684 BAXTER BOULEVARD

STRAW & WALKER

FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

01553
AUG 30 1950
CITY OF PORTLAND

Portland, Maine, August 28, 1950

N-FSC

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 684 Baxter Boulevard Use of Building 1-family dwelling No. Stories New Building ~~Existing~~ "

Name and address of owner of appliance Robert Clenott

Installer's name and address Harris Oil Co., 202 Commercial Street Telephone 2-8304

General Description of Work

To install circulating hot water heating system and oil burning equipment

IF HEATER, OR POWER BOILER

Location of appliance or source of heat basement Type of floor beneath appliance concrete

If wood, how protected? Kind of fuel oil

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace 2'

From top of smoke pipe 2' From front of appliance over 4' From sides or back of appliance over 3'

Size of chimney flue 8x12 Other connections to same flue none

If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner General Electric Labelled by underwriter's laboratories? yes

Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? ~~bottom~~ top

Type of floor beneath burner concrete

Location of oil storage basement Number and capacity of tanks 1-275 gal.

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?

Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Kind of fuel Type of floor beneath appliance

If wood, how protected?

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?

If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

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:
O.K. E.S.S. 8/29/50

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

Harris Oil Co.

Signature of Installer by Dana C. Archer

INSPECTION COPY

(RAA) RESIDENCE ZONE - AA

APPLICATION FOR PERMIT

PERMIT ISSUED
APR 17 1950
09437
CITY of PORTLAND

Class of Building or Type of Structure Third Class

Portland, Maine, April 3, 1950

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~[illegible]~~ *the following building* ~~[illegible]~~ *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 684 Baxter Boulevard (684 - 686) Within Fire Limits? no Dist. No.

Owner's name and address Robert Clenott, 10 Belmeade Road Telephone

Lessee's name and address Telephone

Contractor's name and address Northeast Builders, 480 Congress Street Telephone 3-4341

Architect Specifications Plans yes No. of sheets 9

Proposed use of building Dwelling house & Garage No. families 1

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $17,000. Fee $17.00

General Description of New Work

To construct 1-story frame dwelling house and 2-car garage.

An 8" concrete block partition with self-closing door in opening will be provided between garage section and cellar of building. Ceiling of garage will be covered with metal lath and plaster.

Permit Issued with Letter

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*** Northeast Builders

Details of New Work

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

Height average grade to top of plate 9' 4" Height average grade to highest point of roof 14' 4"

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

Material of foundation concrete at least 4' below grade Thickness, top 10" bottom 12" cellar yes

Material of underpinning " to sill Height Thickness

Kind of roof Pitch Rise per foot 5" Roof covering Asphalt Class C Und Lab

No. of chimneys 1 Material of chimneys stone of lining tile Kind of heat h water fuel oil

Framing lumber—Kind hemlock Dressed or full size? dressed

Corner posts 4x6 Sills box Girt or ledger board? Size

Girders yes Size & none 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 2x12,	2nd ceiling truss,	3rd,	roof truss
On centers:	1st floor 16",	2nd,	3rd,	roof
Maximum span:	1st floor 21',	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:
with letter by CJS

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 are observed? yes

Date of permit	Notif. closing-in	Insph. closing-in	Final Notif.	Final Insph.	Cert. of Occupancy issued
4/17/50	7/24/50			9/11/50	9/26/50

Robert Carter Blackburn
Robert Clewitt

NOTES

4/6/50 - Note
4/13/50 - Location O.K. L.H.
6/8/50 - Mr. Schell of Lennox
made. Slope of Drive
from existing Gar to
Rear of Garage. H.L.
To be assembly 6 days, and
from now on. C.S.S.
7/21/50 - Strength in 1st floor
timbers below it has been cut away
to allow for passage of laundry
The job was closed down
without inspection but on
O.K. Rechecked
Bond Cancelled
Brown Self Drive removal signed
Mr. Mrs House in to
a Temporary Shed Tuesday
when I came to see the property
Mr. Mrs House
9/11/50 - Chg. Clerk stated put in
fire doors.
Heating system not
completely installed.
partitions being erected
C.S.S.
9/26/50 - Work done Certificate
to be issued. L.H.

Miscellaneous

COPY

CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

Issued to Robert Clenott

Date of Issue September 26, 1950

This is to certify that the building, premises, or part thereof, indicated below, and built—~~altered—changed as to use~~ at 684-686 Baxter Boulevard under Building Permit No. 50/497, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES	APPROVED OCCUPANCY
Entire Building	One-family Dwelling House Two-car Garage

Limiting Conditions:

This certificate supersedes certificate issued

Approved: Earle S. Scott
Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

WARNING !!!

THIS BUILDING PERMIT IS ISSUED
SUBJECT TO SPECIAL CONDITION:

THAT NO CONCRETE SHALL BE POURED IN FOUNDATION FORMS AND NO LAYING OF UNIT MASONRY IN FOUNDATION WALLS SHALL BE STARTED UNTIL NOTICE HAS BEEN GIVEN AT THE DEPARTMENT OF BUILDING INSPECTION OF READINESS TO START ACTUAL MASONRY WORK, AND UNTIL RE-CHECK OF LOCATION HAS BEEN MADE BY INSPECTOR.

* * *

Original markings of corners of lot and especially stakes on street line set by Dept. of Public Works must be kept intact and easily accessible for re-check--not covered by excavated earth or building materials. Otherwise the "go-ahead" cannot be given. Dept. of Public Works cannot re-set their stakes.

* * *

Obviously the notice for re-check must be given at such a time as to allow reasonable opportunity to make re-check.

Warren McDonald
Inspector of Buildings

112

AP 684 Baxter Blvd.

April 17, 1950

Northeast Builders,
480 Congress Street,
Portland, Maine

Gentlemen:

The permit for construction of a dwelling and garage at 684 Baxter Boulevard is issued herewith based on the plans filed with the application and subject to the following details being taken care of as agreed upon by Mr. Beaudette and noted on the plans:

1. A 2x3 nailing strip is to be bolted to the web of the 10" steel beam to be provided across the garage for support of the 2x12 floor timbers of the living room.

2. Instead of framing the roof over the living room as indicated in the isometric drawing submitted, it is understood that you plan to provide double 2x8 headers on spans of about six feet for support of the intermediate and dormer rafters between the full length 4x6 rafters on which the headers will be supported.

3. The 4x10 header over the bay window must be of Douglas Fir lumber in order to figure out.

4. The fireplace hearth is to be extended 8" or more beyond the fireplace opening on the end facing the front of the building.

5. Because the fire door in the garage partition will be in a masonry wall, it is required to be set in a structural metal frame rather than a wood frame metal covered. This door is to be equipped with a suitable self-closing device and is to be constructed as specified in Section 303-c-4 of the Building Code for a standard fire-resistant door.

6. A 3½" diameter Lally column instead of one with only a 3" diameter is to be provided for support at the center of the 10" I-beam across the garage.

7. While the spacing of ties for the stone veneer is indicated on the plans, the size and material of the ties is not noted. Wherever the veneer is to be anchored to masonry walls as in the case of the chimney and front wall of garage and entrance to basement, ties are required to be of no less than number six gauge wire. Only in the case of veneer tied to wood walls is it allowable to use corrugated sheet metal ties and these must be of such a thickness that at a width of not more than seven-eighths of an inch 1000 ties will weigh not less than forty-eight pounds.

Very truly yours,

AJS/H
CC: Robert Glennott, 10 Belmeade Rd.

Inspector of Buildings

APPLICATION FOR PERMIT

B.O.C.A. USE GROUP .....

B.O.C.A. TYPE OF CONSTRUCTION .....

ZONING LOCATION _____ PORTLAND, MAINE, Jan 7, 1975

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

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

LOCATION 880-890 Baxter Blvd ..... Fire District #1 ☐, #2 ☐

1. Owner's name and address Edward E. Merrill, A Maine Corp of Portland, 74 Falmouth Rd, Falmouth, Maine ..... Telephone .....
2. Lessee's name and adddress ..... Telephone .....
3. Contractor's name and address .....to be let ..... Telephone .....
4. Architect ..... Specifications ..... Plans ..... No. of sheets .....

Proposed use of building ..four attached town houses ..... No. families .4.....

Last use ..... No. families .....

Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated contractural cost $..... Fee $.....

FIELD INSPECTOR—Mr. Hoffses ..... @ 775-5451 Ext. 234

This application is for:

Dwelling .....

Garage .....

Masonry Bldg. .....

Metal Bldg. .....

Alterations .....

Demolitions .....

Change of Use .....

Other .....

GENERAL DESCRIPTION

to construct an attached four building four family town house complex per plans.

Stamp of Special Conditions

This application is preliminary to get settled the question of zoning appeal. In the event the appeal is sustained the applicant will furnish complete information, estimated cost and pay legal fee.

Appeal sustained 1-29-75

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 ☒ 2 ☐ 3 ☐ 4 ☐

Other: .....

DETAILS OF NEW WORK

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

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 .....

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 .....

Size Girder ..... 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? .....

APPROVALS BY: *DATE*

BUILDING INSPECTION—PLAN EXAMINER .....

ZONING: .....

BUILDING CODE: .....

Fire Dept.: .....

Health Dept.: .....

Others: .....

MISCELLANEOUS

Will work require disturbing of any tree on a public street? ..

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

Edward E. Merrill

Signature of Applicant by Barry E. Steele ..... Phone # 773-7274

Type Name of above Barry E. Steele ..... 1 ☒ 2 ☐ 3 ☐ 4 ☐

Other .....

and Address .....

FIELD INSPECTOR'S COPY

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

Edward F. Merrill, Harry E. Steele
Applicant

January 9, 1975
Date

74 Falmouth Rd., Falmouth, Me.
Mailing Address

880-890 Baxter Blvd., cor. 73-77 Bendall
Address of Proposed Site

four family apartment house
Proposed Use of Site

166-A-2-3 50
Site Identifier(s) from Assessors Maps

13,897 sq ft / 2,730 sq. ft
Acreage of Site / Ground Floor Coverage

R-3
Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes ( ) No

Board of Appeals Action Required: (X) Yes ( ) No

Planning Board Action Required: ( ) Yes ( ) No

Proposed Number of Floors two

Total Floor Area 3,460 sq. ft.

Other Comments:

Date Dept. Review Due: January 14, 1975

FIRE DEPARTMENT REVIEW

(Date Received)

	ACCESS TO SITE	ACCESS TO STRUCTURES	SUFFICIENT VEHICLE TURNING ROOM	SAFETY HAZARDS	HYDRANTS	SIAMESE CONNECTIONS	SUFFICIENCY OF WATER SUPPLY	OTHER	
APPROVED									
APPROVED CONDITIONALLY									CONDITIONS SPECIFIED BELOW
DISAPPROVED	✓	✓	✓		✓				REASONS SPECIFIED BELOW

REASONS: ONE MEANS of EGRESS
NO ACCESS FOR LADDER Co.
NEAREST HYDT. TO FAR AWAY

(Attach Separate Sheet if Necessary)

Capt. H. Miller
SIGNATURE OF REVIEWING STAFF/DATE

FIRE DEPARTMENT COPY

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

Edward E. Merrill/ Barry E. Steele
Applicant

January 9, 1975
Date

74 Falmouth Rd., Falmouth, Me.
Mailing Address

880-890 Baxter Blvd., cor. 73-77 Randall St.
Address of Proposed Site

four family apartment house
Proposed Use of Site

166-A-2-3
Site Identifier(s) from Assessors Maps

13,897 sq ft / 2,730 sq. ft
Acreage of Site / Ground Floor Coverage

R-5
Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes ( ) No

Board of Appeals Action Required: (X) Yes ( ) No

Planning Board Action Required: ( ) Yes ( ) No

Proposed Number of Floors two

Total Floor Area 5,460 sq. ft.

Other Comments:

Date Dept. Review Due: January ~~14~~ 22, 1975

PUBLIC WORKS DEPARTMENT REVIEW

RECEIVED
JAN 14 1975
(Date Received)
DEPARTMENT OF PUBLIC WORKS

	TRAFFIC CIRCULATION	ACCESS	CURB CUTS	ROAD WIDTH	PARKING	SIGNALIZATION	TURNING MOVEMENTS	LIGHTING	CONFLICT WITH CITY CONSTRUCTION PROJECT	DRAINAGE	SOIL TYPES	SEWERS	CURBING	SIDEWALKS	OTHER	
APPROVED	X	X	X	X	X				X							
APPROVED CONDITIONALLY										X		X			X	CONDITIONS SPECIFIED BELOW
DISAPPROVED																REASONS SPECIFIED BELOW

REASONS: See Attached Memo

(Attach Separate Sheet if Necessary)

John R. Kennedy 1/21/75
SIGNATURE OF REVIEWING STAFF/DATE

PUBLIC WORKS DEPARTMENT COPY

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Earle S. Smith, Building Inspection Department

DATE: 1-21-75

FROM: John R. Kennedy, Department of Public Works

SUBJECT: Site Plan Review
Edward E. Merrill/Barry E. Steele
880-890 Baxter Blvd. (corner 73-77 Randall Street)
(Four-family apartment house)

In reference to the above project, this Department has the following comments:

1. Drainage

Elevations shown on the site plan indicate that storm water from the parking area will run into the street. The Zoning Ordinance, Section 602.14J.3 of the Municipal Code, requires that where parking areas are provided for more than six vehicles "A system of surface drainage shall be provided in such a way that the water run-off shall not run over or across any public sidewalk or street".

A method of correction might be to regrade the parking area such that water runoff drains onto grassed areas with a minimal amount running into the street.

2. Sewers

An adequate sanitary sewer is available in Randall Street to serve the proposed site. However, the site plan does not show any proposed or existing sewer connection. The applicant shall submit to this office for final approval a revised site plan indicating the location and size of his proposed sewer and the method of connection to the City sewer.

3. Other

a) The site plan received by this office was reduced in scale when reproduced. The new scale should be shown on the plan.

b) Abutting property owner to north of the proposed development should be shown on the site plan.

John R Kennedy
JOHN R. KENNEDY
CIVIL ENGINEER I
PUBLIC WORKS DEPARTMENT

JRK/dmd

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

Edward E. Merrill/ Barry E. Steele
Applicant

January 9, 1975
Date

74 Falmouth Rd., Falmouth, Me.
Mailing Address

160-690 Baxter Blvd., cor. 73-77 Fordall St.
Address of Proposed Site

four family apartment house
Proposed Use of Site

16B-K-2,3
Site Identifier(s) from Assessors Maps

13,897 sq ft / 2,730 sq. ft
Acreage of Site / Ground Floor Coverage

B-5
Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes (X) No

Board of Appeals Action Required: (X) Yes ( ) No

Planning Board Action Required: ( ) Yes (X) No

Proposed Number of Floors two

Total Floor Area 5,460 sq. ft.

Other Comments:

Date Dept. Review Due: January 14, 1975

PLANNING DEPARTMENT REVIEW 1/13/75
(Date Received)

☐ Major Development — Requires Planning Board Approval: Review Initiated

☒ Minor Development — Staff Review Below

	LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN	
APPROVED	NA	✓	✓	✓	✓	✓	✓	✓	NA	✓	NA	NA	
APPROVED CONDITIONALLY													CONDITIONS SPECIFIED BELOW
DISAPPROVED													REASONS SPECIFIED BELOW

REASONS: Plan rec'd 1 day prior to due date, Further analysis will result in report to Board of Appeals.

(Attach Separate Sheet if Necessary)

1/14/75
SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

Edward E. Merrill/ Barry E. Steele
Applicant

January 9, 1975
Date

74 Falmouth Rd., Falmouth, Me.
Mailing Address

880-890 Baxter Blvd., cor. 73-77 Randall St.
Address of Proposed Site

four family apartment house
Proposed Use of Site

166-A-2-3
Site Identifier(s) from Assessors Maps

13,897 sq ft / 2,730 sq. ft
Acreage of Site / Ground Floor Coverage

R-5
Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes ( ) No

Board of Appeals Action Required: (x) Yes ( ) No

Planning Board Action Required: ( ) Yes ( ) No

Proposed Number of Floors two

Total Floor Area 5,460 sq. ft.

Other Comments: _____

Date Dept. Review Due: January 14, 1975

BUILDING DEPARTMENT SITE PLAN REVIEW

(Does not include review of construction plans)

☑ Use does NOT comply with Zoning Ordinance
☑ Requires Board of Appeals Action
☐ Requires Planning Board/City Council Action

Explanation _____

☐ Use complies with Zoning Ordinance — Staff Review Below

Zoning: SPACE & BULK, as applicable	DATE	ZONE LOCATION	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 21)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LOT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS	
COMPLIES	✓		✓	✓		✓	✓	✓			✓	✓	✓	✓	✓	✓	✓		
COMPLIES CONDITIONALLY		✓			✓				✓										CONDITIONS SPECIFIED BELOW
DOES NOT COMPLY																			REASONS SPECIFIED BELOW

REASONS: NEEDS BOARD OF APPEAL APPROVAL

SIGNATURE OF REVIEWING STAFF/DATE

BUILDING DEPARTMENT — ORIGINAL

Steele & Company
Realtors
309 CUMBERLAND AVE., PORTLAND, MAINE 04111
TELEPHONE 773-8339

January 17, 1975

Mr. Malcolm G. Ward
Building Inspector Division
City Hall
Portland, Maine 04111

Re: 880-890 Baxter Boulevard
Corner 73-77 Randall Street

Dear Mr. Ward:

Reference to your letter of January 13, 1975, stating that a two-story, four-family, frame building is not issuable under the present zoning ordinance because the building is located 17 feet back from the street line, I am willing to redesign the decks to conform with your 20 foot set back as required by 602.6.B.4.

Cordially,

Barry E. Steele

Barry E. Steele

BES:jcp

March 11, 1975

Joseph Kennedy
Public Works Department
Portland City Hall
389 Congress Street
Portland, Maine 04102

Re: Snow Plowing
880-890 Baxter Boulevard
Corner Randall Street
Portland, Maine

Dear Mr. Kennedy:

At your request this letter is to change the wording of letter dated March 7, 1975 pertaining to the above subject.

"It is understood that the City of Portland will remove by plowing as much snow as possible at the end of Randall Street, in order to provide clearance to the entrance of 73-77 Randall Street."

However, if an excessive amount of precipitation should fall in any one year, the owner of said lot will remove the extra snow that the city is unable to handle.

Very truly yours,

Barry E. Steele

BS:jc

CC: Alan Soule, Building Inspector
William Altenberg
R.E. Dyke

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: A. Allan Soule, Assistant Director Building Inspection DATE: 3-7-75

FROM: John R. Kennedy, Department of Public Works

SUBJECT: Site Plan Review
Edward E. Merrill/Barry E. Steele
880-890 Baxter Blvd. (corner 73-77 Randall Street)
(Four-family apartment house)

REFERENCE: My memo 2-3-75

Mr. Barry Steele has tentatively agreed to respond in writing agreeing to be responsible for any necessary snow removable in order to keep his entrance from Randall Street open. To date, he has not replied.

Please withhold the issuance of any permit for construction on this property until such time as this matter is resolved.

John R Kennedy

JOHN R. KENNEDY
CIVIL ENGINEER I
PUBLIC WORKS DEPARTMENT

jmd

January 13, 1975

Edward E. Merrill
c/o Barry E. Steele
74 Falmouth Road
Falmouth, Me. 04105

cc to: Corp. Council

RE: 880-890 Baxter Blvd., cor. 73-77 Randall St.

Building permit and certificate of occupancy to construct a two story four family frame apartment building at the above named location is not issuable under the Zoning Ordinance for the following reasons.

1. The property is located in an R-5 Residential Zone where under the provisions of Section 602.6.A a four family apartment building is not allowable.

2. The building which is to be located about 17 feet back from the street line will be an unlawful encroachment upon the 20' front yard setback area required by Section 602.6.B.4.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, Room 113, City Hall to file the appeal on forms which are available here. A fee of $15.00 for a Variance appeal shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter, then consider this letter as a matter of formality. Section 602.24.C.3.b(3)

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:mes

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: A. Allan Soule, Assistant Director Bldg. Inspection DATE: 3-13-75

FROM: John R. Kennedy, Department of Public Works

SUBJECT: Site Plan Review
Edward E. Merrill/Barry E. Steele
880-890 Baxter Blvd. (corner 73-77 Randall Street)
(Four - family apartment house)

Reference: My memos 2-3-75 and 3-7-75

Mr. Barry Steele, Steele and Company, has submitted a letter (copy attached) concerning his responsibilities relative to snow removal on Randall Street. This letter is acceptable to this Department.

Please release the hold requested by this Department on 3-7-75.

JOHN R. KENNEDY
CIVIL ENGINEER I
PUBLIC WORKS DEPARTMENT

JRK/dmd

File: Randall St.

Steele & Company
Realtors
309 CUMBERLAND AVE., PORTLAND, MAINE 04111
TELEPHONE 773-8339

RECEIVED
MAR 12 1975
DEPARTMENT OF PUBLIC WORKS

March 11, 1975

Joseph Kennedy
Public Works Department
Portland City Hall
389 Congress Street
Portland, Maine 04102

Re: Snow Plowing
880-890 Baxter Boulevard
Corner Randall Street
Portland, Maine

Dear Mr. Kennedy:

At your request this letter is to change the wording of letter dated March 7, 1975 pertaining to the above subject.

"It is understood that the City of Portland will remove by plowing as much snow as possible at the end of Randall Street, in order to provide clearance to the entrance of 73-77 Randall Street."

However, if an excessive amount of precipitation should fall in any one year, the owner of said lot will remove the extra snow that the city is unable to handle.

Very truly yours,

Barry E. Steele

Barry E. Steele

BS:jc

CC: Alan Soule, Building Inspector
William Altenberg
R.E. Dyke

Steele & Company
Realtors
309 CUMBERLAND AVE., PORTLAND, MAINE 04111
TELEPHONE 773-8339

March 7, 1975

Joseph Kennedy
Public Works Department
Portland City Hall
389 Congress Street
Portland, Maine 04102

Re: Snow Plowing
880-890 Baxter Boulevard -
Corner Randall Street
Portland, Maine

Dear Mr. Kennedy:

At your request this letter is to confirm our conversation on plowing the above lot. It is understood that the City of Portland will remove as much snow as possible at the end of Randall Street.

However, if an excessive amount of precipitation should fall in any one year, the owner of said lot will remove the extra snow that the city is unable to handle.

Very truly yours,
Barry E. Steele
Barry E. Steele

BS:jc

CC: Alan Soule, Building Inspector
William Altenberg
R.E. Dyke

March 7, 1975

Chief Joseph R. Cremo
380 Congress Street
Portland, Maine 04102

Re: Water Line
880-890 Baxter Boulevard -
Corner of Randall Street
Portland, Maine

Dear Chief Cremo:

This letter is to inform you that I have talked with Mr. Everett Price of the Portland Water District, and he estimates that the company will install an 8" water line from Front Street down to the above lot on or before May 1.

Very truly yours,

Barry E. Steele

BS:je

CC: Porter Hennings
William Altenberg
Alan Soule, Building Inspector
R.E. Dyke

CITY OF PORTLAND, MAINE

Building & Inspection Services

January 13, 1975

Edward E. Merrill
c/o Barry E. Steele
74 Falmouth Road
Falmouth, Me. 04105

cc to: Corp. Council

RE: 880-890 Baxter Blvd., cor. 73-77 Randall St.

COPY

Building permit and certificate of occupancy to construct a two story four family frame apartment building at the above named location is not issuable under the Zoning Ordinance for the following reasons.

1. The property is located in an R-5 Residential Zone where under the provisions of Section 602.6.A a four family apartment building is not allowable.

2. The building which is to be located about 17 feet back from the street line will be an unlawful encroachment upon the 20' front yard setback area required by Section 602.6.B.4.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, Room 113, City Hall to file the appeal on forms which are available here. A fee of $15.00 for a Variance appeal shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter, then consider this letter as a matter of formality. Section 602.24.C.3.b(3)

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:mes

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

APPLICATION FOR A USE VARIANCE

Edward E. Merrill, owner of property at 880-890 Baxter Blvd., cor. 73-77 Randall Street

under the provisions of Section 602.24 C of the Zoning Ordinance of the City of

Portland, hereby respectfully petitions the Board of Appeals to permit: the construction of a two story four family frame apartment building at the above named location. This permit is not issuable under the Zoning Ordinance for the following reasons. (1) The property is located in an R-5 Residential Zone where under the provisions of Section 602.6.A a four family apartment building is not allowable. (2) The building which is to be located about 17 feet back from the street line will be an unlawful encroachment upon the 20' front yard setback area required by Section 602.6.B.4.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(3) of the Zoning Ordinance have been met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval is required, a preliminary or final site plan is attached hereto as Exhibit A.

Edward E. Merrill
by Barry E. Steele
APPELLANT

$15 paid

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: A. Allan Soule, Ass't Director Building Inspection Dept. DATE: 2-3-75

FROM: John R. Kennedy, Department of Public Works

SUBJECT: Site Plan Review
Edward E. Merrill/Barry E. Steele
880 - 890 Baxter Blvd. (corner 73-77 Randall Street)
(Four-family apartment house)

A meeting was held this morning concerning the Board of Appeal's concern relative to possible problems of snow removal and/or storage at the end of Randall Street, adjacent to the driveway for the proposed development. Those in attendance were Mr. Barry Steele, the applicant; Mr. William Altenburg, architect for the applicant; Mr. Brian Nickerson, Planning Department; and Mr. Gerald Brewster and Mr. John Kennedy, Public Works Department.

Because of the physical restraints in trying to extend the roadway towards Baxter Blvd. or in trying to alter the location of the parking lot and/or entrance, it was decided by all parties in attendance that the City plowing crews would attempt to store snow as far beyond the applicant's drive as possible. However, during years of heavy snowfall, it may not be possible for the City to adequately store snow without blocking the entrance to the proposed parking area. Under these conditions, the applicant has agreed to remove snow as necessary to provide adequate access (egress) to the parking area.

If you should have any questions concerning the above, please contact me.

JOHN R. KENNEDY
CIVIL ENGINEER I
PUBLIC WORKS DEPARTMENT

JRK/dmd

CC: Mr. Barry E. Steele
Steele & Company Realtors
309 Cumberland Avenue
Portland, Maine 04101

Mr. William Altenburg, Jr.
Environmental Planning & Design
Association, Incorporated
57 Exchange Street
Portland, Maine 04111

Brian Nickerson,
Planning Department

Gerald B. Brewster,
Public Works Department

RECEIVED
FEB 3 1975
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

January 20, 1975

Mr. Edward E. Merrill
c/o Barry E. Steele
74 Falmouth Road
Falmouth, ME 04105

RE: Appeal before the Zoning Board of Appeals

Dear Mr. Merrill:

I enclose herewith, for your reference, a copy of a report concerning your appeal prepared by the City's Planning Department which has been delivered to members of the Board of Appeals.

Very truly yours,

Charles A. Lane
Assistant Corporation Counsel

CAL/dlh

Enclosure

February 3, 1975

Councilor J. Donald MacWilliams
579 Congress Street
Portland, Maine 04101

RE: Lonigan Board of Appeals Meeting - January 29, 1975

Dear Councilor MacWilliams:

Enclosed please find, for your reference, a copy of the appeal relating to the above-described meeting.

Very truly yours,

Charles A. Lane
Assistant Corporation Counsel

CAL/dlh

Enclosure

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chairman & Members of the Board of Appeals

FROM: Portland Planning Department

DATE: 1/17/75

SUBJECT: Planning Report - Board of Appeals Agenda - 1/29/75

1. 880-890 Baxter Boulevard, Corner 73-77 Randall Street - Edward Merrill
Barry Steele

Facts: Four attached row houses
Existing zone - R-5
Site area - 13,897 sq. ft.
LDP proposed zone - R-5
No LDP land use conflicts
No conflict with City plans

Site Plan: The plan involves four two-bedroom row house units of contemporary design fronting on Baxter Boulevard. Vehicular access is proposed off Randall Street (not from Baxter Boulevard) and the parking area is of ample dimensions to serve six parking spaces. The developer is requesting eight, even though only four are required by zoning. Preservation of existing tree cover and additional plantings are proposed to enhance the visual appearance of the row houses. Pedestrian walkways are shown behind the units in order that the Baxter Boulevard side can be used for deck activities. Randall Street is paved to the property line but there is no cul-de-sac on Randall Street thus hampering public works activities.

Opinion:

1. Although not required under the Site Plan Ordinance for minor development, the types of materials to be used are important. Baxter Boulevard is one of the most beautiful streets in the City and architectural character is important. The architect for the proposed development states that the predominant exterior materials will be stained wood and glass.

2. If the developer wishes eight parking spaces, the parking lot should be expanded to the north by about five feet.

WILSON, STEINFELD, MURRELL, BARTON & LANE
ATTORNEYS AT LAW
85 EXCHANGE STREET
PORTLAND, MAINE 04111
207-774-2651

ROBERT A. WILSON
HENRY STEINFELD
WALTER F. MURRELL
RICHARD L. BARTON
CHARLES A. LANE
THOMAS P. WILSON
PAUL C. FERNALD

BRUNSWICK OFFICE:
85 MAINE STREET
BRUNSWICK, MAINE 04011
207-725-5571

JOHN C. FITZGERALD
1893-1969

January 29, 1975

Board of Appeals
City of Portland
City Hall
Portland, Maine

Gentlemen:

Please be advised that I represent Mr. and Mrs. Howard Foss of Randall Street, City of Portland, who have received a notice of a Variance to be heard at 4:00 p.m. at City Hall today on January 29th at the request of Edward E. Merrill.

My clients have asked me to advise the Board that after due examination of the plans and proto-type shown to them and to me of the proposed building and the set up on the land, that they do not object to the granting of the said Variance.

Very truly yours,

HENRY STEINFELD

HS:mfl

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

USE VARIANCE

Findings of Fact

The applicant is Edward E. Merrill a corporation and he is interested in the property located at 880-890 Baxter Boulevard as owner. The owner of the property is same and his address is 74 Falmouth Road, Falmouth, Maine 04105. The property is located in a R-5 Zone. The present use of the property is vacant.

The applicant respectfully petitions the Board of Appeals for a variance from the provision of Section 602.6.A of the Ordinance to permit the construction of a two story four family frame apartment building at the above-named location.

Further Findings of Fact

None

Appearances

The names and addresses of those appearing in support of the application are: Barry E. Steele, President of Edward E. Merrill; Mr. Altenberg, his designer; and Brian Nickerson, City's Planning Department; and Captain Miller, City's Fire Department

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not by way of limitation, plans, specification, photographs, etc. consisted of the following: a photograph, maps submitted by the applicant, a model of proposed structure submitted

by the applicant and a letter from Mr. and Mrs. Howard Foss of Randall Street in support of the application.

REASONS FOR DECISIONS

The subject property (~~is~~/is not) capable of yielding a reasonable return if used for its present use or any other use permitted in the zone in which such a lot or parcel is located as demonstrated by the following: 1 or 2 family dwelling would not be profitable.

(Such inability to yield a reasonable return must be shown by specific facts and the unsupported opinion of the owner or those appearing for him shall not be accepted as establishing such inability.)

The hardship (does/~~does not~~) result from unique circumstances peculiar to the subject lot or parcel which generally apply to or effect the general vicinity of the subject property, as evidenced by: lot too narrow for 2 family dwelling.

The aforesaid inability to yield a reasonable return (is/is not) the result of any action or inaction by the owner or his predecessors in title as demonstrated by: No

(Acquisition or improvement of the subject lot or parcel at any time after the enactment of the provision sought to be varied shall raise a rebuttable presumption that the owner's inability to realize a reasonable return is the result of his own actions.)

The variance (~~would~~/would not) result in a use or development of the lot or parcel in question which would be contrary to the general purpose and intent either of Section 602.24 or of the Land Development Plan of the City as evidenced by: Planning Board report to the Board of Zoning Appeals shows no conflict with the LDP

The variance (~~would~~/would not) result in a use or development on the lot or parcel in question which would be materially detrimental to the public welfare or materially injurious to the enjoyment, use or development of property or improvements permitted in the vicinity or which would materially impair an adequate supply of light and air to properties and improvements in the vicinity, substantially increase

congestion in the public streets due to traffic or parking, increase the danger of flood or fire, unduly tax public utilities and facilities in the area or endanger the public health or safety all as demonstrated by the following facts: except for the issue of snow removal which is referred to the Public Works Department for solution.

There (~~is~~/is not) means other than the requested variance by which the hardship can be avoided or remedied to a degree sufficient to permit the economic use of the subject lot or parcel, because of the following: only allowable multi-family use cannot be built because of the lot size

SPECIFIC RELIEF GRANTED

After public hearing held on January 29, 1975, the Board of Appeals find that all of the conditions required by the Ordinance (~~do~~/do not) exist with respect to this property and that a use variance should _____ be granted in this case.

It is therefore determined that a variance from the provisions of the Zoning Ordinance should _____ be granted in this case.

Noelle Eskelin

Thomas Murphy

Jacqueline Cohen

James O'Malley

January 6, 1975

Chairman
Appeal Board
Portland, Maine

Re: Variance on Use
880-890
Baxter Boulevard
Portland, Maine

Dear Sir:

Request that your board grant a variance on use of the above lot. Said variance consists of four (4) attached row houses consisting of 1100 square feet. (See attached preliminary plans)

The site consists of 13,897 square feet and is an R-5 zone. As the lot is under one (1) acre, the present zoning allows a two (2) family. (See attached site plan)

The undersigned developer and owner believes that the following variance would benefit the above site because

1) The design and quality would be an asset to the area.

2) As the units would have only 2 bedrooms, there would not be any burden on the school system.

3) Parking is off street - 2 per unit.

4) There is a 40' buffer on westerly side and a 50' buffer on easterly which would prevent crowding.

5) As the frontage on Baxter Boulevard is 157' plus 40' and 50' owned by city for a total of 247', it is the developer's opinion the four (4) attached row houses

would set more aesthetically on the lot than a shorter two family.

Very truly yours,

Edward E. Merrill

Barry E. Steele

by Barry E. Steele, President

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

All persons interested either for or against this Use Variance appeal will be heard at a public hearing in Room 112, City Hall, Portland, Maine on Wednesday, January 29, 1975 at 4:00 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 Ordinance.

Edward E. Merrill, owner of property at 880-890 Baxter Blvd., corner of 73-77 Randall Street, under the provisions of Section 602.24 C of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit the construction of a two story four family frame apartment building at the above named location. This permit is not issuable under the Zoning Ordinance for the following reasons.

1. The property is located in an R-5 Residential Zone where under the provisions of Section 602.6.A a four family apartment building is not allowable.

2. The building which is to be located about 17 feet back from the street line will be an unlawful encroachment upon the 20' front yard setback area required by Section 602.6.B.4.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(3) of the Zoning Ordinance have been met.

Thomas J. Murphy
Secretary

RECEIVED
JAN 7 1975
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

January 6, 1975

Chairman
Appeal Board
Portland, Maine

Re: Variance on Use
880-890
Baxter Boulevard
Portland, Maine

Dear Sir:

Request that your board grant a variance on use of the above lot. Said variance consists of four (4) attached row houses consisting of 1100 square feet. (See attached preliminary plans)

The site consists of 13,897 square feet and is an R-5 zone. As the lot is under one (1) acre, the present zoning allows a two (2) family. (See attached site plan)

The undersigned developer and owner believes that the following variance would benefit the above site becaus:

1) The design and quality would be an asset to the area.

2) As the units would have only 2 bedrooms, there would not be any burden on the school system.

3) Parking is off street - 2 per unit.

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5) As the frontage on Baxter Boulevard is 157' plus 40' and 50' owned by city for a total of 247', it is the developer's opinion the four (4) attached row houses