Limits? - Yes - Dist. No. 1
Owner's or Lessee's name and address - Proble Inc. 177 Congress St.
Contractor's name and address - J.E. Kennedy 105 Preble St.
Plans filed as part of this Amendment - No. of Sheets
Is any plumbing work involved in this work? - Is any electrical work involved in this work?
Increased cost of work - Additional fee - .25
Framing Lumber: Kind? - Dressed or Full Size?

Description of Proposed Work

To change 5' opening between Wheeler lobby and new passage to Brown St. to 12' 2-12" I reinforced

Approved:

Chief of Fire Department

Commissioner of Public Works

ORIGINAL

Signature of Owner - Proble Inc.

Approved - Inspector of Buildings

12-14 Probins St.-7

ATH  
RUT  
PH  
WJS  
HL  
BS

December 29, 1935

Probins, Inc.  
477 Congress Street  
Mr. J. H. Kennedy  
125 Probins Street

Subject: Alterations and addition to providing parking space and passenger to parking space at the west side of the lobby of Civic Theater.

Gentlemen:

Building permit for the above work is issued to owner, herewith, subject to the following:

1. The extensive canopy in the open air is excluded from the permit, pending the owner's decision whether to make the roof entirely of non-burnable material in accordance with requirements of the Building Code in Fire District No. 1, or to seek a variance appeal from the Board of Municipal Officers with the view of allowing the wooden roof framing shown on the plans. I understand some of the foundation has already been put in without a permit first having been secured. Please be sure that no more work whatever is done on the canopy until the question at issue is settled. If the owner desires to seek a variance appeal, and will notify this Office, the proper form will be sent to them. Next opportunity for hearing on such an appeal will be on January 4 with expectation of action on January 7.

2. The permit is issued without prejudice as to the question of adequacy of toilet facilities of the Civic Theater, the theater of course being an activity licensed by the Municipal Officers. The toilet rooms, formerly used by the patrons of the theater, have not been used for a long time, and when use of these toilet rooms was discontinued, additional toilet fixtures were provided in the men's and women's toilet rooms at first balcony level. The current alterations show that these former toilet rooms are to be given up entirely, and if, through complaint or otherwise, the Municipal Officers should conclude that the toilet facilities at the first balcony level are not adequate either as to number or convenience of access, then something else would have to be done under the license.

3. I understand the roof joists over the addition are to run in the direction approximately at right angles to Brown Street and are to be built with the usual 1x6 cross-bracing, a metal lath and plaster ceiling and the required anchors from joists to masonry walls both where the joists are parallel to the masonry walls and where they bear upon the masonry walls. If a wooden plate is to be used, bolted to the wall for the roof joists to bear upon, masonry firestops should be used above the plate under the under side of the roof joists to firestop the ceiling.

4. I understand the present parking space and filling station office is to be removed. Whether or not this means a change in location of any gasoline tanks and pumps that now exist or new tanks and pumps, is not yet known. These facilities require separate permits from this department, issuable only to the actual individuals. The permits require approval of the Chief of the Fire Department before being issued, and it would be well to take up with him without delay proposed locations of such facilities to avoid difficulties when the job is nearing completion.

Very truly yours,

(OVER)

Inspector of Building

Fuch/S  
CC: John Howard & John Calvin Stevens, 67 Middle Street

P.S. With reference to my former letter and the location of fire separation  
without openings between the non-business occupancy and the theater lobby, since  
only the women's toilet-rooms into the new passageway, and since it appears  
that no part of the new passageway is to be used for any business use but purely as  
a corridor, it seems fair to rule that the fire separations are not necessary. It  
should be borne in mind that no part of the business occupancy is allowable in the  
corridor.

CITY OF PORTLAND, DEPT. OF BUILDING INSPECTION

Check List of Compliance with Building Code and Zoning Ordinance Requirements

December 15, 1945

Job Location Reer 22-24 Prable Street Owner Prable, Inc.

Contractor J. H. Kennedy Architect J. H. & J. C. Stevens

References at left are to sections of Building Code where applicable. If plan maker disagrees with statements below, he should seek a conference by phone or in person at this office. If he agrees, plans and application should be corrected accordingly.

1. Sec. 194b3. Statement of design lacking to cover structural steel.
2. Sec. 212b, 212g1 and 202a1. See separate letter to owner and architect.
3. Sec. 205b. Masonry parapet wall no less than 8 inches thick and no less than 32 inches high required on side of addition next to private property line. Also, standard fire windows (metal sash and wire glass) required in that wall. A panel of glass blocks is noted, and I believe the Underwriters Laboratories attribute some special fire resistance to certain makes of these glass blocks. Whether or not they are considered equivalent to a wire glass window, I have not had time to determine.
4. Sec. 307b8.1. Specify type and thickness as well as spacing of metal ties evidently to be used where face bricks are exposed inside.
5. Sec. 307b6. It is understood that all cornices are to be covered with galvanized metal on the outside and that the brick walls are to be built up to the roof sheathing between the joists; also that firetops of non-burnable material are to be used if there is any case where the new ceilings adjoin a masonry wall that is strapped. These things ought to be specified.
6. Sec. 311c3.2(c). Wall anchors from masonry walls to roof joists.
7. The wood fill over the new outside doors from lintel to roof is not allowable either under the head of Second Class Construction or the Fire District rules.

(Above information furnished to architect only).

Harfen McDonald

AP 22-24 Preble St.-1  
(filling station office)

ATR  
HMT  
H  
AJS  
HL  
BS

December 27, 1945

Messrs. John Howard & John Calvin Stevens      Subject: Application for building permit to cover addition to the building housing the Civic Theater at the rear of 22-24 Preble Street for passageway to parking space and filling station office

Gentlemen:

The following major questions as to compliance with the Building Code arise in connection with the above job, and a number of minor questions in the same connection are being taken up direct with the architect:

1. The door to women's toilet room from the new passageway forms a direct connection without fire protection between a business establishment and the lobby of the theater but Section 2123 Schedule A requires separation walls of 4-hour fire resistance without any openings. This question could be avoided by installing the office doors in the brick wall near the corner of the women's toilet, marked on the plan to be removed, if the side passageway from theater lobby to this point were not to be leased or used for any business purpose unless making up a part of the theater quarters.

2. This location is within the limits of Fire District No. 1 where the wooden frame roof of the canopy is not allowable. Refer to Section 4021 of the Building Code.

3. As I understand the proposition, the space which is to be made into the new passageway is now occupied by toilet room for the Civic Theater. There is no provision of toilet facilities for the theater to take the place of those removed. Therefore, the question comes up as to whether or not, after the removal, the toilet facilities for the theater to satisfy the requirements of "a sufficient number" of toilet facilities called for by Section 2123 of the Building Code.

Very truly yours,

Inspector of Buildings

END/S

CC: Mr. J. H. Kennedy  
105 Preble Street

**(G) GENERAL BUSINESS ZONE  
APPLICATION FOR PERMIT**

**PERMIT ISSUED**  
**1807**  
**DEC 20 1945**



Class of Building or Type of Structure Second Class

Portland, Maine, December 12, 1945

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~erect~~ alter ~~remodel~~ ~~construct~~ all 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 Bear 22-24 Preble Street Within Fire Limits? Yes Dist. No. 1  
 Owner's name and address Preble, Inc., 477 Congress Street Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address J. H. Kennedy, 105 Preble St. Telephone 309672  
 Architect H. Stevens 4-3157 Specifications none Plans yes No. of sheets 2  
 Proposed use of building Stores, offices and parking office No. families \_\_\_\_\_  
 Last use \_\_\_\_\_ " " \_\_\_\_\_ No. families \_\_\_\_\_  
 Material masonry No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_

**Memorandum from Department of Building Inspection, Portland, Maine**

**P-2-24 Preble Street--Alterations in addition at west side of Civic Theatre lobby for Preble, Inc. by J. H. Kennedy, builder, and J.H. & J.C. Stevens, architects--1/15/46**

**Preble, Inc.--Attention Mr. Palmer** CC: **Mr. J. H. Kennedy, 105 Preble Street**  
**477 Congress Street** **J. H. & J. C. Stevens, 137 Middle Street**

Gentlemen:

Please note question of wooden frame canopy and its exclusion from the building permit as per my letter of December 20. I assumed after talking with architect that you would have decided before now whether to provide a canopy of incombustible material or to seek the right from Municipal Officers to use wooden frame in the Fire District.

No application for amendment to cover incombustible canopy or any other kind has been received. Neither do we have in the files of the Appeal Board any application for variance appeal. Please advise promptly what your plans are. No doubt it is understood by all concerned that no work is to be done (Signed) **Warren McDonald**  
**Inspector of Buildings**

*see attached ... 29, 46.*

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.

**Details of New Work**

Is any plumbing work involved in this work? Yes Is any electrical work involved in this work? Yes  
 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 lobby 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 3 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 trees 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: Oliver G. ...

Preble, Inc.

Signature of \_\_\_\_\_

1302



(1) GENERAL BUSINESS ZONE  
APPLICATION FOR PERMIT

PERMIT ISSUED  
1807  
DEC 20 1945

Class of Building or Type of Structure Second Class  
Portland, Maine, December 12, 1945

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~erect~~ alter ~~existing~~ ~~structure~~ ~~equipment~~ all 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 Rear 22-21 Preble Street Within Fire Limits? Yes Dist. No. 1  
Owner's name and address Preble, Inc., 177 Congress Street Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address J. H. Kennedy, 105 Preble St. Telephone 3-9672  
Architect H. Stevens 4-2157 Specifications none Plans yes No. of sheets 2  
Proposed use of building Stores, offices and parking office No. families \_\_\_\_\_  
Last use \_\_\_\_\_ " " \_\_\_\_\_ No. families \_\_\_\_\_  
Material masonry \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ 2500 Fee \$ 3.75

General Description of New Work

To close up three openings in existing masonry walls in former men's toilet room;  
To cut in new opening between former men's toilet and theatre lobby;  
To construct 1 story brick addition 8'x19' to side of building as per plan-Brown Street side.  
To remove 7'6" wall from (outside) of former men's toilet room to provide entrance to existing parking lot - as per plan.  
To provide new door from parking lot thru to Preble Street entrance.  
To close up existing door from lobby to ramp leading to Brown Street.

*outside copy of closed from permit*  
Permit Issued with Letter  
*see attached memo dated Nov 29th, 46.*  
12/13/45  
Issued from Pts 307 & 312/45

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.

Details of New Work

Is any plumbing work involved in this work? Yes Is any electrical work involved in this work? yes  
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 from lobby 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? \_\_\_\_\_

APPROVED: *Oliver T. [Signature]*

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

Preble, Inc.

*13 B. De...*



Permit No. 457-1807

Location R. 22-24 (Pulle St.)

Owner Pulle St. Inc.

Date of permit 12/20/45

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

*filling in and tanks  
see 4/3/46 4/1/46*

**NOTES**

*Water tank  
12' diam 2-12" thick  
First floor and 2nd  
floor in basement  
4/3/46. Add in 1st floor  
steel window on south*

*small and small water  
cast iron (in new work)  
N.Y. 28 glass blocks. See  
1/22/46 - 1/22/46 date  
1/22/46. Fire protection  
equipment, etc.*

NO.	DATE	DESCRIPTION	BY	REMARKS
1	12/20/45	Permit issued		
2	1/22/46	Fire protection equipment, etc.		
3	4/3/46	Add in 1st floor steel window on south		



45/381-1  
Public Assesblage

September 1, 1943

Heracliel Amusement Co.  
c/o Civic Theater  
477 Congress Street  
Portland 2, Maine

Subject: Alterations of seating at Civic Theater  
to provide additional aisles to reach emergency  
exits.

Gentlemen:

Let me review the progress on the above subject, the actual accomplishment of this objective having dragged along for much too long a time, even making generous allowance for the difficulties of the present time. You were required to provide certain additional cross aisles for safety of the patrons in reaching exits several months ago and with the latter there were certain definite suggestions as to how the objective could be accomplished. After consultation with your architect, counter proposals were made which involved taking out fewer seats, and after some conferences the counter proposals in the main were accepted by the Enforcing Officers. Because of the difficulties of showing the plans all of the warped surfaces, etc. necessary to eliminate obstructions in such aisles and passageways, the permit for the changes was issued on May 1 with the understanding that the details of the work was to be supervised by the architects and the work completed in such a manner as to present the best possible safety for the patrons.

Now it appears that the contractors are ready to go ahead and complete the work, but it appears the change proposed by the architects near the front of the orchestra level at the left as one faces the stage cannot be carried out due to some pipe coils or other equipment in the cellar which presents the changes in the floor which were contemplated.

If that is a correct statement of the situation, then there is nothing else to do than to go back to the original suggestion of the Enforcing Officers as to the new aisle in that particular part of the orchestra floor. Please have the architects revise that plan accordingly and instruct the contractors to file application for amendment to the original permit to cover this change, the revised blueprint to be filed with the application, so that the contractor may get on with the actual work and complete it without further delay.

I have the impression that the attitude all around is that when the reasonable demands of safety are difficult to meet, the City is always expected to modify the requirements. Such an attitude is not very good from the standpoint of the patrons, and I can see no reason for modification in this case. In connection with all of this work, we are leaning heavily upon the judgment of the architects as to warping the floors and eliminating wherever possible obstructions and otherwise might be in the way of people trying to reach the emergency exits in case of near panic. I hope that it will be realized that they are not through with the job until it is accepted, and that this latter difficulty will be overcome at once without further delay. It seems to me that we have been rather lenient and all together too patient with this necessary change, and I as one of the Enforcing Officers do not intend to be satisfied with much longer delay in securing a finished and satisfactory job. My recourse in event the work does not proceed and get finished without delay, is obvious.

CC: Miller & Deal Inc., 465 Congress St. Very truly yours,

Burnham-McLellan, 491½ Congress St.

Chief Sanborn  
RMB/8

1 Rept 5136-D-1

May 1, 1945

Burham-Melellan,  
491 1/2 Congress St.,  
Portland, Maine

Subject: Alterations of Seating at Civic Theatre  
to Provide Additional Aisles to Reach Emergency  
Exits.

Gentlemen:

It is my understanding that your foreman and Mr. Beal are to work out the details of the ramps and warping of the floor, etc. in the manner best calculated to avoid accident on the part of occupants of the theatre, both while the alterations are being made and after.

I know this cannot be shown in detail on the plan, but I am sure you appreciate the importance of avoiding sharp breaks or steps in ramps between existing aisles.

We have said little about lighting these new aisles, but it will be necessary to adopt the best possible arrangements not only to illuminate the aisles and steps but to indicate where they are.

I have a complaint of some rocks standing from patrons of the theatre to the effect that steps in the aisles (I should judge practically at the places in outside aisles at which you will be working) are not illuminated sufficiently to avoid accident. The management, which is receiving a copy of this letter, is expected to do everything possible to improve this situation.

Very truly yours,

CC Herschel Amusement Co., Inc. (Signed) Warren McDonald  
c/o Civic Theatre Inspector of Buildings  
Miller & Beal, Inc.



# APPLICATION FOR PERMIT

PERMIT NO. 050  
MAY 1 1919

Class of Building or Type of Structure Second Class

Portland, Maine, April 20, 1919

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location Rear 22-24, Preble Street Within Fire Limits? yes Dist. No. 1  
 Owner's or Lessee's name and address Preble, Inc. Telephone \_\_\_\_\_  
 Lessee - Civic Theatre (Herschel Amusement Co., Inc.)  
 Contractor's name and address Furnham McEllis, 191 1/2 Congress St. Telephone 2-5951  
 Architect Miller & Paul Plans filed yes No. of sheets 1  
 Proposed use of building Theatre No. families \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ 400. Fee \$ 1.00

### Description of Present Building to be Altered

Material brick No. stories 3 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Last use Theatre No. families \_\_\_\_\_

### General Description of New Work

To remove certain seats and ramp floor to aisle  
 To install new riser and ramp floor from seats to riser  
 Fill in floor between seats and side aisle - all as shown on plan - both sides

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.

### Details of New Work

Is any plumbing work involved in this work? \_\_\_\_\_  
 Is any electrical work involved in this work? \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
 Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
 To be erected on solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
 Material of u. d. pinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
 Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
 Framing lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_  
 Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board \_\_\_\_\_ Size \_\_\_\_\_  
 Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet Sills and corner posts all one piece in cross section.  
 Joists and rafters: 1st floor \_\_\_\_\_ 2nd \_\_\_\_\_ 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_ 2nd \_\_\_\_\_ 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_ 2nd \_\_\_\_\_, height? \_\_\_\_\_

If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

### If a Garage

No. cars now accommodated on same lot \_\_\_\_\_ to be accommodated \_\_\_\_\_  
 Total 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 above work require removal or disturbing of any shade 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? \_\_\_\_\_

INSPECTION COPY  
 Signature of owner Furnham McEllis By Philip M. Curran  
 Preble, Inc. - Civic Theatre, Lessee



C-38-51-I

April 6, 1939

Frank W. Palmer, Receiver  
Preble Corp.,  
477 Congress Street,  
Portland, Maine

Dear Sir:

I have approved generally the scheme of providing 12 inch channels on both sides of the laminated wooden girder beneath the first balcony in Keith's Theatre as indicated on the large scale plan of Miller & Beal received yesterday. That plan shows no bolts through the channels and the wooden girder, but I presume that is merely an oversight because Mr. Lerry has indicated that they are to be provided to fasten the whole outfit together, it being understood that the old wooden girder is not figured to take any of the fibre stress.

The exceedingly dangerous conditions uncovered by your contractor, far more dangerous than the conditions found last year when we were going over this situation, with their implications as to the negligence and irresponsible carelessness that must have been present both as regards the design and the actual construction of this balcony in the first place, naturally makes us uneasy as to the safety of other parts of the building, especially both balconies.

May I express to you my appreciation of your thorough going cooperation in this situation which must be very difficult for the interests which you represent. Your fine attitude has played no small part in avoiding an imminent catastrophe horrible to contemplate.

I know that we are all determined that when the repairs are made there will be no further need for concern or worry about any of the structure; and I realize that it is easy to theorize about strengthening the structure and very difficult to carry out the theory in a practical way amid existing conditions which limit the scope and capacity of both designer and contractor, however, I do feel that the posts supporting the upper balcony should be definitely bolted to the plates resting upon the new channels and that the plates beneath the new channels ought to be definitely bolted to the posts beneath the first balcony, if there is any feasible way of doing it. Also, I think that every bit of the old laminated girder beneath the first balcony should be examined and that strategic places in the second balcony should also be thoroughly examined, and that all of the columns of both balconies should be checked as to their conditions and their design. I understand that you do not contemplate using the second balcony ever again, but I think that all of the members in and below the second balcony should be checked up and strengthened, if found necessary, in precisely the same manner as though the second balcony were to be used again.

Very truly yours,

WMB/H

Inspector of Buildings

CC: Brown & Berry, Inc.  
22 Monument Square

C-38-51-I

October 5, 1938

Miller & Beal, Inc.  
465 Congress Street,  
Portland, Maine

Gentlemen:

The plan of strengthening Keith's Theatre balcony, dated October 3, 1938, which Mr. Mayo brought to the office yesterday appears to satisfy present Building Code requirements as to strength of members to resist the theoretical loads established by the Code.

It is my understanding from Mr. Mayo that through bolts will be used instead of the lag bolts shown on the plan where the 2x12 spruce joists are bolted to the ~~centers of the~~ 5x12 girders, where the 2x12's are bolted to the 2x8 cantilevers, and at least on the end bolts fastening the 1 1/2 inch channel at the ends of the laminated hard pine girder. Unless care is used to be sure that the 5x12 timbers get a direct bearing upon the 12 inch channel, it seems to me the intermediate bolts fastening the channel to the laminated girder should be through bolts also.

When you are ready to go ahead with the work, a building permit from this department is required, and it would be well to have the contractor apply for that permit, and the plan that we have may be used unless changes are made in the meantime.

I understand there are some conditions as regards the present timbers being broken or weakened which are to be taken care of during the progress of the job.

Because I consider the work extremely important from the standpoint of safety, I am going perhaps beyond my duty in recommending to Mr. Palmer that he have you perform complete supervision of the actual work with a provision in the contract, if any, to cover performing details that may require attention but may not be found until the work is underway.

Very truly yours,

CC: R. H. Barbour  
WMCd/H

Inspector of Buildings

CC: Frank L. Palmer, Receiver  
Preble Corp., 477 Congress St.

Dear Mr. Palmer:

Please note the last paragraph above. I do honestly recommend that you have Miller & Beal see the job completely through to the end. While this office is very much interested and we will do all that we can in the matter, our force is so small and the pressure of work is so great that we are unable to give this work the supervision that it merits.

Warren McDonald

C-58-51-I

September 29, 1938

Miller & Beal, Inc.  
465 Congress Street,  
Portland, Maine

Gentlemen:

I agree with Mr. Barbour's figures relating to strengthening the balcony at Keith's Theatre, as far as these figures go, but there are discrepancies between the assumptions on your original plan and his plan, and there are some of the practical details of the strengthening proposed on his plan, which it appears may be questionable, as follows:

The spruce beams inclined under the main balcony, Mr. Barbour has not investigated. You will understand that from the standpoint of this department questioning and investigation of one part of such a structure used continuously by the public must lead to questioning and investigation of the entire structure. My figures seem to show that the actual bending moment on each of these beams would be something over 95,000 inch pounds, while the actual resisting moment of each beam (assuming they are full size 3x12) appears to be only 79,000, - a deficiency of 14%. Mr. Mayo suggested last spring that the six inch channels, which you then showed on your plan at every beam (18 inches on centers) could be counted upon to make good this deficiency in the 3x12's. This seems like sound reasoning. The later plan, however, shows new channels only on alternate beams, except at the aisles. I think that reinforcement should be shown for each 3x12 and that Mr. Barbour's figures should show the analysis of it.

The present arrangement of 2x6's cantilevered at the front of the balcony has nothing to commend it, and it seems reasonable to me to ignore the strength of the 2x6's, except in their capacity of holding the present structure together and transmitting the loads to the reinforcing steel. To do this would require reinforcement of each 2x6 as shown on your original plan, affording at the same time means of reinforcing each of the 3x12's.

The use of 1sg bolts to fasten the 12 inch channel to the existing laminated girder seems questionable to me. It seems to me that at least the end bolts ought to be through or toggle bolts. I can see that Mr. Barbour must have assumed that the bent channel would be driven up snug under the ends of the 3x12's, thus having the main load from the 3x12's deposited directly upon the channel and thence to the wooden beam through the end bolts, but often these theoretical conditions do not obtain in actual construction and I think no precaution should be overlooked.

Your plan shows the laminated girder to be on a 20 foot span; his plan on a 19 foot span. I should also like to see his analysis of the effect, if any, of the thrust of the inclined beams on the 5 inch cast iron columns in front of the balcony.

Very truly yours,

MMcD/H

P.S. One of Mr. Barbour's prints returned herewith.

Inspector of Buildings

C-38-51-3

June 20, 1938

Hillier & Seal, Inc.  
465 Congress Street,  
Portland, Maine

Attention Mr. Mayo

Gentlemen:

When I talked with Mr. Mayo concerning the plans for strengthening the balcony at Keith's Theatre, I understood that he was to furnish for me an analysis of the strengthened supports of the cantilever of the balcony and its effect upon the wooden floor beams under the main balcony which do not seem to figure up to present day requirements. I have nothing from him.

I am sorry that the matter has lain so long, but we have been very busy with current work and unable to devote time to it. I have, however, inquired from a friend of mine who is an authority on such matters, and although he has not had the benefit of seeing your plans he says that the bending induced in the columns by the eccentric moment in the curved beam should be checked and that it may prove quite large. It is his opinion that the curved girder may be figured in about the same manner as though it were straight between the supports.

A few people who are in a position to know who understand this cantilever construction, I mean designers out of town, consider it extraordinary, as it undoubtedly is. For this reason I wish to be very sure that everything analyzed out all right.

When do you think you can get this analysis to me? I will be away until June 27th but would like to get the matter cleared up as soon as possible after that.

Mr. Palmer has a copy of this letter.

Very truly yours,

Inspector of

RMCD/S

CC: Frank L. Palmer, Receiver  
Preble Corp.  
477 Congress St.  
Portland, Maine



Mr. James says that they will take care of  
balcony matter in Keith's Theater.

He says that they do not own building  
at 63 Brown Street for which demolition per-  
mit has been issued, altho he thought they  
did. He says that property is in the hands  
of the U.S. District Court and he imagines  
permission should be obtained from Feder-  
al Judge Peters before demolition is started.

He is sending man down for permit to  
demolish building at 57 Brown St. which  
they do own. A.G. 3/26/08

C-38-21-1

4-14-58

March 25, 1958

Frank L. Palmer, Receiver  
Preble Corp.  
465 Congress Street, Rm. 714  
Portland, Maine

Dear Mr. Palmer:

Several years ago we received a number of complaints about the balcony in Keith's Theatre,--the first balcony, to the effect that the balcony could not be safe because there was so much vibration evident to people in the seats when persons pass up and down the aisles. I investigated myself and could notice a very definite vibration when an usher passed up and down the aisle. A casual examination of what could be seen of the supports of the balcony disclosed no definite trouble.

We have again received a report about this vibration. It might be easy to say that this has existed for a long time and therefore is not dangerous, but the theatre is a licensed activity upon the structural safety of which I, as a member of the Inspection Board of the city, am compelled to pass each year, and I do not feel that I can take the responsibility of it.

The balcony and give to us a written report of the conditions found and his opinion upon it, correcting any conditions, of course, which are found unsafe, this to be done before the Inspection Board makes any recommendation to the Municipal Officers concerning the license of the theatre, a recommendation which is due before May 1, 1958.

I am sure you will understand my attitude in the matter, and that this department is unable to perform the function of making this examination.

Very truly yours,

WMD/H  
CC: Charles M. Kellerman, Mgr.  
20 Preble Street

Inspector of Buildings

P39/317-I

October 27, 1939

Frank L. Palmer, Receiver  
465 Congress Street, Rm. 714  
Portland, Maine

Dear Mr. Palmer:

Now that the former Keith's Theatre is to open again, I am anxious that nothing shall happen to nullify the substantial work that you have done in strengthening the balcony.

When we consider the faulty work that was done in originally constructing the balconies, we naturally tend to wonder if all of the other construction which is concealed might not be faulty, also.

I am not advocating *striking* out any plaster or other material to find out, but I am told that the theatre is about to be redecorated, an operation which will no doubt require extensive scaffolding.

While this scaffolding, ladders, etc. are in place, I strongly recommend that you employ a thoroughly trustworthy man to go all over the parts that can be reached including such hanging equipment as the light fixtures to see as far as is possible if everything is secure.

Very truly yours,

WMD/H

Inspector of Buildings

4003C-I

April 1, 1933

Brown & Berry, Inc.  
12 Monument Sq.,  
Portland, Maine

Gentlemen:

Enclosed is the building permit covering strengthening of the first balcony of Seith's Theatre.

In connection with this job I wrote to Miller & Beal, architects, on October 5, 1932 in part as follows:

"It is my understanding from Mr. Mayo that through bolts will be used instead of the lag bolts shown on the plan where the 2x12 spruce joists are bolted to the 3x12 girders, where the 2x12's are bolted to the 6x6 cantilevers, and at least on the end bolts fastening the 12" channel at the ends of the laminated hard pine girder. Unless care is used to be sure that the 3x12 timbers get a direct bearing upon the 12" channel, it seems to me the intermediate bolts fastening the channel to the laminated girder should be through bolts also....."

"I understand there some conditions as regards the present timbers being broken or weakened which are to be taken care of during the progress of the job."

Please be governed accordingly.

Very truly yours,

Inspector of Buildings.

UCB/v.

to Frank L. Palmer, Receiver  
Miller & Beal



(G) GENERAL BUSINESS ZONE  
APPLICATION FOR PERMIT

Building or Type of Structure Second

Portland, Maine, April 1, 1939

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location Rear 22-24 Preble Street Within Fire Limits? yes Dist. No. 1  
Owner's or lessor's name and address Preble, Inc. 477 Congress St. Telephone \_\_\_\_\_  
Contractor's name and address Brown & Berry, Inc. 22 Monument Sq. Telephone 3-2182  
Architect Killer & Beal, 465 Congress Plans filed yes No. of sheets 1  
Proposed use of building Theatre No. families \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ 1,200. Fee \$ 3.75

Description of Present Building to be Altered

Material brick No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Last use Theatre No. families \_\_\_\_\_

CERTIFICATE OF OCCUPANCY  
REQUIREMENT IS WAIVED

General Description of New Work

To strengthen first balcony as per plans submitted

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.

Details of New Work

Height average grade to top of plate \_\_\_\_\_  
Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
To be erected on 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 \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
Framing Lumber-Kind \_\_\_\_\_ Dressed or Full Size? \_\_\_\_\_  
Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger br. \_\_\_\_\_ Size \_\_\_\_\_  
Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. \_\_\_\_\_ 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.  
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 \_\_\_\_\_  
Total 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 above work require removal or disturbing of any shade 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 are observed? yes

Preble, Inc.

Signature of owner

INSPECTION COPY

