

132-134 BRIGHTON AVENUE

SHAW-WALKER



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date April 18, 1980
 Receipt and Permit number A45640

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of
 Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:
 LOCATION OF WORK: 132 K Brighton Ave.
 OWNER'S NAME: Lec Loisel ADDRESS: same

	FEES
OUTLETS: Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____	
FIXTURES: (number of) Incandescent _____ Fluorescent _____ (not strip) TOTAL _____ Strip Fluorescent _____ ft. _____	
SERVICES: Overhead <u>100</u> Underground _____ Temporary _____ TOTAL amperes _____	3.00
METERS: (number of) <u>1</u>	.50
MOTORS: (number of) Fractional _____ 1 HP or over _____	
RESIDENTIAL HEATING: Oil or Gas (number of units) _____ Electric (number of rooms) _____	
COMMERCIAL OR INDUSTRIAL HEATING: Oil or Gas (by a main boiler) _____ Oil or Gas (by separate units) _____ Electric Under 20 kws _____ Over 20 kws _____	
APPLIANCES: (number of) Ranges _____ Water Heaters _____ Cook Tops _____ Disposals _____ Wall Ovens _____ Dishwashers _____ Dryers _____ Compactors _____ Fans _____ Others (denote) _____	
TOTAL _____	
MISCELLANEOUS: (number of) Branch Panels _____ Transformers _____ Air Conditioners Central Unit _____ Separate Units (windows) _____ Signs 20 sq. ft. and under _____ Over 20 sq. ft. _____ Swimming Pools Above Ground _____ In Ground _____ Fire/Burglar Alarms Residential _____ Commercial _____ Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____ over 30 amps _____ Circus, Fairs, etc. _____ Alterations to wires _____ Repairs after fire _____ Emergency Lights, battery _____ Emergency Generators _____	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE:	3.50
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	
TOTAL AMOUNT DUE:	3.50 ⁰⁰

INSPECTION:
 Will be ready on _____, 19__; or Will Call x
 CONTRACTOR'S NAME: Ralph Smith
 ADDRESS: 72 Hobart St. So. Portland
 TEL.: 772-6075
 MASTER LICENSE NO.: 2472 SIGNATURE OF CONTRACTOR: [Signature]
 LIMITED LICENSE NO.: _____

INSPECTOR'S COPY — WHITE
 OFFICE COPY — CANARY
 CONTRACTOR'S COPY — GREEN

FROM THE DESK OF
ROBERT LOVELL BROWN

L. S. HERMAN -

132 BRIGHTON AVE -

(please forward to new address) on
envelope

132 Brighton Avenue

August 12, 1974

Mr. L. S. Herman
132 Brighton Avenue

Dear Mr. Herman:

An inspector from this department has observed that your sapling fence is in poor structural condition due to leaning from either wind or frost heave and should be repaired to be straight and true before another winter season.

We wish to advise you of this because I know you are concerned of the expenditure that you have put into this item and would not like to have it destroyed by the action of elements.

Hopefully you will be able to take care of this matter in the very near future. Please advise this office if we can be of any assistance.

Very truly yours,

R. Lovell Brown
Director Building & Inspection Services

RLB:sm

file

CITY OF PORTLAND, MAINE
Building & Inspection Services

132 Brighton Avenue

August 12, 1974

C
O
P
Y

Mr. L. S. Herman
132 Brighton Avenue

Dear Mr. Herman:

An inspector from this department has observed that your sapling fence is in poor structural condition due to leaning from either wind or frost heave and should be repaired to be straight and true before another winter season.

We wish to advise you of this because I know you are concerned of the expenditure that you have put into this item and would not like to have it destroyed by the action of elements.

Hopefully you will be able to take care of this matter in the very near future. Please advise this office if we can be of any assistance.

Very truly yours,

R. Lowell Brown
Director Building & Inspection Services

RLB:m

Wants to appeal

7/10/56

Hold for possible appeal
See letter - AJS.

July 10, 1956

AP - 132 Brighton Avenue

Mrs. Leah Greenstein
132 Brighton Avenue

Copy to Corporation Counsel

Dear Mrs. Greenstein:-

We are unable to issue a permit for using portion of basement of dwelling at the above location for a retail dress shop because such a use is not allowable in the Residence AA Zone where the property is located. You have expressed a desire to exercise your appeal rights concerning this matter. Accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Corporation Counsel, who serves as clerk for the Board of Appeals.

As we have told you, your property is located in one of the most restricted zones in the City so that the prospects of securing favorable action by the Appeal Board do not appear to be very bright. However, we are in no position to tell in advance what action the Board may take on your appeal, and if under these circumstances you feel that you would still like to institute appeal proceedings, you have every right to do so.

Should you be successful in having your appeal sustained, it will be necessary before a permit can be issued that you file at this office a floor plan of the basement showing the area to be used for business purposes and the location of the two required means of egress therefrom.

Very truly yours,

Albert J. Sears
Deputy Inspector of Buildings

AJS/E

Enclosure: Outline of appeal procedure

(RAA) RESIDENCE ZONE - AA



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, July 9, 1956

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~use~~ ^{change use} ~~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 132 Brighton Ave. Within Fire Limits? no Dist. No. _____
 Owner's name and address Mrs. Leah Greenstein, 132 Brighton Ave. Telephone 2-5039
 Lessee's name and address _____ Telephone _____
 Contractor's name and address _____ Telephone _____
 Architect _____ Specifications _____ Plans no No. of sheets _____
 Proposed use of building dwelling house No. families 1
 Last use " " No. families 1
 Material wood No. stories 2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To change use of one-half of basement (front half) to retail dress shop. There are two means of egress to basement. No alterations.

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** owner

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
 Has septic tank notice been sent? _____ Form notice sent? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 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? _____

APPROVED:

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

PHOTOCOPY

Signature of owner

Mrs. Leah Greenstein

10007



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Oct. 18, 1952

PERMIT ISSUED OCT 18 1952 CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 132 Brighton Ave., Port. Me. Use of Building Dwelling No. Stories 2 New Building Existing
Name and address of owner of appliance Guy F. Dunton, 132 Brighton Ave., Port. Me.
Installer's name and address Ballard Oil & Equipment Co. Telephone 2-1991

General Description of Work

To install To install one fully automatic O. B. with complete controls for safe operation.

IF HEATER, OR POWER BOILER

Location of appliance Any burnable material in floor surface or beneath?
If so, how protected? Kind of fuel?
Minimum distance to burnable material, from top of appliance or casing top of furnace
From top of smoke pipe From front of appliance From sides or back of appliance
Size of chimney flue Other connections to same flue
If gas fired, how vented? Rated maximum demand per hour
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?

IF OIL BURNER

Name and type of burner 1 Ballard LC-91 Labelled by underwriter's laboratories? Yes
Will operator be always in attendance? No Does oil supply line feed from top or bottom of tank? Bottom
Type of floor beneath burner Cement
Location of oil storage Basement Number and capacity of tanks 1 - 275 Gal. tank
If two 275-gallon tanks, will three-way valve be provided?
Will all tanks be more than five feet from any flame? Yes How many tanks fire proofed? None
Total capacity of any existing storage tanks for furnace burners None

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?
If so, how protected? Kind of fuel?
Minimum distance to wood or combustible material from top of appliance
From front of appliance From sides and back From top of smokepipe
Size of chimney flue Other connections to same flue
Is hood to be provided? If so, how vented? Forced or gravity?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Replacing old Easternoil Old burner to shop

Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

Handwritten signature and date 10-18-52

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

BALLARD OIL & EQUIP. CO.

Signature of Installer R. H. DUNTON

INSPECTION COPY

At 123 Brighton Avenue-I

ATH
RMT
PH
AJS
HL
BS

December 19, 1945

Guy F. Danton, Treas.
Chase Transfer Corp.
35 Commercial Street
Bro. King, Hatfield
226 Franklin Street

Subject: Building permit for construction of small addition to garage incorporated in dwelling house at 123 Brighton Avenue, and zoning appeal sustained conditionally relating thereto.

Gentlemen:

Zoning appeal relating to the above was sustained conditionally by the Board of Appeals on December 7, 1945, the condition besides full compliance with all ten of the Building Code being that the wall of the addition toward the adjoining property at 123 Brighton Avenue shall be built as a continuation of and in the same plane as the present exterior wall on that side of garage and small parlor.

By acceptance of the building permit you are of course bound by that condition.

On account of the appeal question, Mr. Danton applied for the building permit as agent for the owner, and therefore, according to our usual practice, the building permit with inspection copy of the application for the building permit is being sent to the owner. The application contains on it nothing in the way of defining construction, but I understand that the usual work is frame construction in accordance with the Building Code is to be used; also that there is under the location of the proposed side wall on the side toward 123 Brighton Avenue a foundation wall down to front now to serve as a foundation for the extension on that side. The other side is supported upon the retaining wall on the opposite side of the driveway. This retaining wall from my inspection is not in very good shape, but presumably it extends down below frost.

As I understand the condition about the side wall, applied by the Board of Appeals, this side wall on the side toward 123 Brighton Avenue will be a frame wall with weather resistive covering and there will exist a narrow open space between this wall and the retaining wall on that side without any roof over it. For good ventilation I suggest that the sill under that 3-foot side wall be raised at least six inches above the level of the driveway and supported upon masonry which would be in turn supported upon the foundation wall which I am told exists beneath the driveway. If such a foundation wall does not exist, it should be provided extending at least four feet below the surface of the driveway not only to comply with Building Code requirements but as a practical matter, without such a foundation below frost the extension and especially the proposed overhead doors would soon be put out of commission.

On the application Mr. Danton has shown the rafters as intended to be 2x4 running the 3-foot way. There would be some advantage, I should think, in sloping the roof toward the owner's lawn in which case the rafters could be run across the addition, the long way, in which case the rafters should be no less than 2x6, there being only two or three of them anyway. Unless care is taken now and forethought us to the disposal of the drainage from this small roof, I predict the owner will have some aggravating difficulties later.

Very truly yours,

Inspector Building

mcc/s



RESIDENCE ZONE - A
APPLICATION FOR PERMIT

PERMIT ISSUED
1802
DEC 19 1945

Class of Building or Type of Structure Third Class

Portland, Maine, December 12, 1945

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 132 Brighton Avenue Within Fire Limits? no Dist. No. _____
Owner's name and address Chase Transfer Corp., 25 Commercial St. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address King Butland, 206 Franklin Street Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Dwelling and 1 car garage in basement No. families 1
Last use _____ " " No. families _____
Material frame No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 100. Fee \$ 50

General Description of New Work

To set existing garage doors out 3' into existing passageway.

Permit Issued
Permit Issued with Letter

Approval Sustained conditionally 12/17/45
CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

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 _____ Height average grade to highest point of roof 8'
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 flat Rise per foot 4" Roof covering asphalt roofing Class C Und. Lab.
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing hemlock Kind hemlock Dressed or full size? dressed
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. 2x4
Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof 2 1/2"
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof 3'
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot 1, to be accommodated 1 number commercial cars to be accommodated no
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

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:

Chase Transfer Corp.

Signature of owner

Signature of owner By:

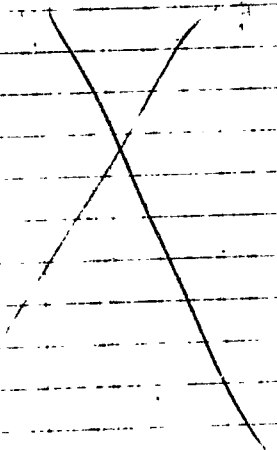
INSPECTION COPY

Permit No 45/1802
Location 132 Brighton Ave
Owner Chase Transfer Corp
Date of permit 12/19/45
Notif. closing-in _____
Inspn. closing-in _____
Final Notif _____
Final Inspn 1/26/46
Cert. of Occupancy issued None

NOTES

1/24/46 - No work started
1/26/46 - Work done

INSPECTION





City of Portland, Maine

Public hearing set for Dec. 14, 1945

45/67

Sustained
conditionally
12/17/45
MMP

Board of Appeals
~~XXXXXXXXXXXX~~

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned
Chase Transfer Corp. 132 Brighton Avenue

by _____ at _____

December 12, 1945

Board of Appeals:
~~XXXXXXXXXXXX~~

To the Municipal Officers:

Chase Transfer Corp.

Your appellant,
owner 132 Brighton Avenue

who is the **Board of Appeals**
~~XXXXXXXXXXXX~~

respectfully petitions the Municipal Officers of the City of Portland to change the decision of the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c, of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case involves unnecessary hardship and because relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

It is held that a building permit is not issuable to cover construction of an addition three feet deep and about ten feet wide in front of the doorway of the garage attached to the dwelling house on this property because the proposed front wall would be closer to the street line of Brighton Avenue than the exterior wall of the existing dwelling house on the adjoining lot; contrary to the provisions of Section 12a of the Ordinance as applied to the Single Residence A Zone where the property is located.

The present garage has insufficient depth to allow the doors to be closed with the automobile there and still leave sufficient room to get around the car and reach the door to the dwelling. The garage floor is at the cellar floor level so that the top of the new work would be scarcely more than a foot above the grade of the ground beside the driveway. Thus, it is the appellant's belief that this slight projection above the normal grade could not be detrimental to the neighboring property for the highest point of the roof of the addition would be approximately at the sill line of the house on the adjoining lot.

Chase Transfer Corporation
G. F. Dunton, Treas.

45/67

City of Portland, Maine

~~REGISTRATION OF MUNICIPAL OFFICERS~~

BOARD OF APPEALS

December 17, 1945

Public hearing having been duly held on December 14, 1945 upon appeal under the Zoning Ordinance of Chase Transfer Corporation at 132 Brighton Avenue, relating to the proposal to construct a small addition 3' deep and about 10' wide in front of the garage which is incorporated in the dwelling house there closer to the street line of Brighton Avenue than the exterior wall of the dwelling house on the adjoining lot, contrary to the provisions of the ordinance in the Single Residence A Zone where the property is located, it is adjudged and action is decreed according to vote of members of the Board determined by their several signatures affixed below.

A vote to sustain is subject to full compliance with the Building Code and subject to the condition that the wall of the addition toward the adjoining property at 128 Brighton Avenue shall be built as a continuation of and in the same plane as the present exterior wall on that side of garage and sun parlor; and a vote to sustain holds that variation of the precise terms of the ordinance in this particular case is necessary for reasonable use of the building for the comfort and convenience of the occupants, and may be permitted without substantially departing from the intent and purpose of the ordinance in that the proposed addition would not interfere with light and air of or increase fire hazard to the neighboring property.

TO DENY:

TO SUSTAIN AS ABOVE:

Chairman

Helen C. Frost Chairman

N. Francis Jensen

Frederick H. Gabbi

Gerald A. Cole

Edward T. Colley

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF CHASE TRANSFER CORP. 4.17
AT 132 BRIGHTON AVENUE

December 14, 1945

Present for City

Board Members

Hearing on above appeal was held before the *yes* Board of Appeals today. *absent*

- yes* ✓ Mrs. H. C. Frost, Chairman
- absent* E. T. Colley
- yes* ✓ G. A. Cole
- yes* ✓ F. H. Gabbi
- yes* ✓ N. F. Jensen

- City Manager J. E. Barlow
- Corp. Counsel W. M. Payson
- City Clerk A. E. Smith
- I of B. Warren McDonald

Mr. Dunton present in support.

He said his proposal was to build wall of a certain height 128 Brighton Ave. in same plane as ex. wall of present garage and same pattern on that side.

no opponents

W.M.P.

45/67

City of Portland, Maine

~~EXCERPTS FROM THE RECORDS OF THE~~

Board of Appeals

December 13, 1945

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, December 14, 1945, at 11:30 o'clock in the forenoon upon the appeal under the Zoning Ordinance of Chase Transfer Corporation at 152 Brighton Avenue, relating to closeness to the street line of Brighton Avenue of a small addition proposed on the front of the present garage incorporated in the dwelling house there.

A building permit is not issuable to cover construction of a small addition three feet deep and about ten feet wide in front of the doorway of the garage because the proposed front wall (where the garage door would be) would be closer to the street line of Brighton Avenue by about three feet than the exterior wall of the existing dwelling house on the adjoining lot, contrary to the provisions of Section 12m of the Zoning Ordinance as applied to the Single Residence A Zone where the property is located.

The appellant's reasons for the appeal are given as follows: "The present garage has insufficient depth to allow the doors to be closed with the automobile there and still leave sufficient room to get around the car and reach the door to the dwelling house. The garage floor is at the cellar floor level so that the top of the new work would be scarcely more than a foot above the grade of the ground beside the driveway. Thus, it is the appellant's belief that this slight projection above the normal grade could not be detrimental to the neighboring property, for the highest point of the roof of the addition would be approximately at the sill line of the house on the adjoining lot."

This appeal is taken under Section 14d.1 of the ordinance which provides that the Board of Appeals, by unanimous vote of its members, after a public hearing, may permit exceptions to or variations from the regulations 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 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, and that the Board shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood.

All persons interested either for or against this appeal will be heard at the above time and place.

BOARD OF APPEALS

Helen C. Frost, Chairman

Mr. Irving N. Horne
128 Brighton Avenue

AP 132 Brighton Ave.

December 7, 1944

✓ PH
✓ ATH
✓ HRF
✓ RMT
✓ IMW
✓ AJS
✓ BS

Chase Transfer Corp.
Mr. King Butland

Subject: Application for building permit to
cover small addition to existing attached
garage at 152 Brighton Avenue

Gentlemen:

As I have explained over the phone to Mr. Dunton, I am compelled to deny the above application for the permit because the proposed new work would be somewhat closer to the street line of Brighton Avenue than the exterior wall of the dwelling house on the next lot a condition contrary to Section 12-m of the Zoning Ordinance, both lots being located in a Single Residence-A Zone with less than 100 feet between the two buildings.

If Mr. Butland will return the receipt for the fee paid to this office not later than December 21, 1944, the money will be refunded by voucher.

Very truly yours,

WCD/H

Inspector of Buildings



APPLICATION FOR PERMIT

Permit No. _____

Class of Building or Type of Structure Third Class

Portland, Maine, December 4, 1944

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 132 Brighton Avenue Within Fire Limits? no Dist. No. _____
 Owner's or Lessee's name and address Chase Transfer Corp. 25 Commercial St. Telephone _____
 Contractor's name and address King Butland, 206 Franklin St. Telephone 2-1704
 Architect _____ Plans filed yes No. of sheets 1
 Proposed use of building dwelling house with one car garage in basement No. families 1
 Other buildings on same lot _____
 Estimated cost \$ 100. Fee \$.50

Description of Present Building to be Altered

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
 Last use _____ No. families _____

General Description of New Work

To set existing garage doors out 2'6" into existing passageway

*P. C. Baker
 Ins. with applicator
 12/12/44*

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

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

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 8'
 To be erected on solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness _____
 Material of underpinning _____ Thickness _____
 Kind of roof flat Rise per foot 1/4 phalt roofing Class C Und. Lab.
 No. of chimneys _____ Material of chimneys _____ of lining _____
 Kind of heat _____ Type of _____ Is gas fitting involved? _____
 Framing lumber—Kind hemlock Dressed or full size? dressed
 Corner posts _____ Sills _____ Girt or ledger board _____ Size _____
 Material columns under girders _____ 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 2x4
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof 2'
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof 216"

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

If a Garage

No. cars now accommodated on same lot 1 to be accommodated 2
 Total number commercial cars to be accommodated none
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

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? yes

Signature of owner Chase Transfer Corp.
[Signature]

ORIGINAL

Permit No. 44)
Location 132 Brighton Ave
Owner Chase Transfer Corp.
Date of permit 12/ 1444
Notif. closing-in
Inspn. closing-in
Final Notif.
Final Inspn.
Cert. of Occupancy issued

point farther away from
the street line than is
the nearest point of
the garage. This being
the case I do not see
how we can issue a
permit for the desired
work - JG

NOTES

12/5/44 - Measured
distances are shown
on location
plans and were taken
as closely as possible
at right angles to
street line of Brighton
Avenue. The fact
that neither house
sits parallel to Brighton
Avenue or each other,
despite fact that the
House looks to
be closer to the street
than the front of the
garage, it is actually
about 2" at its nearest

Rept. 5074B-1

October 17, 1944

Subject: Building permit for construction
work in front of dwelling house at 132
Brighton Avenue

Gay F. Durbin, Trans.
Chase Transfer Corp.,
25 Commercial Street,
Portland, Maine

Dear Sir:

Seeing appeal having been sustained by the Board of Appeals on October 16, 1944, the building permit covering above work is enclosed herewith, based on the plan marked "revised October 13, 1944" and received in this office on October 12, 1944.

That there may be no misunderstanding, the members of the Board of Appeals in sustaining the appeal understood that on the front elevation of the structure and on the plan view just below the front elevation on the blueprint, the dotted line with the note "lower top to this line" represents the top of that wall and is approximately 13 inches lower than the level to which the wall was inadvertently built in the first place; also that the note on the plan view "also, step this wall if needed" means that this side wall along the driveway is to be tapered or stopped from its level near the present garage doors down to the same level as the top of the wall above mentioned at the point where they join.

Very truly yours,

Inspector of Buildings

WCD/H
CC: Clark J. Chapman
John Howard Stevens
G. DiBlase Co.

Rept. 5074D-I

9-1-44-4

August 24, 1944

Guy F. Dunton, Treas.
Chuse Transfer Corp.
25 Commercial Street,
Portland, Maine

Subject: Application for building permit at
132 Brighton Avenue

Dear Sir:

I am unable to issue this permit for the following reasons:

Some of the masonry constructed is not necessary for retaining wall purposes or to maintain the steps which you propose, but are obviously constructed to form the walls of an addition to your dwelling, you having admitted to me that you hoped to make an addition to the garage there.

The property is located in a Single Residence-A Zone where the Zoning Ordinance provides: "There shall be in front of every building a front yard having a minimum depth of 20 feet....."; and in another place: "No lot shall be so reduced that the yards, courts or other open spaces shall be smaller than prescribed by this ordinance."

Mr. Sears of this department says that quite a long time ago you talked with him over the telephone about building an addition to the garage in about this location, and that he told you at that time that the addition could not be built under the Zoning Law between the front of the present garage and the inside edge of the sidewalk.

You are therefore directed to remove forthwith so much of this masonry work as is obviously not necessary for retaining wall purposes but has been built to form the walls of the addition.

It is clear also that the Building Code requires a permit before the construction of such a stairway and porch structure is commenced, irrespective of the proposition of the proposed addition to the building. When you have removed this masonry obviously intended to form the addition to the building, and obviously in violation of the Zoning Ordinance from the standpoint of location, I will then be able to go into the matter of the details of the balance of the structure which requires a permit. In the meantime it is unlawful for you to proceed with any of the work except the demolition work indicated above.

Very truly yours,

WMD/H
CC: W. Mayo Payson
Corporation Counsel

Inspector of Buildings



APPLICATION FOR PERMIT

PERMIT ISSUED

Permit No. 10751

Class of Building or Type of Structure Third

OCT 17 1944

Portland, Maine, Aug. 22, 1944

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~erect~~ alter ~~the~~ the following building ~~and~~ 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 132 Brighton Ave. Within Fire Limits? _____ Dist. No. _____
 Owner's or Lessee's name and address Chase Transfer Corp. 25 Commercial St. Telephone 3-3817
 Contractor's name and address C. DiBiana Co. 22 Monument Sq. Telephone _____
 Architect John Howard and John Calvin Stevens Archts. Plans filed Feb No. of sheets 1
 Proposed use of building Dwelling house No. families _____
 Other buildings on same lot _____
 Estimated cost \$ 500 Fee \$ 2.00

Description of Present Building to be Altered

Material wood No. stories 2 1/2 Heat _____ Style of roof _____ Roofing _____
 Last use Dwelling house No. families _____

General Description of New Work

To build retaining wall and steps as per plan submitted on Oct. 12, 1944

CERTIFICATE OF EQUIPMENT REQUIREMENT IS WAIVED

10/16/44

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 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 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 _____, 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 thereto be observed? yes
 Signature of owner. Chase Transfer Corp.
[Signature]

SECTION COPY



City of Portland, Maine

4/128
sustained
10/12/44
on plan revised
by B.D. 10/12/44

Board of Appeals
Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned
Chase Transfer Corp.
by Guy F. Dunton, Treas. at 132 Brighton Avenue

October 12, 19 44

Board of Appeals
To the Municipal Officers:

Your appellant, Chase Transfer Corp., Guy F Dunton, Treas.

who is the owner of property at 132 Brighton Avenue

respectfully petitions the Board of Appeals Municipal Officers of the City of Portland to change the decision of the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c. of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case involves unnecessary hardship and because relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a building permit to cover construction of the masonry front stops structure because parts of the masonry would extend above the varying grades of the required front yard of the dwelling house as they existed when the ordinance was adopted, and would thus constitute unlawful encroachments in the front yard required in the Single Residence-A Zone where the property is located.

The reasons for the appeal are as follows: The above encroachments, if any, are very slight. The high level of the lot at this location creates a problem of grading and means of entrance. The entire work is intended to improve the appearance and to make a safer and more satisfactory approach to the dwelling house.

Chase Transfer Corp.

By (Signed) Charles F. Chapman,
Att'y

4/1/28

8/11/28
11/16/28
AJS

City of Portland, Maine

~~BOARD OF APPEALS~~
IN BOARD OF APPEALS

October 16, 1944

Public hearing having been duly held on October 13, 1944 upon appeal under the Zoning Ordinance of Chase Transfer Corp., Guy F. Dunton, Treas., relating to the construction of certain masonry walls and front steps in front of the dwelling at 132 Brighton Avenue, in such location and heights as to constitute unlawful encroachments in the front yard required in the Single Residence-A Zone where the property is located, it is adjudged and action is decreed, according to oath of members of the Board determined by their several signatures affixed below; a vote to sustain being always subject to full compliance with the Building Code and all other laws relating to the same subject matter.

To Sustain

To Deny

Bea...
10/16/44

44/28

PUBLIC HEARING BEFORE THE BOARD OF APPEALS UPON THE APPEAL UNDER THE ZONING ORDINANCE OF CHASE TRANSFER CORP., GUY F. DUNTON, TREAS., AT 132 BRIGHTON AVENUE (SECOND APPEAL, FILED ON OCTOBER 12, 1941) RELATING TO CONSTRUCTION OF RETAINING WALLS AND MASONRY FRONT STEPS STRUCTURE WHICH WOULD CONSTITUTE UNLAWFUL ENCROACHMENTS IN THE FRONT YARD OF THE DWELLING THERE, REQUIRED IN THE SINGLE RESIDENCE-A ZONE WHERE THE PROPERTY IS LOCATED

October 13, 1944

Public hearing on the above appeal was held before the Board of Appeals today. Present for the city were Dr. Leighton, acting as chairman in absence of Chairman Harrison, Messrs. Fred Gabbi, Harry C. Libby, City Manager James E. Barlow, Corporation Counsel W. Mayo Payson and Inspector of Buildings Warren McDonald.

Messrs. Guy F. Dunton, Clark D. Chapman, attorney, and John Howard Stevens, architect, appeared in support of the new appeal.

Mr. Chapman explained the new plan in detail, saying that the new plan accomplished practically everything indicated by the Board of Appeals as deemed necessary by way of removals of masonry already built, as brought forth at the hearing on September 29th, the only substantial difference being the leaving of a certain section of masonry wall on the Brighton Avenue side of the proposed masonry steps which the Board had suggested removed and an extension of the ornamental railing substituted. Mr. Chapman said that the architect felt that removal of this section of masonry wall and substitution of the metal railing would hurt the architectural appearance very much.

Asked by Chairman of the meeting if the proposed plan met substantially the suggestions of the members of the Board at the September 29th hearing, Building Inspector said that it does with the few exceptions explained by Mr. Chapman.

Mr. Gabbi said that Mr. Horne, neighboring owner, had been to him again and objected to the entire proposition; and that he had told Mr. Horne he had better come before the Board and express them as he understood that the appellant had filed with the Board at the last hearing a letter signed by Mr. & Mrs. Horne giving their consent to the arrangement proposed by the architect.

The members of the Board present informally said that they would vote to sustain the appeal based on the plan filed with the Inspector of Buildings on October 12, 1944, final action to be taken when all members of the Board were present.

Warren McDonald

44/26
857
098
TF/16

Appeal 13: Brighton Ave.

October 11, 1944

Honors. Guy F. Dunton,
Clark D. Chapman
John Howard Stevens

Gentlemen:

Chairman Harrison of the Zoning Board of Appeals has asked me to notify you that the Board of Appeals will have a hearing on other matters than the one in which you are interested at 13. Brighton Avenue, at 11 o'clock in the forenoon, Friday, October 15, 1944.

After the discussion before the Board of Appeals on September 29th, and your expression of a desire to clear the matter up as quickly as possible, Mr. Harrison thought that you might like this opportunity next Friday of presenting your new appeal and the new plan of the proposed approach to and landscaping of the front of the dwelling.

Very truly yours,

WHD/H

CC: George A. Harrison, Chairman
Board of Appeals

Inspector of Buildings

4/28

Portland, Maine
Sept. 28, 1944

To : Board of Appeals
City of Portland, Maine

Gentlemen:

We, the owners of property at 128 Brighton Ave., have talked with Mr. John Howard Stevens with reference to the proposed changes in the stone wall at the house at 132 Brighton Ave. occupied by Guy F. Danton.

Our principal concern was not to have a garage roof put on the walls and that the walls on either side of the entrance to the garage would not be higher than two or three courses of stone above the lawn.

We have no objections as to the rest of the walls and entrance as planned by Mr. Stevens.

Yours truly,

Irving M. Horne
Mrs. Irving M. Horne

Rec'd 9/29/44
WMD



City of Portland, Maine

10-21-44
9-10-44
and again to the
inspector.

Chairman Harrison _____

Fred H. Gabbi 10/28

Dr. Leighton _____

Harry Libby _____

Herman B. Libby _____

Board of Appeals
Appeal to the Municipal Officers to Change the Decision of

Inspector of Buildings Relating to the Property Owned

by Chase Transfer Corp. at 132 Brighton Avenue

August 25, 1944

Board of Appeals
To the Municipal Officers

Your appellant, Chase Transfer Corp.

who is the owner of property at 132 Brighton Avenue

respectfully petitions the Board of Appeals
Municipal Officers of the City of Portland to change the decision of

the Inspector of Buildings relating to this property, as provided by Section 14
Paragraph 12 of

of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case

involves unnecessary hardship and because relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a permit to cover construction of certain stairway structure, retaining wall and an addition on the front of garage attached to the dwelling house on the above property because the new front of the building would be closer to the street line of Brighton Avenue than allowed by the terms of the Zoning Ordinance in the Single Residence Zone where the property is located.

The reasons for the appeal are as follows:
See letter attached.

Given to me
with insurance 10/24/44
V.M.D.

Chase Transfer Corp.

By: Guy F. Dunton, Treas.

4-11-28
J.M.
T.M.
P.L.
C.S.

October 1, 1944

Public hearing having been duly held on September 1, 1944 upon appeal under the Zoning Ordinance of Chase Transfer Corp., Guy F. Dunton, Treasurer, at 13a Brighton Avenue, relating to the construction of certain masonry walls and structure, including walls of proposed extension of attached garage, in such location and height as would constitute encroachment upon the front yard required by the ordinance in the Single Residence-A Zone where the property is located, and the appellant having asked on September 22, 1944 leave to withdraw the appeal, the appellant is hereby given leave to withdraw.

BOARD OF APPEALS

_____, Chairman

44/25

FURTHER CONSIDERATION OF THE APPEAL UNDER ZONING ORDINANCE OF CHASE TRANSFER CORP.,
GUY F. DUNTON, TREASURER AT 132 BRIGHTON AVENUE

September 29, 1944

Four members of the Board, Messrs. Gabbi, Leighton, Harry C. Libby and Herman B. Libby having met with the Inspector of Buildings at the premises, 132 Brighton Avenue, on September 28, and after examining the work which had been done, having directed the Inspector of Buildings to notify Clarke D. Chapman, attorney for the appellant, that the Board would either deny the appeal or would give leave to withdraw it if so requested, and, if a new appeal were filed would be willing to give a rough idea of how much of the masonry built in violation of Building Code and Zoning Ordinance should be removed to secure favorable action on the new appeal, Messrs. Guy F. Dunton, Clarke D. Chapman, and John Howard Stevens appeared before the Board at the public hearing on other matters at 11 o'clock, Friday, September 29, 1944.

Present for the city were Chairman Harrison, Messrs. Leighton, Harry C. Libby, Herman B. Libby, James E. Barlow, City Manager, sitting in place of Mr. Gabbi who was absent from the State, W. Mayo Payson, Corporation Counsel, and the Inspector of Buildings.

At the request of Chairman Harrison, Herman Libby outlined the decision of the members of the Board as to what part of the masonry already built should be removed if a new appeal were to receive favorable consideration.

After a great deal of discussion Mr. Chapman asked leave to withdraw the original appeal on the basis that a new appeal would be filed accompanied by revised plans as consistent as deemed possible with the rough outline of the members of the Board as to what they felt they could approve, and that certain parts of the tops of the masonry walls already erected would be removed immediately down to about the levels consistent with the new proposed scheme.

Mr. Dunton asked the Inspector of Buildings if a permit was necessary to remove this masonry, and he replied that no permit was needed. Mr. Dunton then asked if he could make temporary arrangement, presumably of wood so as to make a safe approach to the front door of his house while the balance of the matter is being straightened out, and the Inspector of Buildings said that he could and that no permit would be needed for that temporary construction.

Warren McDonald

9/28/44
Zoning Appeal at 132 Brighton Ave., by
Chase Transfer Corp., G.F. Dunton, Treas.

44/28

September 28, 1944

Board of Appeals met at the above premises, Messrs. Gabbi, Leighton,
Harry Libby, Herman Libby and Inspector of Buildings being present.

After examination of the work, the Board directed that the appellant's
attorney be advised that:

1. They intend to deny the appeal, and will deny any new or amended
appeal which involves any part of the walls remaining which were obviously built
to accommodate the garage addition.

2. They are willing to give the appellant leave to withdraw the present
appeal.

3. In event a new appeal is filed seeking the right to construct walls
and steps to improve the approach to the dwelling in such a way that any part of
walls or steps would be higher than the corresponding levels of the front yard of
the dwelling before operations were commenced, the Board is unwilling to accept
the revised plan submitted by the architect on September 15th; but for the guidance
of the appellant and his architect in arriving at a conclusion of the matter, it
is suggested that the following features be incorporated in the new plan: (references
to architect's original plan)

a. Remove all of the westerly garage wall between wall "A" and edge
of Brighton Avenue sidewalk.

b. Remove all of the narrow wall at right angles to the easterly wall
of garage which was built to form the doorway of the garage.

c. Remove the top of the easterly garage wall and the lower extension
of that wall to the edge of sidewalk down to or below the level of the original
contour of the lawn on the easterly side of the wall.

d. Remove the upper five courses from wall "A", full length, and the
same amount from westerly wall of garage at its intersection with wall "A", tapering
the removed part of the wall intended for garage back to present grade of ground at
the dwelling so that a sharper lawn terrace may be used along wall "A" and along the
garage wall, and top of garage wall finished by stepping or tapering so that cap
will run uniformly from new level of wall "A" to present level of the ground at the
dwelling, following closely the foot of the new steeper terrace on that side.

e. Remove all of wall "B" which would be above the level of new
stair treads and landings up to foot of steps opposite wall "C", and provide
such an ornamental railing as is shown on lower run of steps from foot of stairs
up to wall "C". Eliminate the tops of walls on either side of steps opposite wall "C"
down to a level to fit in with the new level of wall "A".

f. Eliminate walls "C" and "D".

g. Finish top of wall on easterly side of driveway by stepping or
tapering from front of present garage to edge of sidewalk to follow generally the
original contour of the terrace on easterly side, or lower, with reasonable
allowance for architectural embellishment but eliminating all appearances of the
wall of a building.

144/28
PUBLIC HEARING OF ZONING APPEAL OF CHASE TRANSFER CORP. GUY F. DUNTON, TREASURER,
RELATING TO ENCROACHMENTS UPON FRONT YARD AT 132 BRIGHTON AVENUE

September 1, 1944

Present for the city were Chairman Harrison, Messrs. Fred Gabbi, Harry C. Libby, Herman B. Libby, City Manager James E. Barlow, Corporation Counsel W. Mayo Payson and the Inspector of Buildings.

Guy F. Dunton, Treasurer of Chase Transfer Corp. and John Howard Stevens architect appeared in support of the appeal.

There were no opponents present, but the Inspector of Buildings reported that Mr. Horn, next neighbor to 132 Brighton Avenue had communicated with his office to the effect that he was very much opposed to this construction work. Messrs. Dunton and Stevens both contended that the granite block walls at the heights shown on the plan and to which they have largely already been built are necessary to take care of the unusual height of the dwelling above the sidewalk and to present a suitable appearance.

Mr. Dunton explained the construction work without first securing a building permit by saying that he went to the Building Inspector's office about a year ago and was told by the permit clerk that no permit was needed for stone walls. He said, however, that the permit clerk had told him that the garage construction required a permit and that such a permit could not be issued because the front of the garage extension would be too close to the street line. The Building Inspector reported that Deputy Building Inspector Sears had talked with Mr. Dunton over the telephone about this garage extension a long time ago, and had told Mr. Dunton that construction of the extension was contrary to the Zoning Ordinance. Mr. Dunton said that he could not recall any such telephone conversation.

The question came up as to the adequacy of the thickness of the stone retaining wall constructed on the southerly side of the appellant's driveway, and Mr. Stevens said that it had been built 16 inches thick. Mr. Dunton contended that this wall was needed at the height built (30 inches above the ground on the high side) to prevent persons falling into the driveway and to prevent snow drifting on the neighboring lot.

Warren McDonald
Inspector of Buildings

44/20

August 25, 1944

Board of Appeals of the Zoning Ordinance
City of Portland, Maine

Gentlemen: Re: Improvements of Grounds and Garage at
132 Brighton Avenue.

The whole front of the grounds in front of the house was very unsightly. The bank dropped off very steeply for three feet. There was a narrow flat place or terrace about one foot wide, then a further drop of about three feet to the edge of the sidewalk. It was so steep that I was unable to use a lawn mower on it.

The steps following this contour were so steep and the risers so high as to be unsafe. The landing platform at top of bank was pitched about 2" to the foot and very dangerous.

The front of the house is approximately 25 ft. at furthest point from the sidewalk line.

Entrance to the garage was formed by a cement retaining wall on each side of the driveway from the street about 5 to 6 ft. high. This retaining wall was level with the bank for approximately 15 ft. and sloped down to the sidewalk. This wall had broken in several places and had to be repaired or renewed. It was very unsightly to have what looked like an uncovered tunnel of cement into the garage.

This open place formed by this wall was not only unsightly but it collected all the snow that blew over the sides or drifted in from the front. The retaining wall being level with the top of the bank was also dangerous in that there was no protection for anyone going too near the edge. There were a number of children around there who have made a practice of running around the front of the house and sliding down the bank to the street especially when there is snow on the ground.

44126
Aug. 25, 1944

Mrs. Dunton and myself have cautioned them many times not to do it, but they still persist. With the retaining wall in the front and on the side a foot or two higher than the bank it will prevent this and remove the hazard of their or anyone falling onto the driveway.

I did not know what the best thing was to do to cure all of these difficulties. I thought that the only way to do this was to put in higher retaining walls and change the steps.

In considering the entrance to the garage which could not be eliminated, and the snow nuisance, it seemed a shame that this place could not be covered and a door put in about 6 ft. back from the sidewalk so that the space could be utilized and the appearance very much improved.

I accordingly consulted Mr. John Howard Stevens to determine what could be done to improve the whole appearance. He made the sketches and suggested plan which I am presenting to you.

I took the plan and the sketches to the building inspector's office to apply for a permit. Mr. McDonald not being available, I talked with the lady in the office and she told me I did not have to have a permit to build stone walls on the property. I presented this plan and the sketches. She told me that before a garage could be built I would have to take it up with the Zoning Board, as it would be less than 20 ft. from the street.

The work on the wall was started in October 1943 and has progressed from time to time as the contractor had spare time for his men between their jobs.

I felt that we were doing the proper thing to build the walls, leaving the question as to whether or not a roof and door could be put on later to the decision of the Zoning Board. The wall is built so that a roof and door may be put in, a pergola effect may be created, or the walls have a coping put on them as they are. With stone, the hole will still show, but not be as unsightly as the bare concrete.

Whether or not we have a roof and use this as a garage is not as important as to make the whole front of the house as attractive as possible.

We have no quarrel with the zoning laws and do not wish to do anything that will in any way be detrimental to anyone. We recognize, however, that it is not possible to make a general rule for zoning that will cover every land contour. This house being built on a steep bank descending abruptly to the sidewalk creates to our mind an unusual situation and should be given individual attention.

Respectfully submitted,
CHASE TRANSFER CORPORATION
By

Guy F. Dunton, Treas.

D/d