

Jewish Comm Ctr  
Karen Lerman  
57 Ashmont St

R-5  
ZBA - Sept. 21

57 ASHMONT STREET

Application received by mail - 9/1  
9/6 mailed receipt

Quick Check List for preparing Bd. of Appeals

Get a manilla Legal size file folder and on the outside front, list the following items, as these are done check each one off:

1. Sanborn Map (in Marge's office)
2. Assessor's Chart (front counter)
3. List property abutters (use books on the counter)
4. Letter of acknowledgement to owner
5. Notice to abutters
6. Envelopes for notices, (if needed, use the postcard method when possible)
7. City Map (in left hand draw under the computer terminal)
8. Decision Form (in Marge's office)
9. Prepare an Agenda from the info submitted, (needs to go to the paper)
10. Date of meeting and name of the Apellant on front of file.

Remember before sending any letters, notices or agendas out they need Marge's and Charlie Lane's approval.

There is a black note book with sample letters of every type of letter you will use, you can use these as a go-by, and there is a Procedure Manual that will be able to answer alot of your questions. Good Luck

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



September 22, 1995

Jewish Community Center  
Attn: Karen Lorman  
57 Ashmont Street  
Portland, ME 04103

RE: 57 Ashmont Street

Dear Ms. Lorman

As you know, at its September 21, 1995 meeting, the Board of Appeals voted to grant your request to change the use of property from a community center to a community center with a daycare facility for 12 children.

A copy of the Board's decision is enclosed for your records as is a receipt for check #08495 for a Building Permit.

Sincerely,

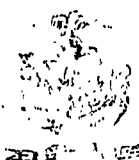
A handwritten signature in cursive script that reads "Marga Schmuckal".

Marga Schmuckal  
Asst, Chief, Inspection Services

cc: Joseph Gray, Director, PUD  
P. Samuel Hoffses, Chief, Insp Svcs  
Charles Lane, Assoc. Corp. Counsel  
✓ file

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



September 11, 1995

Jewish Community Center, Inc.  
Attn: Karen Lerman  
57 Ashmont Street  
Portland, ME 04103

RE: 57 Ashmont Street  
Conditional Use Appeal

Dear Ms. Lerman,

Receipt of your application and \$50.00 appeal fee for a Conditional Use Appeal at the property located at 57 Ashmont Street, Portland, Maine is acknowledged. However, an additional \$25.00 is required to cover the change of use and any possible future construction. The \$25.00 is refundable should your appeal be denied.

This appeal is scheduled for review before the Board of Appeals on Monday, September 21, 1995 at 7:00 p.m., 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 shall send you a copy of the September 21th agenda as soon as copies become available for distribution.

Sincerely,

A handwritten signature in cursive script, reading "Marge Schmuckal", is written over a horizontal line.

Marge Schmuckal  
Zoning Administrator

cc: John C. Knox, Chairman, Board of Appeals  
Joseph E. Gray, Jr., Director, Planning & Urban Dev  
P. Samuel Hoffses, Chief, Inspection Services  
Arthur Rowe, Code Enforcement Officer



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Nadeen Daniels

FROM: Marge Schmuckal, Assistant Chief, Inspection Services

SUBJECT: Actions taken by the Board of Appeals on September 21, 1995

DATE: September 22, 1995

The meeting was called to order at 7:00 p.m. Six Board Members were present. Elizabeth Rordowitz was absent.

1. Unfinished Business: None

2. Conditional Use:

57 Ashmont Street, Karen Lerman, representing the Jewish Community Center, the Board members voted 6-0 to grant the request to change the use of property from a community center to a community center with a daycare facility for up to 12 children. (R-5 Zone)

3. Meeting Adjourned: 7:15 p.m.

Enclosure: Agenda for September 21, 1995 meeting  
Copy of Appeal Boards Decision  
Tape of meeting

cc: Joseph E. Gray, Jr., Dir., Planning & Urban Dev.  
Samuel Hoffses, Chief, Insp. Svcs.  
Charles Lane, Assoc. Corp. Counsel

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



CONDITIONAL USE APPEAL

DECISION

Name and address of applicant: Karen Lerman, representing  
The Jewish Community Center, 57 Ashmont Street

Location of property under appeal: 57 Ashmont Street

For the Record

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

Karen Lerman (P) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

See file.  
\_\_\_\_\_  
\_\_\_\_\_

Findings of Fact

1. The proposed conditional use is (circle one) is, not (circle one) permitted under section 14-118(3) of the zoning ordinance, for the following reason(s):

6  
\_\_\_\_\_  
\_\_\_\_\_

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

6  
\_\_\_\_\_  
\_\_\_\_\_

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

6  
\_\_\_\_\_  
\_\_\_\_\_

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 this zone, for the following reason(s): \_\_\_\_\_

*Moved to grant & seconded.*

Conclusion\*

After public hearing on 9/21/95, and for the reasons above-stated, the accompanying application is hereby (check one)

granted

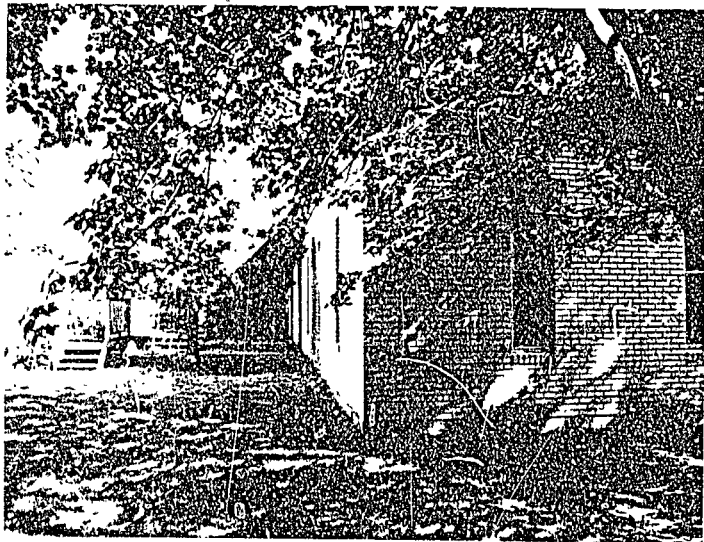
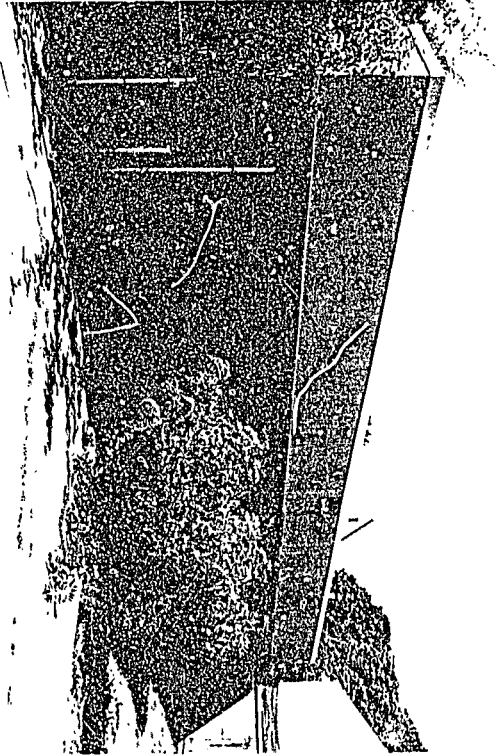
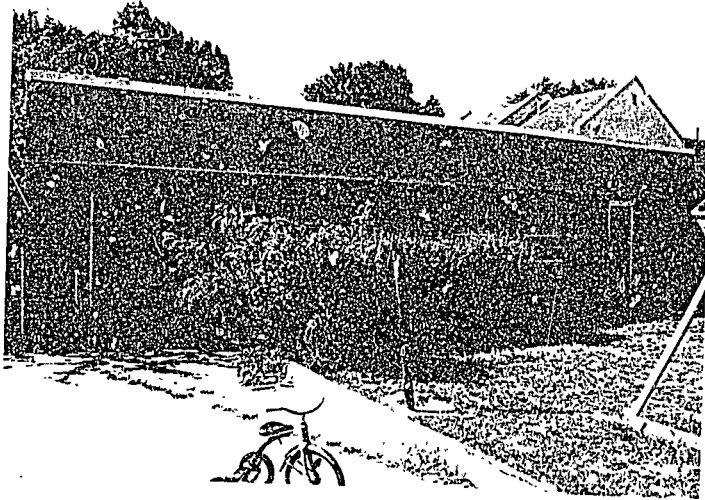
\_\_\_\_\_ granted subject to the following condition(s): \_\_\_\_\_

denied.

Dated: 9/21/95

*[Signature]*  
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



CONDITIONAL USE APPEAL APPLICATION

Applicant's name and address: Jewish Community Ctr.

57 Ashmont Street - Portland 04103

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

OWNER

Owner's name and address (if different): /

Address of property and Assessor's chart, block and lot number:

MAP# 125, LOT 5-4

Zone: R5

Present use: Non-Profit, Private, Corporation

Type of conditional use proposed: Small Facility Daycare

Conditional use authorized by: Section 14- 1183C

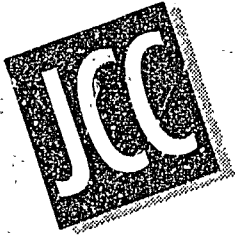
NOTE: If site plan approval is required, attached preliminary or final site plan.

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

Date: 8/24/95

Karen M. Lerman  
Signature of Applicant





## Portland Jewish Community Center

September 1, 1995

Alan Wolf  
*President*

Karen Lerman  
*Interim Director*

Dear Board of Appeals Members:

The Jewish Community Center is a nonprofit community agency, subsidized by the Jewish Federation of Maine and the United Way. Briefly, at the Jewish Community Center we provide supervised classes and activities for children ages six months to 11 years. Our elder program addresses the isolation and loneliness felt by many senior citizens in the community through classes, discussion groups, trips and exercises. Also offered is a program for parents and families that focuses on education and support for parents around such issues as single parenting, mental health and family communication.

When the Jewish Community Center located at the current Ashmont Street address over a dozen years ago the building was in a B-1 zone. Around 1989, the zone was changed to R-5. A review of the microfiche in the Building Inspectors Office reveals that a permit was issued to designate us and the building as a non-profit private corporation. It was our understanding that we did not need a conditional use permit to run our youth programs. It has recently been brought to our attention that we need to obtain a conditional use permit in order to run some of our programs. We would respectfully request this Board to grant our application for day care use.

It is our understanding that a conditional use permit shall be granted unless the board determines the following:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or the surrounding area; and
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

57 Ashmont Street  
Portland, Maine 04103  
Fax: 207 772-2234  
207 772 1959

Principal Agency of Jewish Federation of Southern Maine  
and United Way. Member JCC Association, ME Youth Camping  
Association and American Camping Association

a. There is nothing unique or distinctive associated with the proposed use. We are asking to have a day care in a building designated in a grandfathered B-1 zone. This program is no different than the use of our facility for our adult programming.

b. and c. There will be no impact upon the health, safety, or welfare of the public or the surrounding area. Again, this program has no more impact than the office building itself which has been located in the area for many years.

We would welcome the opportunity to address the Board regarding this issue at the next Board of Appeals meeting.

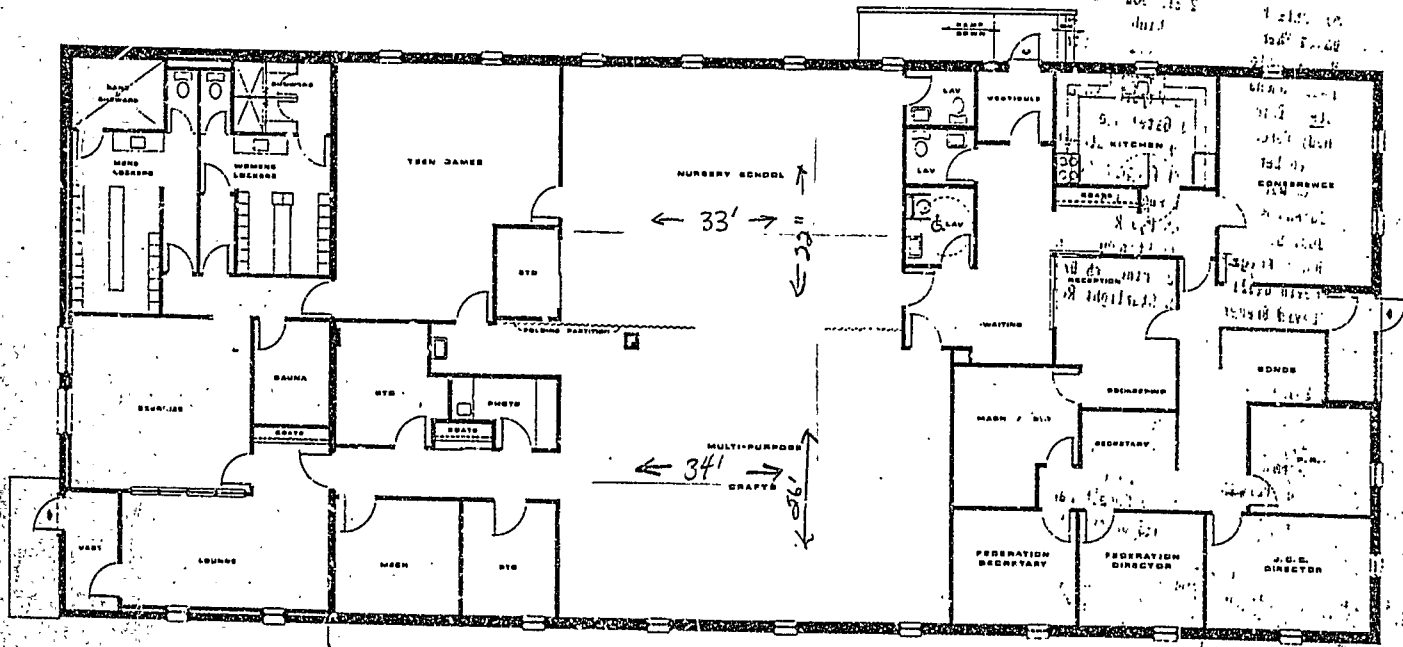
Thank you for your cooperation

Sincerely,

*Alan Wolf*  
Alan Wolf  
JCC President

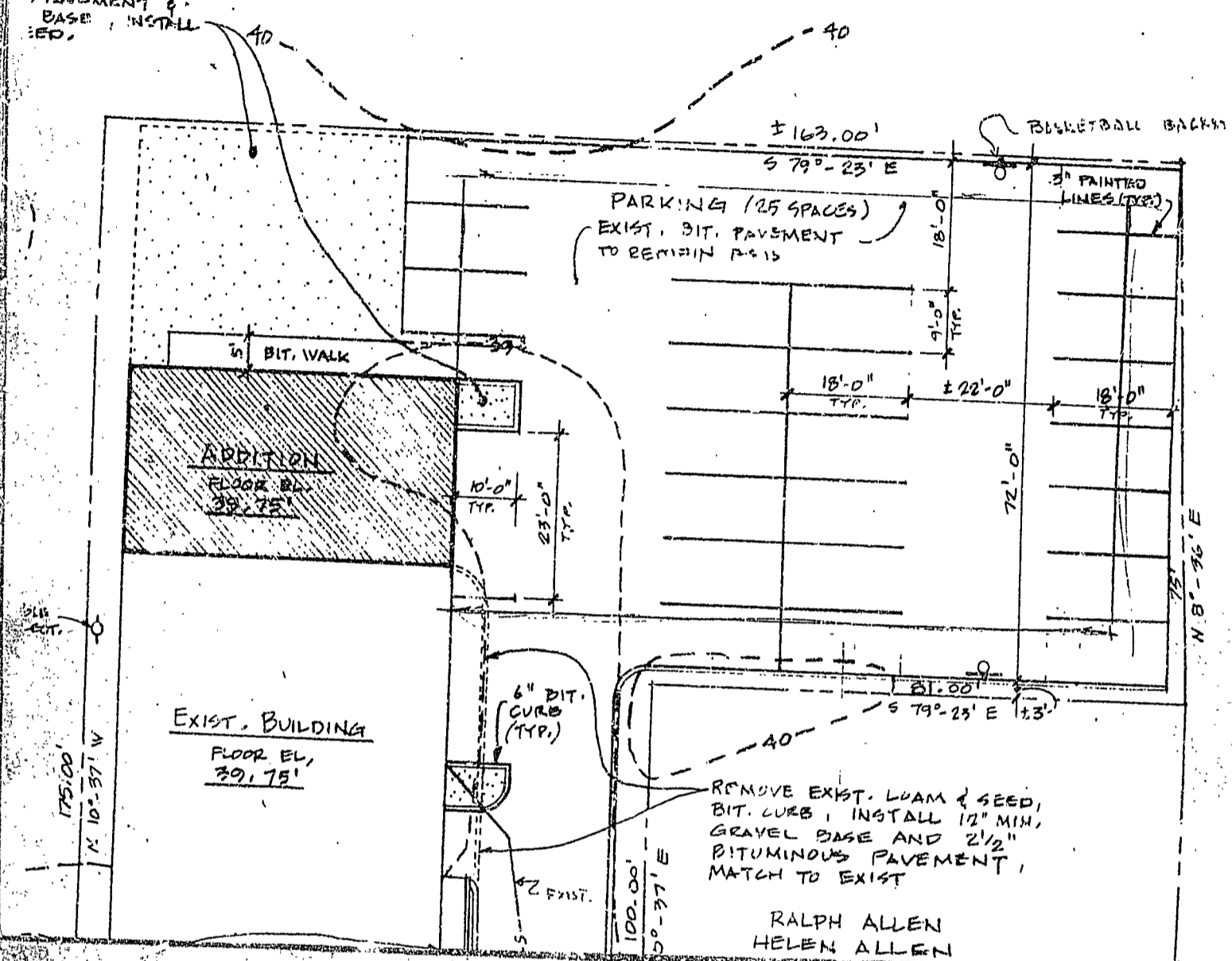
*Karen Lerman*  
Karen Lerman  
JCC Interim Director

/rlvp



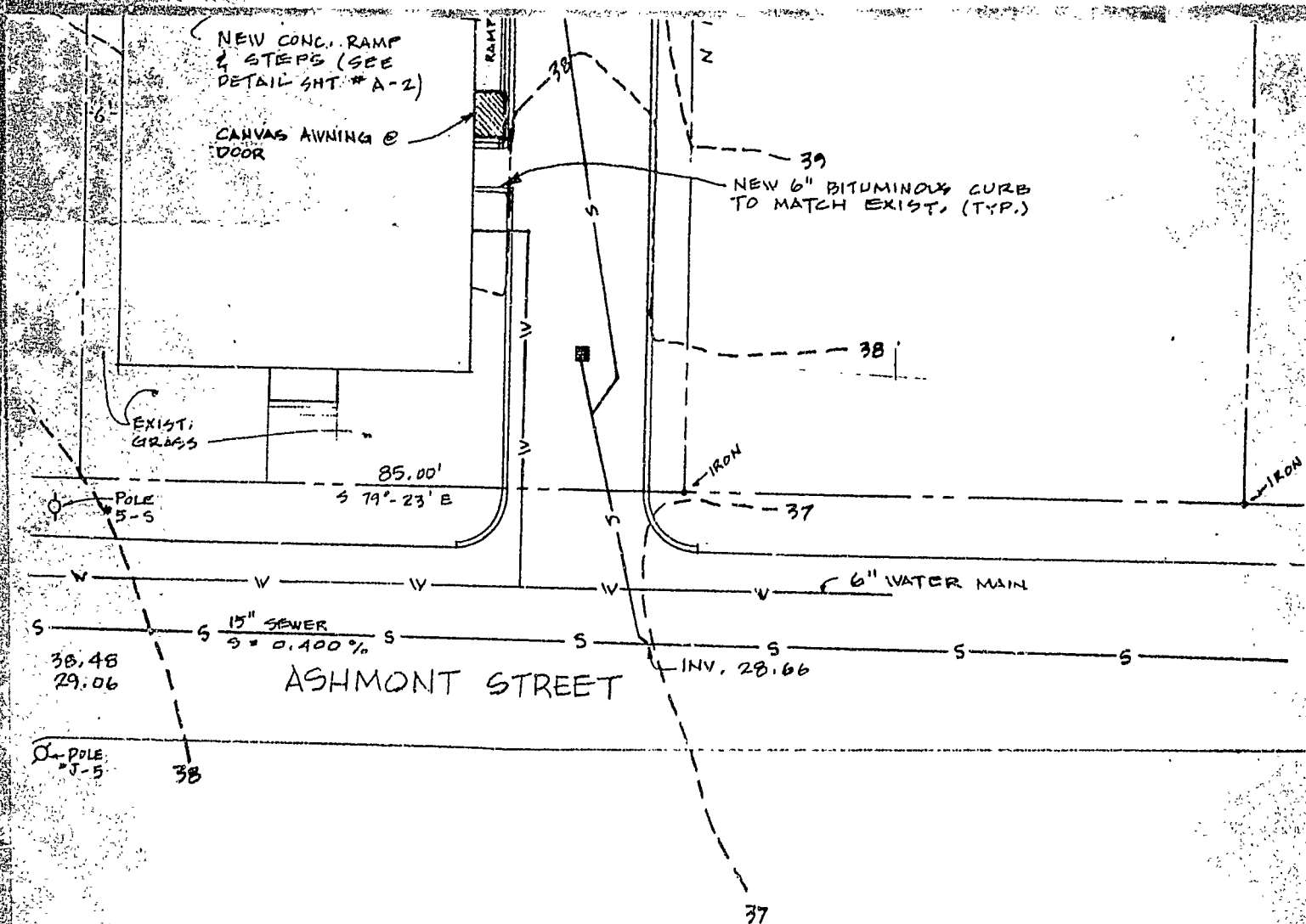
SCALE

PAVEMENT &  
BASE, INSTALL  
ED.



REMOVE EXIST. LOAM & SEED,  
BIT. CURB, INSTALL 12" MIN.  
GRAVEL BASE AND 2 1/2"  
BITUMINOUS PAVEMENT,  
MATCH TO EXIST

RALPH ALLEN  
HELEN ALLEN



## PLOT PLAN

SCALE : 1" = 20'-0"

BENCH MARK: SPIKE IN POLE # 5-5 NORTH SIDE OF  
ASHMONT ST. EL. 39.27 (CITY DATUM)

KEY:

Know all Men by these Presents,

That We, James J. Kelley of Citrus Spring, Citrus County, Florida, and Kathleen M. Salisbury, of Rochester, County of Strafford, New Hampshire

in consideration of One dollar (\$1.00) and other good and valuable consideration

paid by The Jewish Community Center of Portland, A Maine Corporation having a place of business in Portland, Maine and whose mailing address is 66 Pearl Street, Portland, Maine 04111

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Jewish Community Center of Portland its successors ~~and assigns~~ and assigns forever,

a certain lot or parcel of land with the buildings thereon, situated on the northerly side of Ashmont Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at an iron pipe on the northerly sideline of said Ashmont Street, said iron pipe being found as follows: Commencing at the intersection of the northerly sideline of said Ashmont Street and the easterly sideline of Deering Avenue; thence South 77° 37' East along the northerly sideline of said Ashmont Street two hundred fourteen and three hundredths (214.03) feet to a point; thence South 79° 23' East along the northerly sideline of said Ashmont Street twenty-three and seven hundredths (23.07) feet to said iron pipe and the point of beginning; thence from said point of beginning North 10° 37' East along land of Ashco, Inc. one hundred seventy-five and no hundredths (175.00) feet to an iron pipe; thence South 79° 23' East along land of said Ashco, Inc. one hundred sixty-three and thirty-six hundredths (163.36) feet to an iron pipe; thence South 08° 36' West along land conveyed to said Ashco, Inc. by Alton B. Warren by deed dated February 20, 1969 and recorded in the Cumberland County Registry of Deeds in Book 3079, Page 126, seventy-five and five hundredths (75.05) feet to an iron pipe and land now or formerly of Ralph L. Allen, et al; thence North 79° 23' West long land now or formerly of said Allen, et al, eighty-one and no hundredths (81.00) feet to a point; thence South 10° 37' West along land now or formerly of said Allen, et al, one hundred and no hundredths (100.00) feet to the northerly sideline of said Ashmont Street; thence North 79° 23' West along the northerly sideline of said Ashmont Street eighty-five and no hundredths (85.00) feet to the point of beginning; containing twenty thousand eight hundred fifty-two (20,852) square feet.

All bearings are magnetic in the year 1919.

Being the same premises conveyed by Ashco, Inc. to James J. Kelley by deed dated August 12, 1976 and recorded in said Registry in Book 3893, Page 3. Reference is also made to the deeds recorded in said Registry in Book 3965, Page 163, Book 4308, Page 295, Book 4464, Page 275, Book 4594, Page 307, Book 4819, Page 139, Book 4899 Page 84 and Book 4899 Page 82.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Jewish Community Center of Portland, Maine

its successors ~~WARRANT~~ and assigns, to them and their use and behoof forever.

And we do COVENANT with the said Grantees, our heirs and assigns, that we are lawfully seized in fee of the premises that they are free of all encumbrances: except as aforesaid;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will WARRANT and DEFEND the same to the said Grantees, its successors ~~WARRANT~~ and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, We, the said James J. Kelley, Jr. being unmarried

and Kathleen M. Salisbury and Jeffrey

Salisbury ~~my~~ husband of the said

Kathleen M. Salisbury

joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seal this 30th day of December in the year of our Lord one thousand nine hundred and eighty-one

Signed, Sealed and Delivered in presence of

James H. Hony, Jr. to all three

James J. Kelley, Jr. Kathleen M. Salisbury

State of Maine, CUMBERLAND } ss.

December 30, 1951.

Personally appeared the above named James J. Kelley,

Jr. and acknowledged the above

instrument to be his free act and deed.

DEC 31 1951

REGISTRY OF DEEDS CUMBERLAND COUNTY, MAINE Received at 9 58 AM, and recorded in

BOOK 470 PAGE 9

Edward J. Austin Register

Before me,

James H. Hony, Jr. Justice of the Peace, Notary Public, Attorney At Law.



LOCATION MAP

FALMOUTH  
PORTLAND

East  
Deering

Deering

BACK COVE

Sub

PORTLAND  
SOUTH PORTLAND



Vicki X8701  
Insp Svcs

PLARCHL  
KCOTE

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

04 FEB 91  
09:24

CBL Listing for Post Cards: Format - (CCC-1-BB-LLL)  
Fill with '\*' for all C - Chart 1 - Chart letter B - Block L - Lot

125--J-*	125--G-	118--B-1	---	---
125--A-*	--H-	---2	---	---
--B-*	125--I-	---3	---	---
125--C-*	125--K-	118--B-4	---	---
--D-*	126--A-*	--A-1	---	---
125--E-6	126--K-3	---2	---	---
--L-6	---7	---3	---	---
125--L-7	126--K-25	118--4	---	---

Continue

Cancel

Done

57 Ashmont  
Job #  
9086

57 ASHMONT STREET

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, September 21, 1995 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.

The Jewish Community Center, located at 57 Ashmont Street in the R-5 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 community center to a community center with a daycare facility for twelve (12) 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.

Matthew D. Manahan  
Chairman