

43-45 HANCOCK STREET

SEAL-IT

MADE IN U.S.A. - 100% COTTON



PERMIT TO INSTALL PLUMBING

PERMIT NUMBER 18195

Date Issued 4/20/68  
 Portland Plumbing Inspector  
 By ERNOLD R. GOODWIN

App. First Insp. APR 19 1968  
 Date  
 By ERNOLD R. GOODWIN  
CHIEF PLUMBING INSPECTOR

App. Final Insp. APR 18 1968  
 Date  
 By ERNOLD R. GOODWIN  
CHIEF PLUMBING INSPECTOR

- Type of Bldg.  
 Commercial  
 Residential  
 Single  
 Multi Family  
 New Construction  
 Remodeling

Address <u>44 Bancroft Street</u>		Date: <u>4/20/68</u>	
Installation For: <u>Dwelling</u>		NO. <u>18195</u>	
Owner of Bldg.: <u>Herbert Hill</u>			
Owner's Address: <u>44 Bancroft Street</u>			
Plumber: <u>William W. Johnson</u>			
NEW	REPL		
	<u>1</u>	SINKS	<u>2.00</u>
		LAVATORIES	
		TOILETS	
		BATH TUBS	
		SHOWERS	
		DRAINS FLOOR SURFACE	
		HOT WATER TANKS	
		TANKLESS WATER HEATERS	
		GARBAGE DISPOSALS	<u>2.00</u>
<u>1</u>		SEPTIC TANKS	<u>2.00</u>
		HOUSE SEWERS	
		ROOF LEADERS	
		AUTOMATIC WASHERS	
		DISHWASHERS	
		OTHER	
		TOTAL	<u>4.00</u>

Building and Inspection Services Dept.: Plumbing Inspection



FILL IN COMPLETELY AND SIGN WITH INK

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

PERMIT ISSUED

Permit No. OCT 30 1933

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, Oct. 30 1933

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 44 Bancroft St Use of Building Dwelling  
Name and address of owner Wm C Webster <sup>not shown</sup> not shown address Ward 8  
Contractor's name and address Ballard & Egerton of Me. 122 High St Telephone 2-1941

## General Description of Work

To install Oil Burning Equipment

### IF HEATER, POWER BOILER OR COOKING DEVICE

Is heater or source of heat to be in cellar? Yes If not, which story \_\_\_\_\_ Kind of Fuel \_\_\_\_\_  
Material of supports of heater or equipment (concrete floor or what kind) Concrete  
Minimum distance to wood or combustible material, from top of boiler or casing top of furnace, \_\_\_\_\_  
from top of smoke pipe \_\_\_\_\_, from front of heater \_\_\_\_\_ from sides or back of heater \_\_\_\_\_

NOTIFICATION BEFORE CLOSING OR CLOSING-IN IS WAIVED.  
CERTIFICATE OF OCCUPANCY REQUIREMENT IS W.

### IF OIL BURNER

Name and type of burner #4 BG-Lucifer Labeled and approved by Underwriters' Laboratories? Yes  
Will operator be always in attendance? \_\_\_\_\_ Type of oil feed (gravity or pressure) Gravity  
Location oil storage Basement No. and capacity of tanks 1 - 27.5 gal  
Will all tanks be more than five feet from any flame? Yes How many tanks fireproofed? \_\_\_\_\_  
Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

INSPECTION COPY

Signature of contractor Ballard & Egerton of Me.  
By R. L. ...

100313



FILL IN COMPLETELY AND SIGN WITH INK

PERMIT ISSUED

NOV 23 1935



# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, November 23, 1935

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 42-48 Bancroft Street Use of Building Dwelling House Ward 8  
Name and address of owner William C. Webster Telephone 2-0072  
A. E. Moody 471 Auburn St.

Contractor's name and address \_\_\_\_\_

## General Description of Work

To install Steam Heating System

### IF HEATER, POWER BOILER OR COOKING DEVICE

Is heater or source of heat to be in cellar? Yes If not, which story \_\_\_\_\_ Kind of Fuel oil  
Material of supports of heater or equipment (concrete floor or what kind) concrete floor  
Minimum distance to wood or combustible material, from top of boiler or casing top of furnace, over 15"  
from top of smoke pipe over 15", from front of heater over 4' from sides or back of heater 3'

### IF OIL BURNER

Name and type of burner \_\_\_\_\_ Labeled and approved by Underwriters' Laboratories? \_\_\_\_\_  
Will operator be always in attendance? \_\_\_\_\_ Type of oil feed (gravity or pressure) \_\_\_\_\_  
Location oil storage \_\_\_\_\_ No. and capacity of tanks \_\_\_\_\_  
Will all tanks be more than seven feet from any flame? \_\_\_\_\_ How many tanks fireproofed? \_\_\_\_\_  
Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

Signature of contractor A. E. Moody

INSPECTION COPY

NOTIFICATION BEFORE LATHING OR CLOSING-IN IS WAIVED.  
CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED.

112883

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT  
for one family dwelling house with 1 car garage attached  
at Ely Cor. Bancroft St. & Rockland Ave. Date 8/28/33

1. In whose name in the title of the property now recorded? Wm. P. Webster
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? sheet pins
3. Is the outline of the proposed work now staked out upon the ground? yes If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced?
4. What is to be maximum projection or overhang of eaves or drip? 12"
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches, and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

Wm. P. Webster



GENERAL RESIDENCE ZONE  
APPLICATION FOR PERMIT

PERMIT ISSUED

Class of Building or Type of Structure Third Class

AUG 29 1933

Portland, Maine, August 28, 1933

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location Ely Cor, Bancroft St. & Rockland Ave Ward 8 Within Fire Limits? no Dist. No. \_\_\_\_\_

Owner's or lessor's name and address William C. Webster, Telephone \_\_\_\_\_

Contractor's name and address J. J. McRust, 127 Bolton St. Telephone 4-4076

Architect's name and address \_\_\_\_\_ Telephone \_\_\_\_\_

Proposed use of building dwelling house with one car garage attached No. families 1

Other buildings on same lot none

Plans filed as part of this application? yes No. of sheets 1

Estimated cost \$ 5,000. Garage Fee \$ 1.25 Total Fee \$ \$1.75

Description of Present Building to be Altered

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

Last use \_\_\_\_\_ No. families \_\_\_\_\_

General Description of New Work

To erect one family frame dwelling house with 1 car garage attached

The inside of the garage will be covered, where required by law, with not 1 inch and cement plaster

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor.

Details of New Work

Size, front 48' depth 28' No. stories 1 Height average grade to top of plate 10'

To be erected on solid or filled land? solid earth or rock? ledge Height average grade to highest point of roof 21'

Material of foundation concrete Thickness, top 10" bottom 14"

Material of underpinning brick Height 12" Thickness 0"

Kind of roof pitch Rise per foot 9" Roof covering Asphalt roofin. Class C Und. Lab.

No. of chimneys one Material of chimneys brick of lining tile

Kind of heat steam Type of fuel coal Is gas fitting involved? no

Corner posts 4x6 Sills 4x8 Girt or ledger board? none Size \_\_\_\_\_

Material columns under girders iron columns Size 4" Max. on centers 8'

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.

Joists and rafters: 1st floor 2x8 2nd 2x8 3rd 2x8 roof 2x6

On centers: 1st floor 16" 2nd 16" 3rd 16" roof 16"

Maximum span: 1st floor 12' 2nd 12' 3rd \_\_\_\_\_ roof \_\_\_\_\_

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

If a Garage

No. cars now accommodated on same lot none to be accommodated 1

Total number commercial cars to be accommodated none

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

Miscellaneous

Will above work require removal or disturbing of any shade tree on a public street? no

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Signature of owner William C. Webster

Signature of inspector J. J. McRust

INSPECTION COPY

UNIVERSITY OF MAINE  
PORTLAND, ME.

4313



# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class  
Portland, Maine, Sept. 26, 1957

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 44 Bancroft St. Within Fire Limits? no Dist. No. \_\_\_\_\_  
Owner's name and address Edward W. Colby, 44 Bancroft St. Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address Maurice Lewis, 308 Capisic St. Telephone 3-5377  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 2  
Proposed use of building 2-car frame garage. No. families \_\_\_\_\_  
Last use \_\_\_\_\_ No. families \_\_\_\_\_  
Material frame No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot Dwelling House  
Estimated cost \$ 1200.00 Fee \$ 5.00

### General Description of New Work

To construct 2-car frame garage 20' x 22'.

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** contractor

### Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? no  
Height average grade to top of plate 8' Height average grade to highest point of roof 13'  
Size, front 20' depth 22' at least 4' below grade? 1 solid or filled land? solid earth or rock? earth  
Material of foundation concrete Thickness, top 8" bottom 10" cellar \_\_\_\_\_  
Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
Kind of roof pitch Rise per foot 5' Roof covering Asphalt Class C Und. Lab.  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing lumber—Kind hemlock Dressed or full size? \_\_\_\_\_  
Corner posts 4x4 Sills 1x6 Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
Girders \_\_\_\_\_ Size \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-24" O. C. Bridging in every floor and flat roof span over 8 feet.  
Joists and rafters: 1st floor concrete, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 2x6  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 24"  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 10'  
If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

### If a Garage

No. cars now accommodated on same lot 0, to be accommodated 2 number commercial cars to be accommodated no  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

APPROVED:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Miscellaneous

Will work require disturbing of any tree on a public street? no  
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes  
Edward W. Colby

624 185 80 MAINE PRINTING CO.

INSPECTION COPY

Signature of owner by: Edward W. Colby

F. M.



September 27, 1957.

AP--42-48 Bancroft Street

Copy to Corporation Counsel

Dr. Edward W. Colby  
44 Bancroft St.

Dear Dr. Colby:

We are unable to issue a permit for construction of a two car garage on the lot with your dwelling at 42-48 Bancroft St., corner of Rockland Ave., because the garage is to be located only 8 feet back from the line of Rockland Ave., instead of the minimum set back of 15 feet specified by Section 6-B-3 of the Zoning Ordinance applying to the R-5 Residence Zone in which the property is located and because it is to be about 12 feet closer to Rockland Ave. than the existing dwelling on the adjoining lot and about 24 feet closer to that street than the dwelling on the same lot, contrary to Section 14A of the Ordinance.

We understand that you would like to exercise your appeal rights concerning these discrepancies. Accordingly we are certifying the case to the Corporation Counsel to whose office you should go to file the appeal.

Very truly yours,

Warren McDonald  
Inspector of Buildings

AJS/B



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Nov. 17, 1958

PERMIT ISSUED NOV 18 1958 CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 th. City of Portland, and the following specifications:

Location 44 Bancroft St. Use of Building Residence No. Stories New Building XX Existing Name and address of owner of appliance Moses R. Lovell Installer's name and address Ballard Oil & Heating Co. Telephone

General Description of Work

To install oil fired domestic hot water tank 30 gal.

IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? none Kind of fuel? #2 oil If so, how protected? Minimum distance to burnable material, from top of appliance or casing top of furnace 18" From top of smoke pipe 18" From front of appliance 6' From sides or back of appliance Size of chimney flue 10x10 Other connections to same flue oil burning unit (heating) If gas fired, how vented? Rated maximum demand per hour 3/4 gal. Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

IF OIL BURNER

Name and type of burner One HP gun-type Labelled by underwriters' laboratories? yes Will operator be always in attendance? no Does oil supply line feed from top or bottom of tank? bottom Type of floor beneath burner cement Size of vent pipe existing tank Location of oil storage Number and capacity of tanks 275 Low water shut off Make No. Will all tanks be more than five feet from any flame? How many tanks enclosed? Total capacity of any existing storage tanks for furnace burners

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath? If so how protected? Height of Legs, if any Skirting at bottom of appliance? Distance to combustible material from top of appliance? From front of appliance From sides and back From top of smokepipe Size of chimney flue Other connections to same flue Is hood to be provided? If so, how vented? Forced or gravity? If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

installing oil fired domestic hot water tank 30 gal.

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

PROVED 11-18-58 [Signature]

Will there be in charge of the above work a person see that the State and City requirements pertain observed? yes

By: [Signature]

INSPECTION COPY

Signature of Installer

77



FILL IN AND SIGN WITH INK

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, September 26, 1961

PERMIT ISSUED  
SEP 26 1961  
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.  
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 44 Bancroft St. Use of Building Dwelling No. Stories 2  New Building  Existing  
Name and address of owner of appliance Herbert Hill, 44 Bancroft St. Telephone 2-1991  
Installer's name and address Balard Oil & Equipment Co. 135 Marginal Way

## General Description of Work

To install Oil burner (replacement) in connection with existing steam heat.

### IF HEATER, OR POWER BOILER

Any burnable material in floor surface or beneath?   
Kind of fuel?   
From top of appliance or casing top of furnace   
From sides or back of appliance   
Other connections to same flue   
Rated maximum demand per hour

### IF OIL BURNER

Labelled by underwriters' laboratories?  yes  
Does oil supply line feed from top or bottom of tank?  bottom  
Size of vent pipe 1 1/2" existing  
Number and capacity of tanks 275 existing  
Make Mellonal-dmiller  
How many tanks enclosed? 67  
No. 67

### IF COOKING APPLIANCE

Any burnable material in floor surface or beneath?   
Height of Legs, if any   
Distance to combustible material from top of appliance?   
From sides and back   
Other connections to same flue   
From top of smokepipe   
Forced or gravity?   
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  
[Signature]  
9.26.61

INSPECTION COPY

Signature of Installer [Signature]  
by Lloyd L. Jordan  
Balard Oil & Equipment Company

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  
Balard Oil & Equipment Company

7.76

42-48 Bancroft Street Corner of 47-51 Rockland Avenue

June 29, 1978

Peter B. Archibald  
44 Bancroft Street  
Portland, Maine

Dear Mr. Archibald:

Building Permit to erect a 70' antenna tower, at the above named location, is not issuable under the Zoning Ordinance because the height of this antenna is in excess of the 35' maximum allowed under Section 602.6.B.5 of the Ordinance applying to the R-3 Residential Zone in which this property is located.


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 \$5.00 for a Space & Bulk 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.1.

Very truly yours,

Malcolm G. Ward  
Building Inspection Supervisor

MGW/r



NOT TRANSFERABLE		
CALL SIGN	OPERATOR PRIVILEGES	STATION PRIVILEGES
NTAFC	GENERAL	PRI
FIXED STATION OPERATING LOCATION		
44 BANCROFT ST. PORTLAND ME 04102		
THIS LICENSE IS SUBJECT TO CONDITIONS OF GRANT OR REVERSAL		
UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554		
FCC FORM 630 APRIL 1976	FEDERAL COMMUNICATIONS COMMISSION	

RECEIVED  
SEP-5 1978  
DEPT. OF BLDG. INSP.  
CITY OF PORTLAND

AMATEUR RADIO LICENSE		
EFFECTIVE DATE	CLASS	EXPIRATION DATE
08/11/78	N	08/11/83
NAME AND ADDRESS		
PETER B ARCHIBALD 44 BANCROFT ST. PORTLAND ME 04102		
<i>Peter B. Archibald</i> LICENSEE SIGNATURE		

DO NOT REMOVE CARBONS

DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

Form Approved, O.M.B. No. 004-R0001  
FOR FAA USE ONLY  
78-ANE-202-0E

1. NATURE OF STRUCTURE (Complete both A and B below)  
A. (Check one)  
 NEW CONSTRUCTION  
 ALTERATION  
B. (Check one)  
 PERMANENT  
 TEMPORARY (State length of time)

2. NAME AND ADDRESS OF INDIVIDUAL, COMPANY, CORPORATION, ETC. PROPOSING THE CONSTRUCTION OR ALTERATION (Number, Street, City, State and Zip Code)  
to Peter B. Archibald  
44 Bancroft Street  
Portland, Maine 04102

RECEIVED  
SEP-5 1978  
DEPT. OF BLDG. INSP.  
CITY OF PORTLAND

FAA will either return this form or issue a separate acknowledgement.  
A. The proposed structure:  
 Does not require a notice to FAA.  
 Would not exceed any obstruction standard of Part 77 and would not be a hazard to air navigation.  
 Should be obstruction lighted per FAA Advisory Circular 70/7460-1, Chapter(s)  
 Obstruction marking and lighting are not necessary.  
 Requires supplemental notice. Use FAA form enclosed.  
B. FCC was  was not  advised.

3. TYPE AND COMPLETE DESCRIPTION OF STRUCTURE  
Radio Amateur tower, Rohn 25G, to a height of 60 feet.  
This Determination Expires 4-11-79  
unless application is made to the FCC for a construction permit before that date or it is otherwise extended, revised or terminated. Please advise date of application to the FCC.

4. LOCATION OF STRUCTURE  
A. COORDINATES (To nearest second)  
LATITUDE 43 39 59 LONGITUDE 70 18 04  
B. NEAREST CITY OR TOWN, AND STATE  
Portland, Maine  
C. NAME OF NEAREST AIRPORT, HELIPORT, OR SEAPLANE BASE  
Portland Jetport  
D. DESCRIPTION OF LOCATION OF SITE WITH RESPECT TO HIGHWAYS, STREETS, AIRPORTS, PROMINENT TERRAIN FEATURES, EXISTING STRUCTURES, ETC. (Attach a highway, street, or any other appropriate map or scaled drawing showing the relationship of construction site to nearest airport(s). If more space is required, continue on a separate sheet of paper and attach to this notice.)  
(1) DISTANCE FROM NEAREST POINT OF NEAREST RUNWAY 4750  
(2) DIRECTION FROM NEAREST POINT OF AIRPORT North  
In a highly residential district, building structures up to 2 1/2 to 3 stories in height. Trees to a height of 60 feet.

5. HEIGHT AND ELEVATION (Complete A, B and C to the nearest foot)  
A. ELEVATION OF SITE ABOVE MEAN SEA LEVEL  
B. HEIGHT OF STRUCTURE INCLUDING APPURTENANCES AND LIGHTING (If any) ABOVE GROUND, OR WATER IF SO SITUATED 60'  
C. OVERALL HEIGHT ABOVE MEAN SEA LEVEL (A+B) 70'  
7. OBSTRUCTION: MARKED AND/OR LIGHTED IN ACCORDANCE WITH CURRENT FAA ADVISORY CIRCULAR 70/7460-1, OBSTRUCTION MARKING AND LIGHTING 130'

6. WORK SCHEDULE DATES  
A. WILL START September 1, 1978  
B. WILL COMPLETE October 1, 1978

8. I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge.  
9. NAME AND TITLE OF PERSON FILING THIS NOTICE (Type or Print)  
Peter B. Archibald  
9. SIGNATURE (In ink)  
10. DATE OF SIGNATURE July 27, 1978  
11. TELEPHONE NO. (Precede with area code) 775-2228 (207)

Persons who knowingly and willfully fail to comply with the provisions of the Federal Aviation Regulations Part 77 are liable to a fine of \$500 for the first offense, with increased penalties thereafter as provided by Section 902(a) of the Federal Aviation Act of 1958 as amended.  
FAA Form 7460-1 (11-72) SUPERSEDES PREVIOUS EDITION  
DO NOT REMOVE CARBONS

DRUMMOND WOODSUM PLIMPTON & MACMAHON, P.A.  
ATTORNEYS AT LAW  
800 MAINE SAVINGS PLAZA  
PORTLAND, MAINE 04101

COPY  
AREA CODE 207  
772-1941

DANIEL T. DRUMMOND, JR.  
HAROLD E. WOODSUM, JR.  
DAVID PLIMPTON  
KUGH G. E. MACMAHON  
JOHN A. GRAUSTEIN  
JOSEPH L. DELAFIELD III  
JOHN R. CORNELL  
B. JAMES LEVIS, JR.  
DANIEL ANORY  
ROBERT E. HIRSHON  
HARRY R. PRINGLE  
LAURENCE B. CARROLL III  
THOMAS H. ALLEN  
RICHARD A. CARRIUOLO  
CARTER H. MANNY III  
JOHN A. ANDERSON III  
ELLEN A. KANDOJIAN  
RONALD N. WARD

August 18, 1978

William O'Brien  
Corporation Counsel  
City of Portland  
389 Congress Street  
Portland, Maine

Re: Request for zoning variance - Peter B. Archibald  
42-48 Bancroft Street

Dear Mr. O'Brien:

I am writing to check with you concerning an interpretation of the zoning ordinance that may have been raised by you in the above matter. I am still not certain of the present posture of this matter, except that at the July 13, 1978 hearing the matter was tabled by the Board of Zoning Appeals and I have heard nothing further except that you may have issued an opinion to the Building Inspector and/or the Board of Zoning Appeals indicating that the Board had no jurisdiction over this matter and that the building permit should be issued. I would appreciate very much seeing a copy of any written opinion you issued and if a building permit has been issued, I would appreciate seeing a copy of it, so that we can determine the remedies still open to our client, Denise Brown, who owns property adjacent to that of Mr. Archibald. Also, if any action has been taken by the Board of Zoning Appeals subsequent to the July 13, 1978 meeting, I would appreciate being informed of this for the same reason. In any event, we have had no notice of any further proceedings subsequent to the July 13, 1978 meeting.

I am enclosing a copy of my letter to Leslie A. Cohen, President of the Portland Amateur Wireless Association, Inc., who appeared at the July 13 hearing on behalf of Mr. Archibald.

Page two  
William O'Brien  
August 18, 1978

COPY

I would also like to comment briefly on the zoning ordinance, further to my letter of July 24, for the purpose of indicating my reason for feeling that the ordinance clearly applies in this case to require a variance before Mr. Archibald can construct the radio tower in question. In my letter of July 24 I attempted to set forth why I felt the variance was not appropriate in this case.

As to the R5 residential zone section 602.6B of the zoning ordinance provides that no building or structure shall be erected, altered, enlarged, rebuilt or used which does not comply with the requirements which are then set forth in the zoning ordinance. One of these is set forth in section 602.6B.F wherein it is provided that principal buildings or structures shall not exceed 35 feet and accessory buildings or structures shall not exceed 15 feet. The first question is whether or not the radio tower in question is a principal building or structure or an accessory building or structure. I think it is clear that the radio tower, although it is apparently free-standing except for guy wires, is not a building. However, under the definitions in section 602.27 the tower would clearly appear to be a structure which is defined as anything constructed or erected of more than one member which requires a fixed location on the ground or attached to something having a fixed location on the ground. Therefore, the radio tower is clearly a structure and comes under the maximum height restrictions of 602.6B.5. I think that there is a very strong case that it is not a principal building or structure but rather an accessory structure and therefore a 15 foot height restriction applies. However, for purposes of our representation of Denise Brown, we are not objecting in this case to a radio tower of up to thirty-five feet in height. In any event, the above-mentioned section 602.6B and B5 clearly represents the basic policy of the zoning ordinance.

It seems to me also that an interpretation of exception provisions in the ordinance so as to limit the basic policy should be based upon express language in the ordinance. I understand that section 602.19I is an exception to the height limits. However, under normal rules of construction, such an exception should be narrowly construed to cover the clear intent of the exception, rather than being given a broad construction which negates the basic policy of the zoning ordinance. In this connection, section 602.19I clearly relates




Page three  
William O'Brien  
August 18, 1978

COPY

to roof structures, since every enumerated item therein is a roof structure. It is true that some of these items can be free-standing, but to interpret the ordinance exception in this case in such a way as to include free-standing structures of the type mentioned is again to undercut the basic policy of the ordinance and open the way for all kinds of structures to exceed the basic height limitations. I would appreciate very much hearing from you as to the official city position in this matter and the present status of this matter as far as the Building Inspector is concerned and the Board of Zoning Appeals.

Thank you very much for your assistance.

Very truly yours,

  
David Plimpton

DP/db  
Enclosure

cc: Denise Brown  
Peter B. Archibald  
Leslie A. Cohen  
Malcolm Ward, Building Inspector ✓  
Gerald Holtenhoff, Assistant Planning Director  
Carolyn J. Schwenker, Department Representative  
Jacqueline Cohen, Chairman, Board of Zoning Appeals

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

- A. Applicant Peter B. Archibald
- B. Property Location 42-48 Bancroft St. Cor. of 47-51 Rockland Ave.
- C. Applicant's Interest in Property:  
 Owner  
 Tenant  
 Other \_\_\_\_\_
- D. Property Owner Peter B. Archibald
- E. Owner's Address 44 Bancroft Street
- F. Zone (Circle One):  
R-1 R-2 R-3 R-5 R-6 R-4  
R-P B-1 B-2 B-3 A-B  
I-P I-1 I-2 I-2b I-3 I-3b I-4  
RPZ W-1
- G. Site Plan Approval required \_\_\_\_\_
- H. Present Use of Property dwelling
- I. Section(s) to Which Variance Related 602.6.B.5
- J. Reasons Why Permit Cannot be Issued height of the antenna is in excess of the 35' maximum allowed.
- K. Requested Variance Would Permit erection of a 70' antenna tower.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- L. Notice Sent to \_\_\_\_\_ Adjacent Property Owners

II. Appearances

A. Those Advocating Variance

PETER B. ARCHIBALD

LESLIE COHEN

B. Those Opposing Variance

DAVID PLIMPTON LAMM  
FOR 38 BANCREFT ST.

(Attachments, As Necessary)

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its records)

PHOTO PLAN. LETTERS.

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e))

- A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience
- ( ) Yes/Agreement with statement
  - ( ) No/Disagreement with statement

Reasons \_\_\_\_\_

B. If yes, the unique physical conditions: (Check One)  
Sec. 602.24C 3.b.(1) (b)

- ( ) Existed at the time of the enactment of the provision from which a variance is sought; or
- ( ) Were caused by natural forces; or
- ( ) Were the result of governmental action

C. Pertinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c))

- Yes/Agreement with statement
- No/Disagreement with statement

Reasons \_\_\_\_\_  
\_\_\_\_\_

D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

- Yes/Agreement with statement
- No/Disagreement with statement

Reasons \_\_\_\_\_  
\_\_\_\_\_

E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety Sec.602.24C 3.b. (1) (e)

- Yes/Agreement with statement
- No/Disagreement with statement

Reasons \_\_\_\_\_  
\_\_\_\_\_

V. Specific Relief Granted

After a public hearing held on \_\_\_\_\_, the Board of Appeals finds that: (Check One)

- Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



( ) Disapproval - All conditions required by Sec. 602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

VI. Signatures of Board

Chairman

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7/13/78

Tabled 4 YRS  
1 ABSTAINED

Portland Amateur Wireless Association, Inc.  
P.O. Box 1605  
Portland, Maine 04104

July 12, 1978

Board of Appeals  
City of Portland  
Portland, Maine

SUBJECT: Planning Report No. 53-78, 42-48 Bancroft Street, Peter  
B. Archibald

Dear Board Members:

This letter is being written on behalf of Peter B. Archibald's request for a zoning variance for an Amateur Radio (ham) antenna support tower exceeding 35 feet in height.

The Portland Amateur Wireless Association (PAWA) has over 100 members from the Greater Portland area. The purpose of the club is to support Amateur Radio and offer public service in the form of emergency communications should they ever be required. The members maintain emergency powered radio stations and approximately 20 mobile and portable units with personnel available on request of the Portland Public Safety Department. In addition, most of our members maintain base stations capable of world-wide communications which can be and in many instances have been used for the transfer of health and welfare messages during natural disasters such as the South American earthquakes in 1976. As you may know, Amateur Radio Operators are licensed by the Federal Communications Commission only after passing written examinations covering electrical theory and safety, radio communication procedures and propagation, and FCC rules and regulations. Radio amateurs frequently operate in the forefront of technology, even to the extent of having built and used eight space satellites for communications.

In the specific matter of Mr. Archibald's variance, the PAWA would like to

-2-

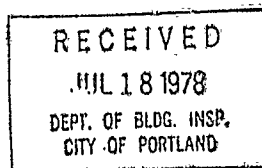
recommend approval on the basis that the antenna support will enhance emergency communications capability and international person-to-person communications and understanding. On a purely technical basis, I, as a Professional Engineer registered in the State of Maine, back the club position that the antenna support tower proposed by Mr. Archibald is an inherently safer structure than a roof mounted device. Our arguments for such a position are:

- 1) Potential for lightning caused damage: The energy contained in a lightning strike is of such a magnitude that it will not turn corners very easily even in an electrical conductor. A roof mounted antenna support platform would require several curves and bends to route a grounding conductor from the support to earth. An earth mounted tower, on the other hand, can direct a lightning strike to earth when properly grounded with minimal changes to the natural path of the flow of the electrical charge. It is not unusual for a ground mounted tower to be struck by lightning with no damage to itself or nearby structures. On the other hand, I have read of several minor fires caused by lightning striking roof or structure mounted antenna supports such as the common TV antenna.
  - 2) Structural Integrity: A well designed commercially built antenna support tower mounted on a concrete base and bracketed to a house or guyed in accordance with the manufacturer's recommendations such that proposed by Mr. Archibald will have a wind and ice load survival far exceeding that of a roof or structure mounted support. It is not uncommon in many communities subjected to have TV antennas exceeding even minimal heights mounted on towers such as that proposed by Mr. Archibald rather than on roof mounted masts.
- In summary, on behalf of the Portland Amateur Wireless Association, and as an individual, I recommend your favorable consideration of Mr. Archibald's request to install his proposed antenna support.

Very truly yours,  
*Leslie A. Cohen*  
Leslie A. Cohen, P. E.  
President

Portland Amateur Wireless Association, Inc.  
P.O. Box 1605  
Portland, Maine 04104

July 14, 1978



Board of Zoning Appeals  
City of Portland  
City Hall  
389 Congress Street  
Portland, Maine 04111

REFERENCE: Planning Report No. 53-78, 42-48 Bancroft Street,  
Peter B. Archibald

Dear Member:

I would like to thank you for your courteous and straight-forward discussion during the July 13 meeting in regard to Mr. Archibald's antenna support tower.

After being informed about section 602.19I permitting such a tower providing it were roof mounted, without the need for a variance, I obtained a copy of that section which I quote below.

602.19I: "Roof structures for the housing of elevators, stairways, tanks, fans, or other building operating equipment not intended for human occupancy, skylights, steeples, roof-signs, flagpoles, chimneys, smokestacks, radio or television masts, watertanks, or silos may be erected above the height limitations herein prescribed for buildings."

Upon reading this section I believe Mr. Archibald may install his tower without the need for a zoning variance prior to issuance of a permit. My rationale is based on the following.

Not all smokestacks, chimney, watertanks or silos are roof mounted. In fact, I would guess that a majority of them are ground supported. Clearly they all are structures as is Mr. Archibald's tower, and Mr. Archibald's tower is, in fact, a radio mast as referred to in section 602.19I.

Based on the technical facts that a ground mounted tower is inherently safer than a roof mounted tower (or mast) I find it inconceivable that an ordinance would intentionally limit the safer structure without regard to limiting the less stable platform. Is it not possible that the words "Roof mounted structures" modify only those building related items such as elevators, stairways, skylights etc.? If not, why are signs specifically noted as "Roofsigns"?



Board of Zoning Appeals  
July 14, 1978  
Page 2.

There is legal precedent to remove radio and television antenna supports from the categories of structures intended to be limited. Vermont recently passed legislation to reword their statutes to exclude radio towers from the definition of a structure. Pennsylvania cases also verify this position.

In summary, after reading Section 602.19I, I do not believe that radio or TV masts were intended to be considered as structures coming under the height limitations of Section 602.685. On this basis, may I recommend that the board consider at its next meeting, prior to proceeding on Mr. Archibald's request, whether or not TV and radio masts are in fact the structures intended to be limited in height? If I am correct, than Mr. Archibald in fact does not require a variance in order to obtain a permit and erect the tower.

I thank you in advance for your consideration.

Very truly yours,

*Leslie A. Cohen*  
Leslie A. Cohen,  
President

cag

BERNARD G. COHEN, D.M.D.  
58 DEERING STREET  
PORTLAND, MAINE 04101

774-1334

July 4, 1978

Dear Mr. Seltzer,

On Thursday, July 13, at 3:30 P.M., Mr. Peter Archibald will appear at City Hall to apply for a variance to install an amateur radio antenna in an R-5 zone. I urge you to carefully consider the impact on the community before making a decision on his request.

Amateur radio is vital in times of emergency and has proven its usefulness time and time again. Whether the emergency be major, such as during the Johnstown flood or the Southgate, Ky. nightclub fire, or relatively minor such as a traffic accident, amateur radio has provided vital communications.

Portland radio amateurs are equipped to handle emergencies. How? First of all, local communications are provided by local so-called repeater stations to provide communications throughout greater Portland and southern Maine. Two such machines are tied into the New England Telephone system so that mobile and hand-held units can be instantly linked with police and fire departments by way of the telephone system. One station is battery powered and equipped to function even if power to the area should be cut off in case of emergency.

Secondly, long-range communications is possible. On June 24-25 of this year local radio amateurs set up emergency stations behind the Maine Mall in an

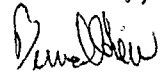
exercise designed to test just this capability. During this exercise they communicated with thousands of radio amateurs in a similar exercise all over the United States and even as far away as Australia, all using emergency generators, radios, towers, and antennas provided by local hams.

Such activities are constantly proving worthwhile. Last week an article appeared in the Portland Press Herald how a bee-sting victim on Tahiti was assisted by a Maine radio amateur who provided information from a physician in treating a deadly allergic reaction.

Antenna structures are necessary for such communications to take place. Without a proper antenna the best radio equipment is useless. Please consider carefully the pros and cons of this case, but be aware of the vital role amateur radio plays in times of community crisis.

Thank you for your consideration.

Yours truly,



Bernard Cohen, D.M.D.

BERNARD G. COHEN, D.M.D.  
58 DEERING STREET  
PORTLAND, MAINE 04101  
774-1334

July 4, 1978

Dear Jackie,

On Thursday, July 13, at 3:30 P.M., Mr. Peter Archibald will appear at City Hall to apply for a variance to install an amateur radioantenna in an R-5 zone. I urge you to carefully consider the impact on the community before making a decision on his request.

Amateur radio is vital in times of emergency and has proven its usefulness time and time again. Whether the emergency be major, such as during the Johnstown flood or the Southgate, KY. nightclub fire, or relatively minor such as a traffic accident, amateur radio has provided vital communications.

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Such activities are constantly proving worthwhile. Last week an article appeared in the Portland Press Herald how a bee-sting victim on Taniti was assisted by a Maine radio amateur who provided information from a physician in treating a deadly allergic reaction.

Antenna structures are necessary for such communications to take place. Without a proper antenna the best radio equipment is useless. Please consider carefully the pros and cons of this case, but be aware of the vital role amateur radio plays in times of community crisis.

Thank you for your consideration.

Yours truly,

*Bernie*

Bernard Cohen, D.M.D.

Dear Peter

You asked me if your Antennas was bothering our T.V. set and I told you it didn't bother it. I asked my wife and daughter that same thing they told me the same that it didn't bother the set since the set is on from 7.00 a.m. to midnight we should ~~know~~ know if it dose or not. I know a ham operator in South Portland in a residential area you has lived their for years and I don't think his neighbors complain about him. I feel the same way hear the neighbors you complain don't have much more to do than get in to some body's business I do not call a neighbor. If you didn't tell me you were a ham operator I probably wouldn't know. I don't object to your Antenna.

John A. Garrity

July 12, 1978.

Appeals Board  
City of Portland, Maine

This is to affirm that I have been a resident of 38 Bancroft Street, Portland, Maine during the time that Peter Archibald has resided at 44 Bancroft Street. During this period he has caused no problems with his operation of short wave radio. His present tower does nothing to detract from the esthetic nature of the neighborhood. I see no reason why he shouldn't be allowed to extend the height of his tower.

Sincerely,

*Albert F. Barnes*  
Albert F. Barnes

(70) CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

All persons interested either for or against this Space and Bulk Variance appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, July 13, 1978 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the subject property as required by Ordinance.

Peter B. Archibald, owner of property at 42-48 Bancroft St. Cor. of 47-51 Rockland Avenue, 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 erection of a 70' antenna tower, at the above named location, not issuable under the Zoning Ordinance because the height of this antenna is in excess of the 35' maximum allowed under Section 602.6.B.5 of the Ordinance applying to the R-5 Residential Zone in which this property is located.

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)(1) of the Zoning Ordinance have been met.

James F. O'Malley  
Secretary

7/13/78

*Please be advised that my property is next to and behind Mr. Archibald's property. I have no objections to having a 70' antenna tower at 42-48 Bancroft St*

*Sincerely,  
Alexander W. Deal  
45 Kenilworth St.  
Portland, Maine*



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

All persons interested either for or against this Space and Bulk Variance appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, July 13, 1978 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the subject property as required by Ordinance.

Peter B. Archibald, owner of property at 42-48 Bancroft St. Cor. of 47-51 Rockland Avenue, under the provisions of Section 602.24 C of the Zoning Ordinance of the City of Portland, here- by respectfully petitions the Board of Appeals to permit erec- tion of a 70' antenna tower, at the above location, not issuable under the Zoning Ordinance because the height of this antenna is in excess of the 35' maximum allowed under Section 602.6.B.3 of the Ordinance applying to the R-5 Residential Zone in which this property is located.

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)(1) of the Zoning Ordinance have been met.

James F. O'Malley  
Secretary

The Board of Appeals:

I find no objection to the above antenna tower.  
It does not interfere with my T V or radio reception.

*Thomas A. Griffin*  
Thomas A Griffin  
60 Rockland Ave.  
Portland, Maine 04102

47 Bancroft St.  
Portland, Maine 04102

Building & Inspection Services  
Room 113, City Hall  
Portland, Maine 04101

Dear Sirs:

I have been advised of a hearing to be held July 13, '75, regarding the erection of a 70 foot antenna tower directly across the street from my property on 47 Bancroft St.

I strongly object to having this tower which would be unsightly. Also I may add that the present tower has interfered with radio and television this past year.

I cannot attend the hearing as I will be out of town, at a summer cottage in Brewster, Mass.

I would appreciate having the results of the hearing sent to Box 112 Brewster, Mass 02638.

Sincerely,

Mrs. H. O. Franklin

July 10, 1978

Building & Inspection Services  
Room 113, City Hall  
Portland, Maine 04101

Gentlemen:

This will acknowledge notice from your office of a public hearing to be held on Thursday, July 13, 1978 at 3:30 P. M. regarding the erection of a 70' antenna tower at 42-48 Bancroft Street by Peter B. Archibald.

We own our home at 37 Bancroft Street, diagonally across from the property involved, and we do not favor this installation. The present tower is not attractive and a taller antenna would certainly be an eyesore.

If there is a Zoning Ordinance in this area against the height of such a structure, we do not approve of an exception to the rule.

Also, we might add that when the equipment is being used, we seem to have trouble with our television reception as well as our stereo and radio.

We are sorry that we will not be able to attend the scheduled hearing, but sincerely hope that this letter will convey our feelings.

Very truly yours,

*Norton Q. P. Oakes*  
*Elna H. Oakes*  
Norton Q. P. & Elna H. Oakes  
37 Bancroft Street  
Portland, Maine 04102

41 Bancroft Street  
Portland, Maine 04102  
July 5, 1978

Building and Inspection Services  
Room 113, City Hall  
Portland, Maine 04101

Dear Sirs:

I have been advised by your office that a hearing will be held on July 13 at 3:30 p.m. regarding the erection of a 70 foot antenna tower by Peter B. Archibald of 42-48 Bancroft Street directly across the street from my property at 41 Bancroft Street.

I will not be able to attend this hearing, as I am eighty years old and have not even been into intown Portland for more than two years. Your office has kindly advised me that I may make my objection by letter.

Mr. Archibald's present tower, which has been up for a year now, is very unsightly. One twice that height would be even more so and, to my mind, extremely dangerous as well.

I am sure that such a tower would lessen the value of my own property since it would bring commercialism to what for fifty years has been a quiet and attractive neighborhood.

There has been considerable television and radio interference during this past year, which I can attribute only to Mr. Archibald's broadcasting.

Sincerely,

*Florence L. Brown.*

Florence L. Brown



9d  
0-2978

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS


SPACE AND BULK VARIANCE (OTHER THAN FOR DWELLING UNIT CONVERSIONS)

Peter B. Archibald, owner of property at 42-48 Bancroft St. Cor. of 47-51 Rockland Avenue  
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: erection of a 70' antenna tower not issuable under the Zoning Ordinance because the height of this antenna is in excess of the 35' maximum allowed under Section 602.6B.5 of the Ordinance applying to the R-5 Residential Zone in which this property is located.

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)(1) 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.

  
\_\_\_\_\_  
APPELLANT

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

Persons interested either for or against this space and  
Room Variance appeal will be heard at a public hearing in  
Room 209, City Hall, Portland, Maine on Thursday, July 13, 1978  
at 3:30 p.m. This notice of property directly abutting, and directly  
sent to the owners of property from the subject property as required  
across a street or alley by Ordinance.

Peter B. Archibald, owner of property at 42-48 Bancroft St.  
Cor. of 47-51 Rockland Avenue, under the provisions of Section  
602.24 C of the Zoning Ordinance at the Board of Appeals of Portland, here-  
by respectfully petitions the Board of Appeals to permit erection  
of a 70' antenna tower, at the location, not  
issuable under the Ordinance applying to the R-5 Residential Zone  
antenna is in excess of the 35' maximum allowed under Section  
602.6.B.5 of the Ordinance applying to the R-5 Residential Zone  
in which this property is located.

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)(1) of the Zoning Ordinance have been met.

James F. O'Malley  
Secretary

- Beal
- Alexander W. & M. Joan Theberge - 45 Kenilworth St.
- Denise K. Brown & Barbara A. Atweed - 83 Wolcott St.
- Evelyn O. Fundin - 47 Bancroft St.
- Florence L. Brown - 41 Bancroft St.
- Norton Q. O. Oakes & Edna H. Griffin - 37 Bancroft St.
- Thomas A. & Martha N. Garity - 60 Rockland Ave.
- John A. & Louise J. Garity - 50 Rockland Ave.
- Francis E. & Gloria M. Oates - 48 Rockland Ave.



# APPLICATION FOR PERMIT

**PERMIT ISSUED**

SEP 7 1978

B.O.C.A. USE GROUP ..... 0 0777  
B.O.C.A. TYPE OF CONSTRUCTION .....  
ZONING LOCATION R-5 PORTLAND, MAINE, June 29, 1978 CITY of PORTLAND

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 44 Bancroft St. Fire District #1  #2   
1. Owner's name and address Petar B. Archibald - same Telephone 775-2228  
2. Lessee's name and address ..... Telephone .....  
3. Contractor's name and address Owner Plans ..... No. of sheets .....  
4. Architect ..... Specifications ..... No. families 1  
Proposed use of building dwelling No. families .....  
Last use ..... Roofing .....  
Material ..... No. stories ..... Heat ..... Style of roof .....  
Other buildings on same lot .....  
Estimated contractual cost \$ 100.00 pd. 5.00 9-5-78 Fee \$ 5.00 appeal fee pd 7-29-78

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

GENERAL DESCRIPTION  
To construct 70 ft. tower, antenna tower as per plans. 2 sheets of plans.

Dwelling .....  
Garage .....  
Masonry Bldg. ....  
Metal Bldg. ....  
Alterations .....  
Demolitions .....  
Change of Use .....  
Other antenna tower

Stamp of Special Conditions  
*(This application is preliminary to get settled the question of zoning appeal. In the event the appeal is granted, the applicant will furnish complete information, estimated cost and pay legal fee.)*  
**Not Appealed**

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

### 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? .....

### MISCELLANEOUS

APPROVALS BY: ..... DATE .....  
BUILDING INSPECTION—PLAN EXAMINER .....  
ZONING: O.R.M.G.O. 8/17/78  
BUILDING CODE: O.R.M.G.O. 8/17/78  
Fire Dept.: .....  
Health Dept.: .....  
Others: .....

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? .....

Signature of Applicant Petar B. Archibald Phone # same  
Type Name of above Petar B. Archibald  1  2  3  4  
Other .....  
and Address .....

FIELD INSPECTOR'S COPY