

PROPOSED STREET 126-K-4-5  
Rear 18 Ashmont Street 126-B-18  
125-I-6-9



Full cut #9201 - Half cut #9202H - Third cut #9203R - Fifth cut #9205R

January 3, 1956

Complaint--Rear of 22-24 Ashmont St.

Mr. Edward D. Noyes  
465 Congress St.

Dear Mr. Noyes:

It appears that you are the owner of several vacant lots at the above location, some of them fronting on a dedicated but unaccepted street which runs off of Ashmont St. A number of times in recent years and again just recently some of the neighboring business houses or others have been using some vacant lots in the neighborhood and, I believe, parts or some of your lots for uses which are not allowed under the Zoning Ordinance in the Residence D Zone where the property is located.

If our information is correct, a few dilapidated trucks and other motor vehicles have been stored or parked recently on some of your land--probably without your knowledge or consent. At any rate this situation as regards your land either has been cleared up and the vehicles removed or will be shortly.

In order that you might be fully advised about the situation, it seemed best to write to you and tell you that these lots are all in the Residence D Zone under the Zoning Ordinance for which the allowable uses are primarily dwelling house use and use for limited apartment houses with some other less common uses allowed. No business use is allowed on these lots. Thus, should you have in mind disposal of the lots or activating them in some manner, you will at the outset be informed as to the limitations under the Zoning Ordinance.

In any event before such vacant lots can be put to any use at all, a certificate of occupancy is required under the Zoning Ordinance from this department.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMCD/11

24

(2) LIMITED BUSINESS ZONE



APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation

Portland, Maine, April 28, 1950

Revised Plan 5/9/50

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

PERMIT ISSUED

00126

JAN 17 1951

CITY OF PORTLAND

The undersigned hereby applies for a permit to install the following building 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: 126-B-18 R 18 Ashmont

Location 18 Ashmont Street, see Proposed Plan Within Fire Limits? No Dist. No.

Owner's name and address Land Schwartz & Rosenberg Cumberland & York, 18 Ashmont Street Telephone

Lessee's name and address Telephone

Contractor's name and address T. H. Stokes, 355 Pride Street, Westbrook Telephone 3-5179

Architect Specifications Plans yes No. of sheets 1

Proposed use of building No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated cost \$ Fee \$ 1.00

General Description of New Work

To install 2-1000 gallon tanks (one for gasoline and one for diesel oil). Storage to be for private use. Tanks will be 3' underground and painted with asphaltum. Tanks bear Underwriters' label. New installation. Two electric pumps to be installed. 1 1/2" piping from tank to pump.

Owner of Land Schwartz & Rosenberg 15' x 15' area for tanks leased by Cumberland & York

Set out on 126-B-3-18 Ashmont only Mr. Harry Schwartz says he will have cleared land for tanks which will be on 126-B-18

Sent to Fire Dept. 1/5/51

Rec'd from Fire Dept. 1/11/51

4/28/50

5/1/50

BEFORE covering Tank and any other work REMOVAL OF FIRE

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 T. H. Stokes

Permit Issued with Memo

Details of New Work

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

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock?

Material of foundation Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof Rise per foot Roof covering

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:

Signature of inspector

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

observed? yes

Cumberland & York

Signature of owner by:

Signature of T. H. Stokes

COPY

Permit No. 350126  
 Location 18 Ashman St.  
 Owner Amberland + York  
 Date of permit 11/17/1980  
 Notif. closing-in \_\_\_\_\_  
 Inspn. closing-in \_\_\_\_\_  
 Final Notif. \_\_\_\_\_  
 Final Inspn. Fine Dept.  
 Cert. of Occupancy issued \_\_\_\_\_

NOTES

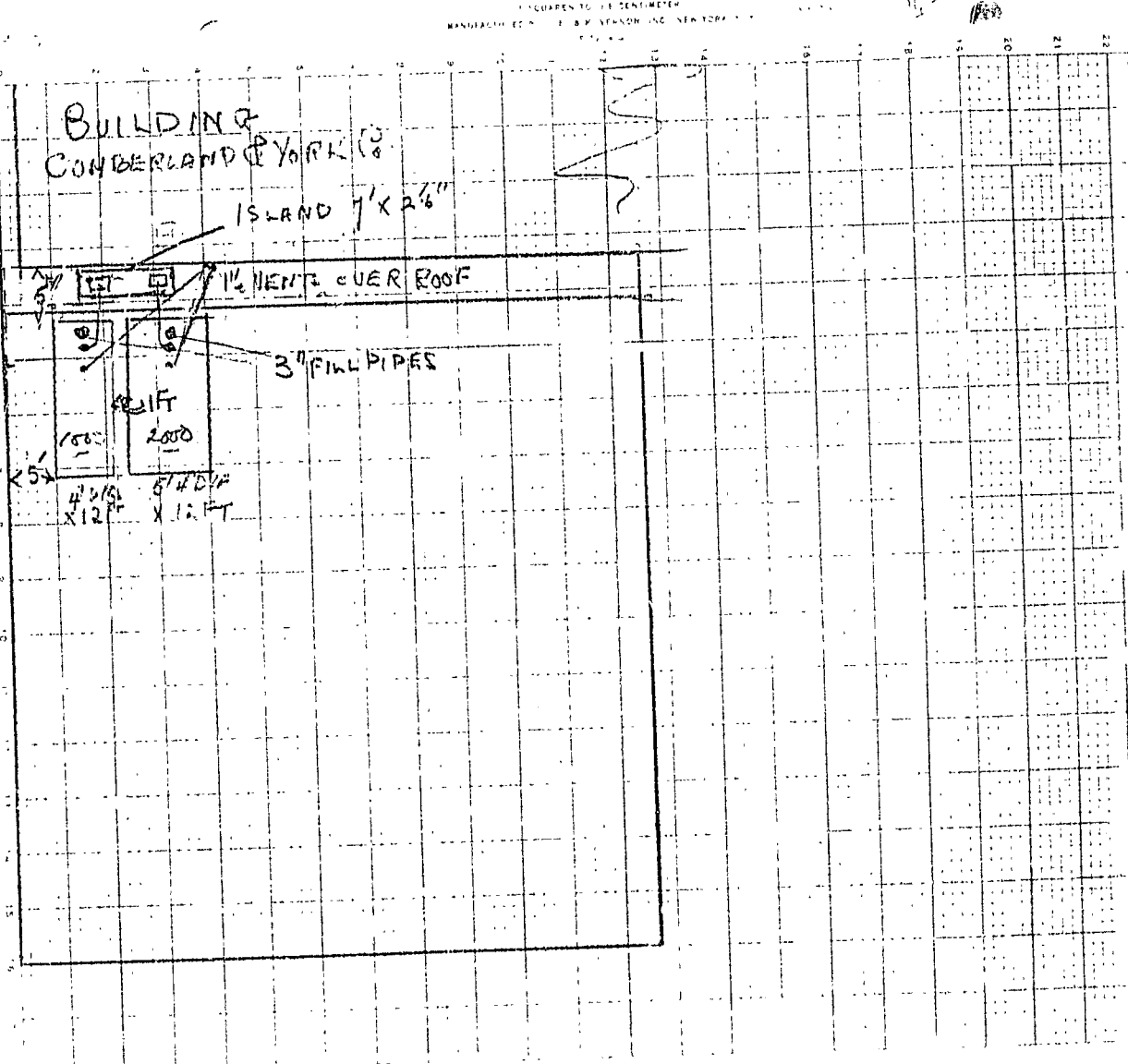
HOW EC - E - 101

*(This section contains a large 'X' drawn across the lines, indicating that the notes area is unused.)*

I hereby certify that the above information is true and correct to the best of my knowledge and belief.  
 Inspector \_\_\_\_\_  
 Date \_\_\_\_\_

1 SQUARE TO 1 CENTIMETER  
MANUFACTURED BY E. & F. JOHNSON INC. NEW YORK N.Y.

Vertical text on the left margin, possibly a date or reference number.



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

18 Ashmont Street--Installation of 1-1000 gasoline tank and 1-2000 diesel oil tank for Cumberland & York by T. H. Stokes, installer

Before tanks and piping are covered from view, installer is required to notify Fire Department Headquarters of references for inspection and to refrain from covering up until approved by the Fire Department.

These tanks of 1000<sup>and 2000</sup> gallons capacity are required to be of steel or wrought iron no less in thickness than No. 12 gauge, and required to be galvanized and before installation is required to be protected against corrosion, even though galvanized, by two preliminary coats of red lead and heavy coat of hot asphalt.

Pipe lines connected to underground tanks, other than tubing and except fill lines and test wells, must be provided with double wing joints arranged to permit the tank to settle without impairing the efficiency of the pipe connections.

Owner and installer will have to bear the responsibility for the structural capacity of the tank to support loads from above such as heavy motor trucks.

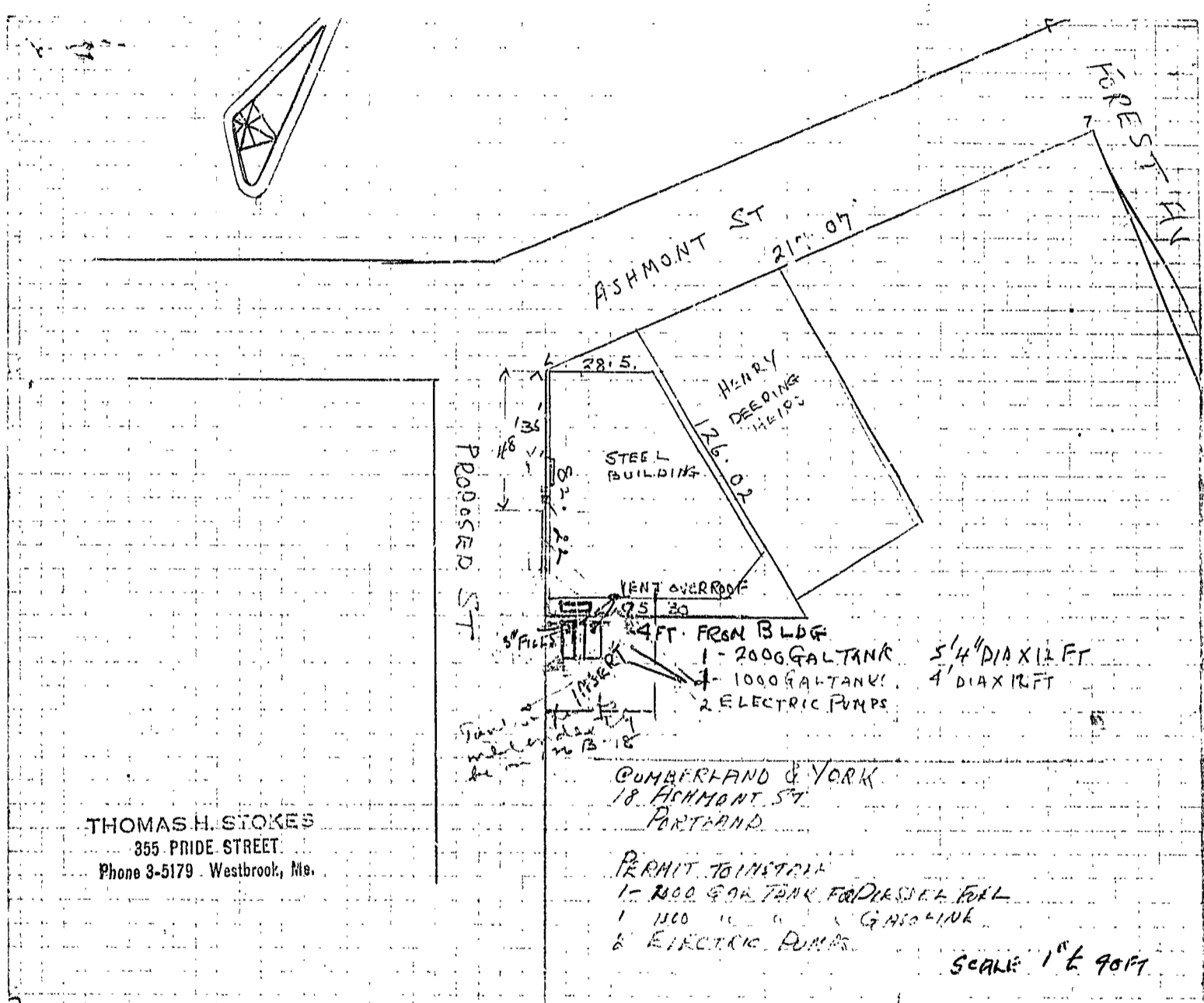
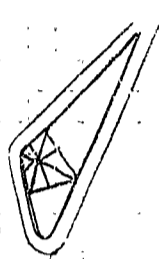
If tanks will be so located as to be subjected to the action of tide water or "ground" water, adequate anchorage or weighting must be provided to prevent "floating" when tanks are empty or nearly so.

5

Cumberland & York  
18 Ashmont Street

Oliver T. Sanborn, Chief  
of the Fire Department

(Signed) Warren MacDonald  
Inspector of Buildings



THOMAS H. STOKES  
 355 PRIDE STREET  
 Phone 3-5179 - Westbrook, Me.

CUMBERLAND & YORK  
 18 ASHMONT ST  
 PORTLAND

PERMIT TO INSTALL  
 1 - 2000 GAL TANK FOR DIESEL FUEL  
 1 - 1000 " " " GASOLINE  
 2 - ELECTRIC PUMPS

5' 1/4" DIA X 12 FT  
 4' DIA X 12 FT

SCALE 1" = 90 FT

*To: main  
Boverth  
with memo*



SOCONY-VACUUM OIL COMPANY  
INCORPORATED

48 Main Street, So. Portland 2, Maine

August 29, 1950

City of Portland  
Department of Building Inspection  
City Hall  
Portland, Maine.

Re: AP 18 Ashmont Street-I  
(Gasoline Tanks)

Attention: Mr. Warren McDonald,  
Inspector of Buildings.

Gentlemen:

In reference to your letter of May 26, 1950 concerning above subject, we would like to advise you that we believe we can abide by the conditions stated in your letter when we install our tank and pump equipment at the Cumberland & York location in Portland.

Will you please forward to us the agreement form which you plan to have drawn up covering this installation, so that we may have the opportunity to look it over.

Very truly yours,  
SOCONY-VACUUM OIL COMPANY, INCORPORATED  
By D. H. Gordon

DHG:1

*OK.  
I'll find letter sent to 6 + York... almost... is...  
WMO  
9/1-4/50*

RECEIVED  
AUG 30 1950  
DEPT. OF BLD'G. INSP.  
CITY OF PORTLAND



AP 18 Ashmont Street-I  
(Gasoline tanks)

May 26, 1950

Cumberland & York, Inc.  
18 Ashmont Street  
Portland, Maine

Copies to:  
Mr. T. H. Stokes, 355 Pride Street, Westbrook, Maine  
Mark Barrett, Assistant Corporation Counsel

Gentlemen:

Following my letter of May 3, 1950 relating to the application for permit to cover installation of tanks and pumps beneath and upon the proposed street running off Ashmont Street and by your building at 18 Ashmont Street, Mr. Stokes furnished a revised plan. The matter was placed before the Board of Municipal Officers, whose approval is required before a permit can be issued for such installations within the lines of a proposed street, and on May 15 the Board indicated their approval of the permit subject to the following conditions:

"That before the permit is issued, the owners of the land and building and the owners of the equipment proposed to be installed shall enter into an agreement with the City of Portland, as follows:

1. "To immediately remove tanks, pumps and piping prior to proceedings on the part of the City of Portland toward acceptance of this unnamed street, and at any time prior to acceptance proceedings, if ordered so to do by the Municipal Officers for any cause whatever;

2. "To save the City of Portland harmless from all loss, cost or damage during installation of and removal of or maintenance and use of this equipment above or beneath the surface of and within the lines of the proposed street."

Not known whether company owns or will own the tanks, piping and pumps, of course if this equipment is to be owned by others, these others must enter into a separate agreement with the City also.

If you intend to enter into this agreement, please notify me direct, preferably in writing, so that I may notify the Corporation Counsel who will no doubt establish the form of the agreement which will satisfy the terms of the order of the Board of Municipal Officers.

If others than your company will own the equipment after it had been placed, please ask those others to notify me direct also that they are willing to enter into this agreement.

Naturally the Legal Department does not wish to draw up any form unless it is likely to be used.

If you are unwilling to go along on this basis, or other owners of the equipment are unwilling, please notify this office, whereupon the permit for installation of the equipment will be automatically denied, and if Mr. Stokes, who is receiving a copy of this letter will return the receipt for the fee paid to this office, his money will be refunded by voucher.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMD/G

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

May 15, 1950

ORDERED :

That a building permit to (authorize installation of two 1,000 gallon tanks for gasoline and diesel fuel beneath the surface of the ground, two pumps and piping between tanks and pumps for dispensing the liquids, all within the lines of a proposed street shown on the official map off Ashmont Street and running along and adjacent to the building at 18 Ashmont Street,) be and hereby is approved as per Section 103c of the Building Code; but (subject to the condition that before the permit is issued, the owners of the land and building and the owners of the equipment proposed to be installed shall enter into an agreement with the City of Portland,) as follows:

To immediately remove tanks, pumps and piping prior to proceedings on the part of the City of Portland toward acceptance of this unnamed street, and at any time prior to acceptance proceedings, if ordered so to do by the Municipal Officers for any cause whatsoever;

To save the City of Portland harmless from all loss, cost or damage during installation of and removal of or maintenance and use of this equipment above or beneath the surface of and within the lines of the proposed street.

CC: Mark Barrett  
Assistant Corporation Counsel

AP 18 Ashmont St.

May 3, 1950

Mr. T. H. Stokes,  
355 Pride Street  
Westbrook, Maine  
Cumberland & York  
18 Ashmont Street

Gentlemen:

While the sketch filed with the application does not indicate it, it is my impression that the building is very close to if not directly at the line of a proposed street running off Ashmont Street and indicated on the Official Map of the city. Whatever information we can gather here confirms that impression.

If that is true and there is not room enough between the wall of the building and the line of the proposed street so that all of both tanks and the piping would be beneath private property without any projection at all beneath the proposed street, the Building Code will not allow issuance of the permit unless first approved by the Municipal Officers.

It is necessary that you furnish an accurate sketch to scale showing the relative location of wall of the building and the line of the proposed street and the relative location of the proposed tanks with building and street line, this information to enable me to present the matter clearly to the Board of Municipal Officers.

I cannot discover the location of the pumps. That also should be shown, and I believe there is a state regulation which frowns upon having at least the gasoline pump inside of the building.

Very truly yours,

W McD/H

Inspector of Buildings

*File*

CITY OF PORTLAND, MAINE  
LEGAL DEPARTMENT

November 13, 1950

Cumberland & York Distributors  
18 Ashmont Street  
Portland, Maine

cc: Mr. McDonald, Inspector of Buildings

Attention: Mr. Splain

Gentlemen:

The situation with respect to locating some tanks under-  
neath a proposed street for the benefit of your company seems  
to be somewhat involved.

1. Since this street has never been an accepted street  
of the City of Portland, the City does not have any authority  
concerning it.

2. The owner of the land is believed to be Deering Noyes.

3. It seems to us that Deering Noyes is the person to  
give the consent. If he does give the consent, then Mr. Noyes  
should file an appeal with the Board of Appeals asking for  
permission to locate the tanks underneath a proposed street.  
I am enclosing herewith request in duplicate to the Board of  
Appeals covering this situation for Mr. Noyes' signature  
in the event he is willing to proceed as outlined above.  
Both of these copies should be signed and returned to this  
office as promptly as possible if this matter is to be con-  
sidered at the next meeting of the Board of Appeals.

If Mr. Noyes files this appeal and the Board of Appeals  
acts favorably on it, then I am certain that the other  
details can be worked out. Essentially, the City will  
require an agreement that, if and when the City accepts the  
street, the City would have the right to require the removal  
of any installations underneath the public sidewalk, such removal  
to be at the sole cost and expense of the installer.

Very truly yours,

Mark L. Barrett  
Assistant Corporation Counsel

MLB:M

RECEIVED  
NOV 16 1950  
DEPT. OF RECORDS  
CITY OF PORTLAND

C  
O  
P  
Y

AP 18 Ashmont Street-I  
(Installation of oil tanks)

October 10, 1950

Mark Barrett, Assistant Corporation Counsel

Warren McDonald, Insptr. of Bldgs.

Proposed agreement for installation of oil tanks beneath and pumps within the lines of a proposed street running from about 20-22 Ashmont Street

Application for building permit for the above installation for the use of Cumberland and York, Inc. at 18 Ashmont Street was completed on May 8 and on May 15, 1950 the Board of Municipal Officers voted to approve the permit subject to certain conditions based on an agreement with the City to be entered into by the owners of the land and building and the owners of the equipment to be installed, the general terms of the conditions in the agreement being cited in the order of the Board and repeated in my letter to Cumberland & York, Inc. of May 26, copy of which you have, and in which I notified the owner of buildings and land (Cumberland & York, Inc.) and the installer of the terms of the order, and suggested that if all concerned were willing to execute such an agreement, that they let me know so that I might ask the Legal Department to get the proper agreement in shape.

On August 30 Socony-Vacuum Oil Company, Inc. of 48 Main Street, South Portland by their Mr. D. H. Gordon wrote to me and said: "We believe we can abide by the conditions stated in your letter when we install our tank and pump equipment at the Cumberland and York location in Portland." They asked that I forward to them the agreement form covering the situation.

A representative of Cumberland & York, Inc. has said over the phone that their company is very willing to enter into the agreement as described. The difficulty and delay has evidently been caused by the question as to whether or not Socony-Vacuum Legal Department would approve the precise terms of the agreement. The Socony-Vacuum letter is worded quite cautiously, but I suppose the only way to find out is to prepare the agreement and send it to them and to Cumberland & York, Inc.

Will you be good enough to do that, and for your use I am attaching the Socony-Vacuum letter.

As regards conditions in the agreement other than those stipulated by the Board, it ought to be sufficient to say that the equipment will be installed strictly in accordance with the plan filed with the application for the permit on May 8, 1950, that the equipment and the installation thereof will be strictly in accordance with the regulations of the Building Code therefor and to the approval of the Chief of the Fire Department.

Inspector of Buildings

WMcD/G

Attachments: Socony-Vacuum letter  
Copy of application for permit with sketch and other papers attached