

Appeal

J 7 - HH. 14.23

Tables

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City of Portland, Maine
Department of Planning & Urban Development
INVALID CURSOR POSITION

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09:24

CBL Listing for Post Cards:
Fill with '*' for all

Format - (CCC-1-BB-LLL)

C - Chart 1 - Chart letter B - Block L - Lot

84-1
87-E *87-F* *87-D* *87-P*
87-AA *87-BB* *87-EE* *87-GG* *87-HH*
87-II *87-JJ* *87-KK* *87-LL* *87-TT*

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6-2-94
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Inspection Services



William D. Giroux
Zoning Administrator

CITY OF PORTLAND

June 6, 1994

RE: 87-HH-14 & 23
Peaks Island, Maine


Mr. Lawrence C. Walden
Curtis Thaxter Stevens Broder & Micolean
One Canal Plaza
P.O. Box 17320
Portland, ME 04112

Dear Mr. Walden:

As you know, at its meeting of June 2, 1994, the Board of Appeals voted to permit a change of use from a two family dwelling to a day care facility for more than seven children at the above property on Peaks Island.

A copy of the Board's Decision is enclosed.

Sincerely,


William D. Giroux
Zoning Administrator

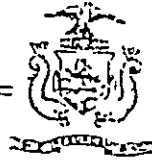
/el

Enclosure

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Arthur Rowe, Code Enforcement Officer
Robert T. McTigue, Jr., Brackett Street, Peaks Island, ME 04108

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



CONDITIONAL USE APPEAL

DECISION

Name and address of applicant: Lawrence C. Walden of One Canal Plaza
for Peaks Island Children's Workshop

Location of property under appeal: 87-HH-14 and 23 Peaks Island

For the Record

Names and addresses of witnesses (proponents, opponents and others):

Jeanine Blatt (P)

John Kelso (P)

Dick Reed (P)

Jim Harmon (P)

Gus Carlsson (O)

Anne Carlsson (O)

Exhibits admitted (e.g., renderings, reports, etc.):

traffic study

Findings of Fact

1. The proposed conditional use is (circle one) not permitted under section 14-145.9 of the Zoning Ordinance, for the following reason(s):
?

2. The proposed conditional use does (circle one) does not meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s):
?

3-A There are (circle one) are not unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s):
?

3-B. There will/will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s):
?

3-C. The impact does/does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s):
?

Conclusion*

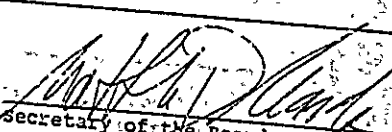
After public hearing on 6/2/94, and for the reasons above stated, the accompanying application is hereby (check one)

7 granted

granted subject to the following condition(s):

denied.

Dated: 6/2/94


Secretary of the Board

**The application may be denied only if either the finding for #1 or 2 above is in the negative or the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



JOHN C. KNOX

MATTHEW D. MANAHAN
THOMAS F. JEWELL
EARL R. MacDONALD
WILLIAM E. NELESKI, Jr.
REBECCA SARGENT
MICHAEL E. WESTORT

CONDITIONAL USE APPEAL APPLICATION

Applicant's name and address: Peaks Island Children's Workshop

Applicant's interest in property (e.g., owner, purchaser, etc.):
Purchaser

Owner's name and address (if different): Robert T. McTigue, Jr.

Address of property and Assessor's chart, block and lot number:
Herman Avenue and Ernest Street; Plan 87-Block HH; Lots 14 & 23

Zone: 1R-2

Present use: vacant residence

Type of conditional use proposed: Day care facility, more than 7 children

Conditional use authorized by: Section 14- 145.9

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.

Date: May 16, 1994

Signature of Applicant

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



JOHN C. KNOX

MATTHEW D. MANAHAN
THOMAS F. JEWELL
EARL R. MacDONALD
WILLIAM E. NELESKI, JR.
Elizabeth Bordowitz
MICHAEL WESTORT

May 17, 1994

RE: 87-HH-14 and 23

Peaks Island

Peaks Island Children's Workshop
Lawrence C. Walden
One Canal Plaza
P.O. Box 7320

Portland, Maine 04112


Dear Mr. Walden:

Receipt of your application for a conditional use appeal regarding a day care center for more than seven (7) children at the above named property, is acknowledged.

This appeal will be scheduled for review before the Board of Appeals on Thursday evening, June 2, 1994, at 7:00 P.M. in Room 209, City Hall, Portland, Maine. You must plan to attend to answer any questions which the Board members may have concerning this appeal.

We will send you a copy of the June 2nd agenda as soon as copies become available for distribution.

Sincerely,


William D. Giroux
Zoning Administrator

/el

cc: John C. Knox, Chairman Board of Appeals
Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Charles A. Lane, Associate Corporation Counsel
Arthur Rowe, Code Enforcement Officer
Robert McRigue, Jr., Brackett St., Peaks Island, Maine 04108

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



JOHN C. KNOX

MATTHEW D. MANAHAN
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WILLIAM E. NELESKI, Jr.
Elizabeth Hordowitz
MICHAEL E. WESTORT

87-HY-14 and 23
Peaks Island, ME

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, June 2, 1994 at 7:00 p.m. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by the Ordinance.

Mr. Lawrence C. Walden on behalf of Peaks Island Children's Workshop, future owners of the above named property which is located in the IR-2 zone, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit a change of use of the two family dwelling to a day care center for over seven children. For more detailed information, please come to Room 315 at City Hall weekdays from 7:00 a.m. to 4:00 p.m.

LEGAL BASIS OF APPEAL: Such appeal will be granted if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox
Chairman

/s/

5/18/94

TRANSPORTATION PATTERNS
PEAKS ISLAND CDC

V=Vehicle
P=Pedestrian

ARRIVALS

AM	MON	TUES	WED	THURS	FRI
7	2V	2V	2V	2V	2V
8	2P 2V	4P 3V	3P 2V	2P 3V	2P 2V
8:30	1P 4V	2P 3V	1P 3V	2P 3V	2P 3V
9	1P				1P
TOTAL ARRIVALS	4P 8V	6P 8V	4P 7V	4P 6V	5P 7V

DEPARTURES

11:15	1P	1P 1V	1P 2V	2P 1V	1P
12:30 PM	2P 4V	1V	1P 1V	1P 1V	1P 2V
2:30/3		3P	2P	2P	1P
4:30	1V	1P 1V	2P 1V	3P 1V	2P 1V
5	1P 3V	1P 4V	1P 3V	1P 3V	1P 2V
6	1P 3V	1P 3V	1P 3V	1P 3V	1P 3V
TOTAL DEPART.	5P 11V	7P 10V	8P 10V	10P 9V	7P 8V

DAILY TOTAL
ARRIVAL/DEPART

9P 19V	13P 18V	12P 17V	14P 17V	12P 15V
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CURTIS THAXTER STEVENS BRODER & MICOLEAU

ONE CANAL PLAZA • PORTLAND, MAINE 04112

P.O. BOX 7320

ATTORNEYS AT LAW

(207) 775-2361

FAX (207) 775-0412

AUGUSTA OFFICE

185 STATE STREET

P.O. BOX 5307

AUGUSTA, ME 04332-0307

(207) 628-0388

FAX (207) 628-3952

SIDNEY J. THAXTER (1914-1977)

KENNETH M. CURTIS

ROBERT E. STEVENS

SIDNEY ST. F. THAXTER

JAMES N. BRODER

CHARLES J. MICOLEAU

JOHN W. BERNOTAVICZ

MICHAEL B. PEISNER

D. MICHAEL FRISK

KIMBALL L. KEENWA

LAWRENCE C. WALDEN

JOHN D. OLEASON

STEPHEN E. CHAMPAGNE

DAVID P. SIKK

MAURICE A. SELINGER, III

NANCY C. ZIEGLER

CHRISTIAN T. CHANDLER

CATHERINE CHARETTE

JAMES L. COSTELLO

of counsel

WALTER P. COREY, III

BARNE SKOLNIK

BRUCE R. JAYSON

of leave of absence

May 16, 1994

Portland Zoning Board of Appeals
C/O Zoning Office, Room #315
City Hall, 389 Congress Street
Portland, ME 04101

RE: Peaks Island Children's Workshop
Conditional Use Appeal Application

Dear Board of Appeals:

This letter is to explain our application for a conditional use permit.

The Peaks Island Children's Workshop ("PICW") has been formed and filed as a 501(c)(3) organization in order to develop a new facility for the Peaks Island Child Development Center, a non-profit day care center. PICW has under option a site at the corner of Herman Avenue and Ernest Street owned by Robert T. McTigue Jr. (Map 87, Block HH, Lots 14 and 23), diagonally across from the City's public works facility. This site has an existing but fire damaged structure, which will be demolished down to the first floor deck prior to our purchase of the site. The new structure will use the existing foundation, as well as building a new large wing to the west of that foundation. A plot plan is enclosed.

The use of the building will be a non-profit child development center. Under the conditional uses section applicable for the zone the site is in (IR-2), a permit is required for "nursery schools, kindergartens, and day care facilities for seven (7) or more children." The Peaks Island Child Development Center now serves about 25 children at its site on Central Avenue, and this is the

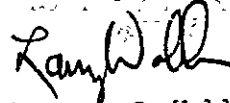
Portland Zoning Board of Appeals
May 16, 1994
Page 2

program which will move into the new facility being built by PICW. We are seeking a permit to allow a day care facility for seven (7) or more children on the site in question.

We have received an HCD grant for the new building, foundation grants, and have a commitment letter for a loan from Key Bank. Sue Hicks, who works administering the HCD program, is familiar with this project. We expect construction to start this summer.

Please place this appeal on the agenda for your June 9, 1994 meeting. Thank you.

Respectfully,

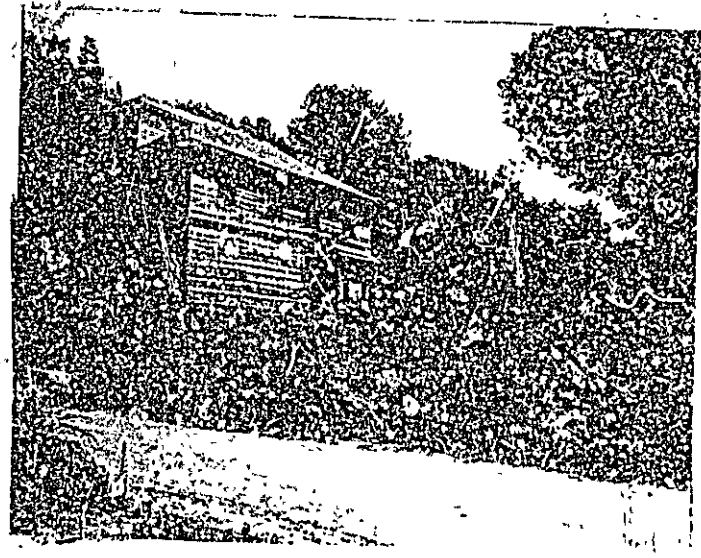


Lawrence C. Walden
President, PICW

Enclosure

cc: Ms. Janine Blatt - w/enc.
Mr. Richard Reed, Project Architect - w/enc.
Ms. Sue Hicks - w/out enc.

LCW00172.AFS



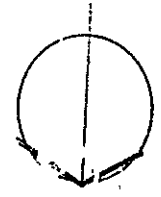
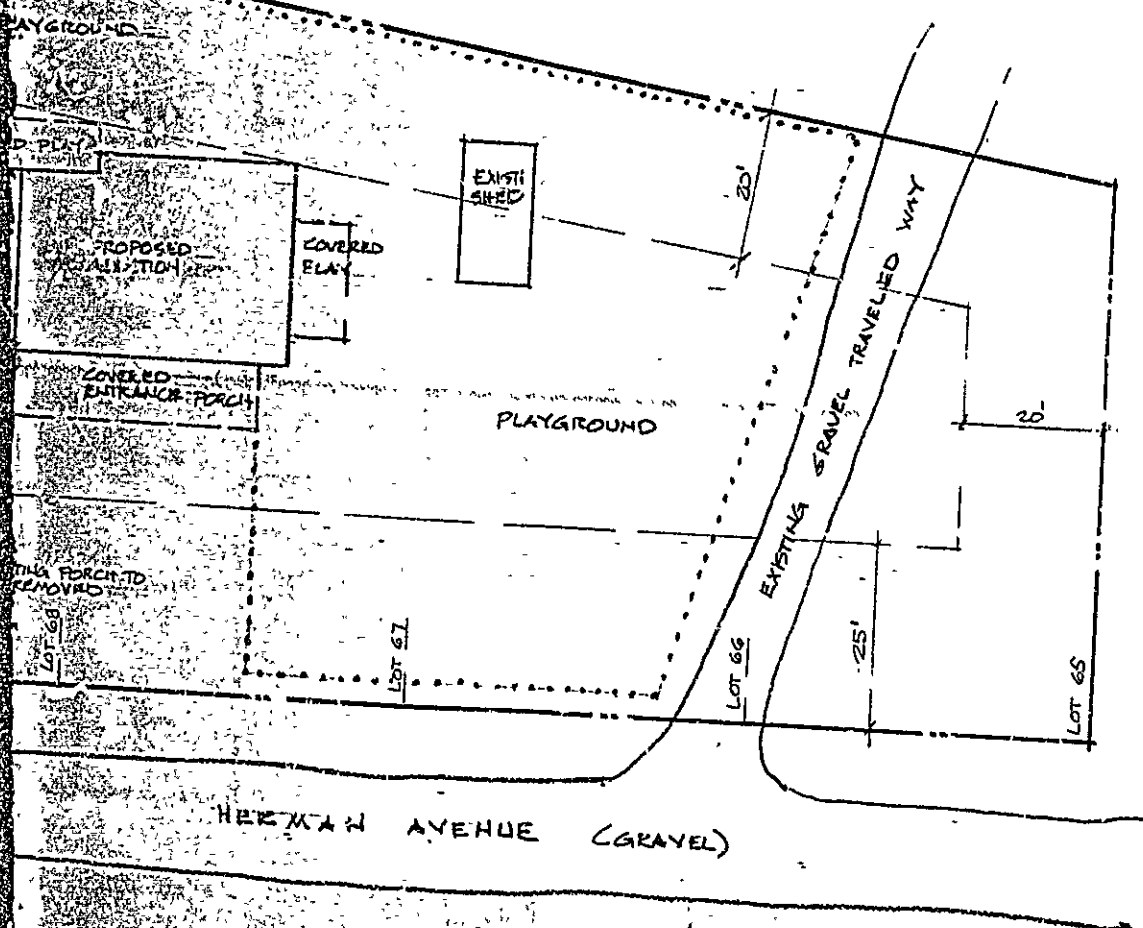
F- 90: 94

5-25-94

Dear Sir,

As a property owner and resident of
100 Hermon Ave. I would like you
to know I approve of the proposed
Daycare building on my street.

Sincerely
Mrs Margaret Butts



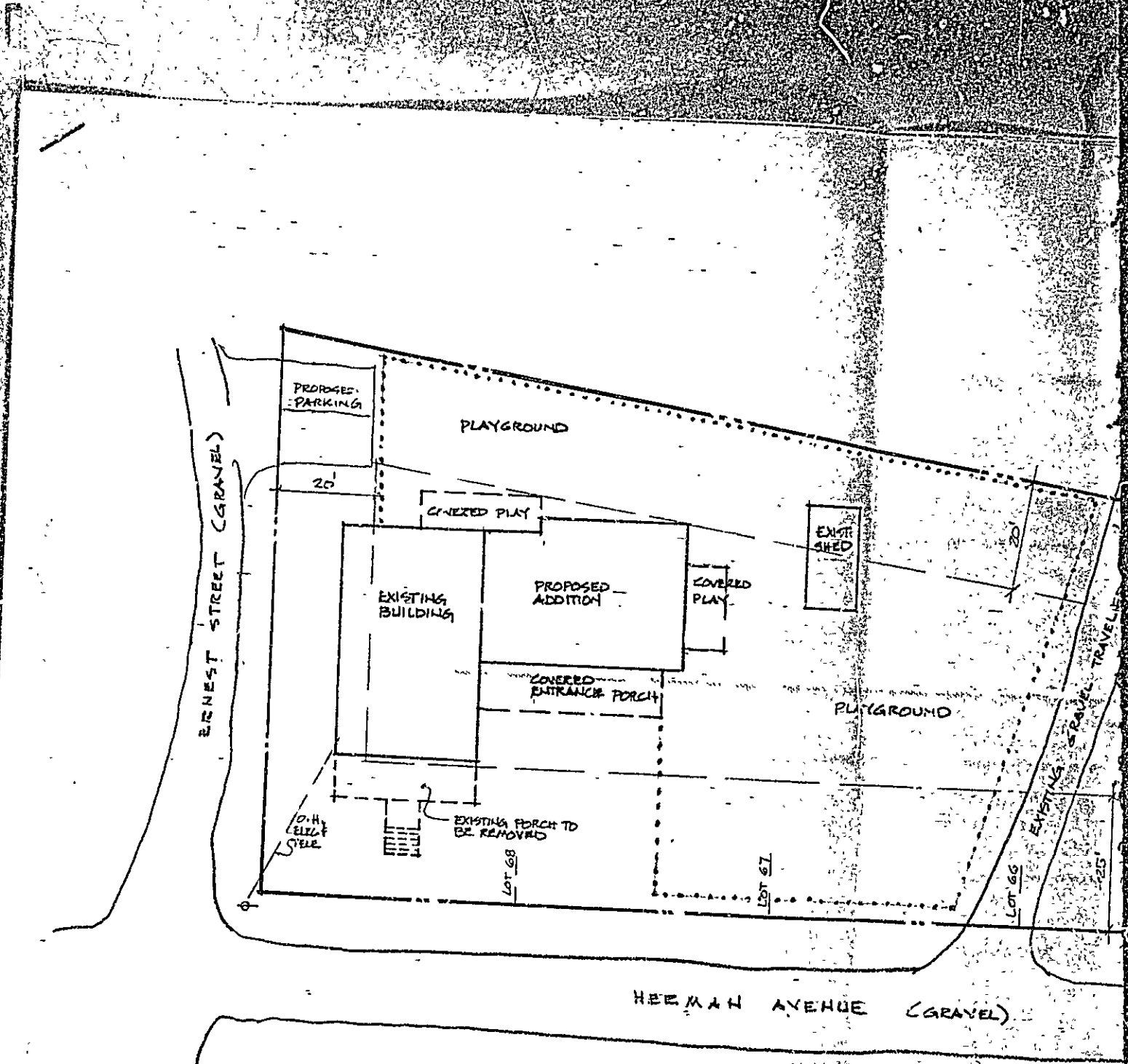
0 5 10 20 30
SCALE: 1" = 20'

SITE PLAN

PROPOSED:
PEAKS ISLAND
CHILD DEVELOPMENT
CENTER

PRELIMINARY DESIGN
Reed & Barba Architects
21 April 1994
27 May 1994

①



ERNEST STREET (GRAVEL)

HERMAN AVENUE (GRAVEL)

PROPOSED PARKING

PLAYGROUND

20'

COVERED PLAY

EXIST. SHED

EXISTING BUILDING

PROPOSED ADDITION

COVERED PLAY

COVERED ENTRANCE PORCH

PLAYGROUND

10-H. CELL STEEL

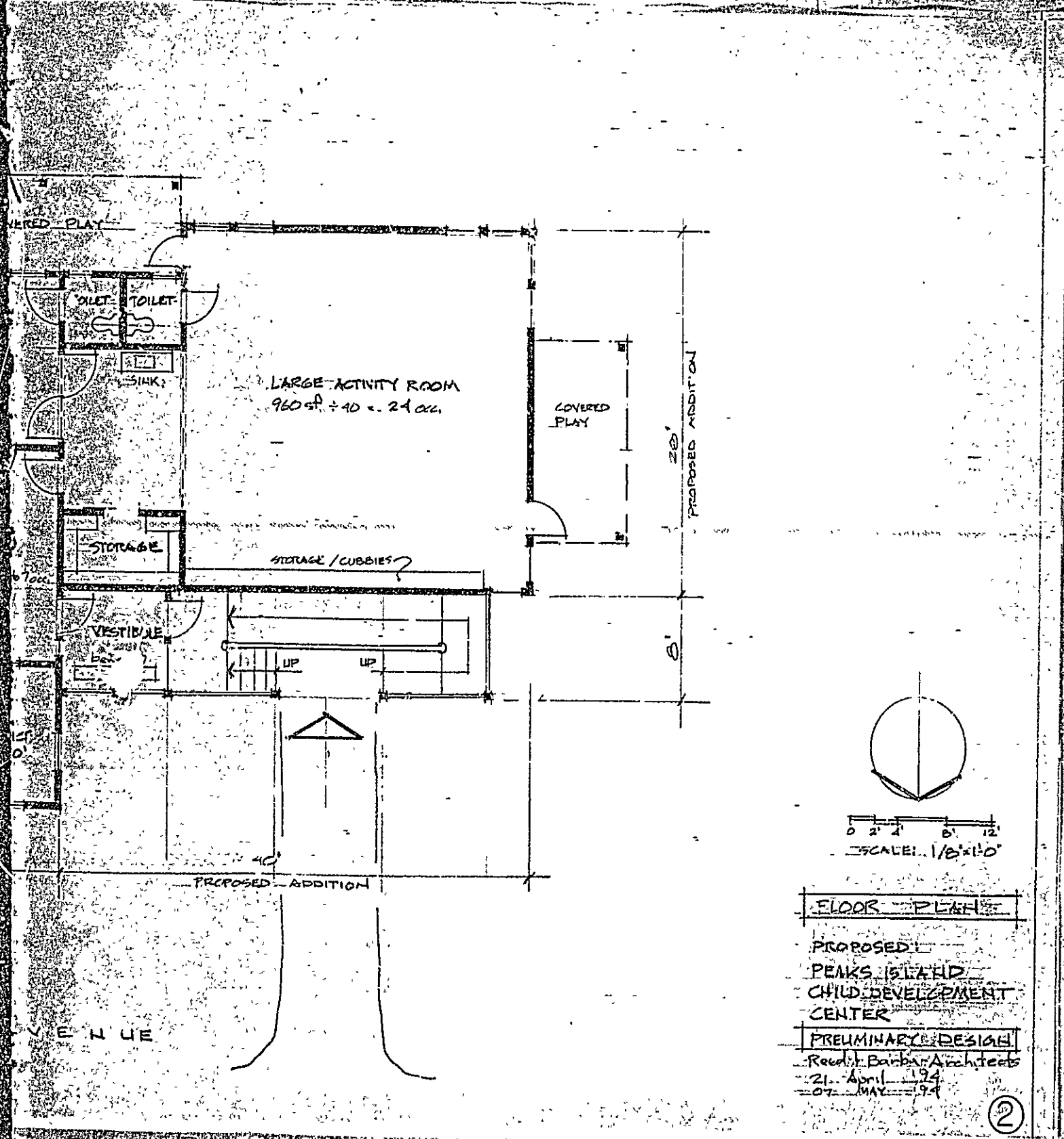
EXISTING PORCH TO BE REMOVED

LOT 68

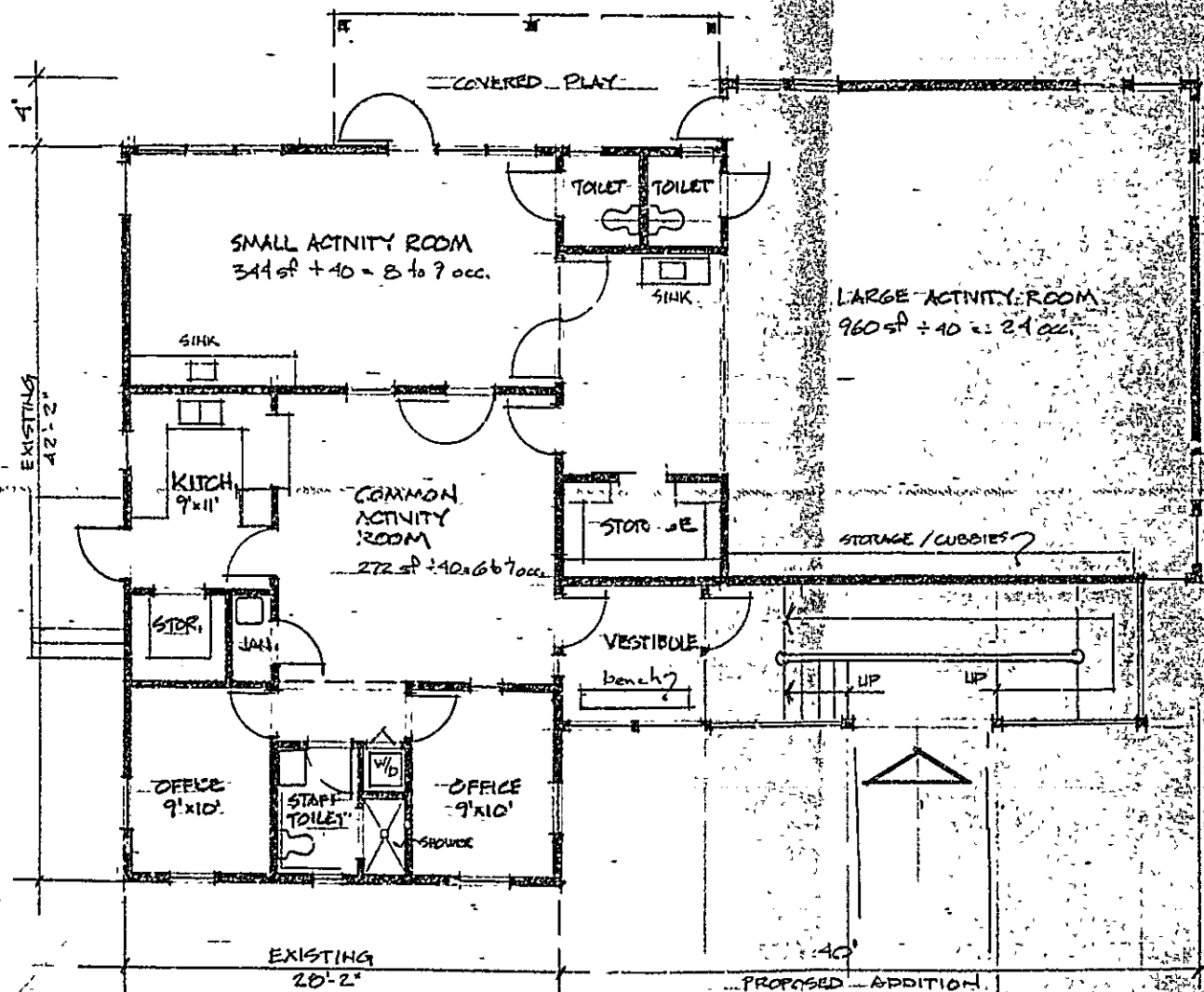
LOT 67

LOT 66

EXISTING GRAVEL TRAVEL

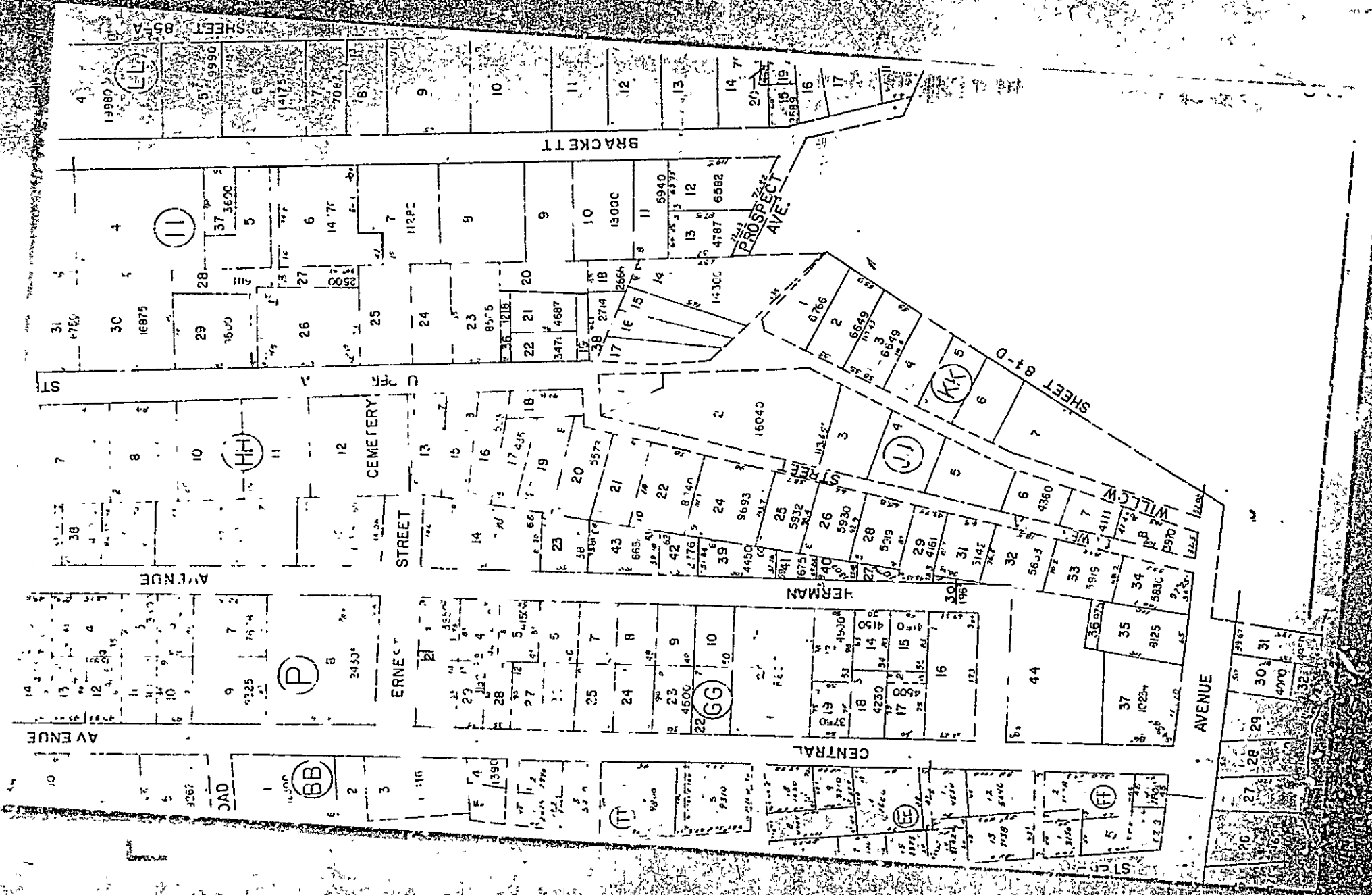


WEST STREET



HERMAN AVENUE





SHEET 85-A

SHEET 84-D

CENTRAL

FRIDMAN

CEMETERY STREET

PROSPECT AVE.

BRACKETT

AVENUE

AVENUE

AVENUE

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5 9990

14175

7067

31 4750

30 16875

29 16000

28 373690

27 1477

26 11222

25 13000

24 5940

23 4787

22 6882

21 14300

20 2564

19 18040

18 6766

17 6649

16 6649

15 4360

14 4111

13 3970

12 5830

11 9224

10 9125

9 323

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