

CITY OF PORTLAND, MAINE  
PLANNING BOARD



KENNETH H. CADIGAN, CHAIRMAN  
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C. MASON PRATT, JR.  
JAMES I. HOLDEN, SR.

May 27, 1976

Mr. Joseph Boulos  
57 Exchange Street  
Portland, Maine 04112

Dear Mr. Boulos:

At the Planning Board meeting of May 25, 1976, the Board voted to grant your business access onto two streets. There were two actions by the Board. First, it was voted 4-1 (Holden) to grant access onto Sewall and Congress Streets. At Congress Street, the curb cut was approved at twenty-five feet at the easterly most location with no left hand turn and exit only signs to be installed on your property.

Secondly, the Planning Board voted unanimously to support the construction of sidewalks and curbs to widen Sewall Street in order to alleviate traffic congestion. The construction hopefully could be done in conjunction with the reconstruction of Sewall Street this summer. It was the Planning Board's recommendation that the total cost of up to \$8,000 be taken from the CIP account (64-20). The available sidewalk balance is about \$63,000. The question of acquisition of adjacent property and the coordination of construction should be handled by the Department of Public Works. By copy of this letter, I am requesting George Flaherty to handle this item and to call upon me if he needs my assistance.

I know your business will be an improvement to this neighborhood and the best of success in your new venture.

Very sincerely,

*Kenneth H. Cadigan*  
Kenneth H. Cadigan  
Chairman

KHC/1

cc: Members of the Planning Board  
Donald E. Megathlin, Jr., Planning Director  
George A. Flaherty, Director of Public Works  
John Rague, Department of Public Works  
✓ Brian Nickerson, Planning Department



## CITY OF PORTLAND-MAINE

CLARK M. NEILY  
ECONOMIC DEVELOPMENT DIRECTOR

May 24, 1976

Mr. Joseph Boulos  
JOSEPH BOULOS ASSOCIATES  
89 Exchange Street  
Portland, ME 04112

Dear Joe:

I noticed in a letter addressed to you by Mr. Kenneth Cadigan, Chairman of the Planning Board, that there may be problems concerning the new beverage warehouse that you want to have located at the corner of Sewall and Congress Streets.

This item has been referred to Brian Nickerson of the Planning staff, and I'm sure you will be in contact with him. If there is anything you wish me to do as Development Director of the City of Portland, don't hesitate to let me know. We here in City Hall are all working as a team to bring forward appropriate development, and we want to do everything we can to assist you.

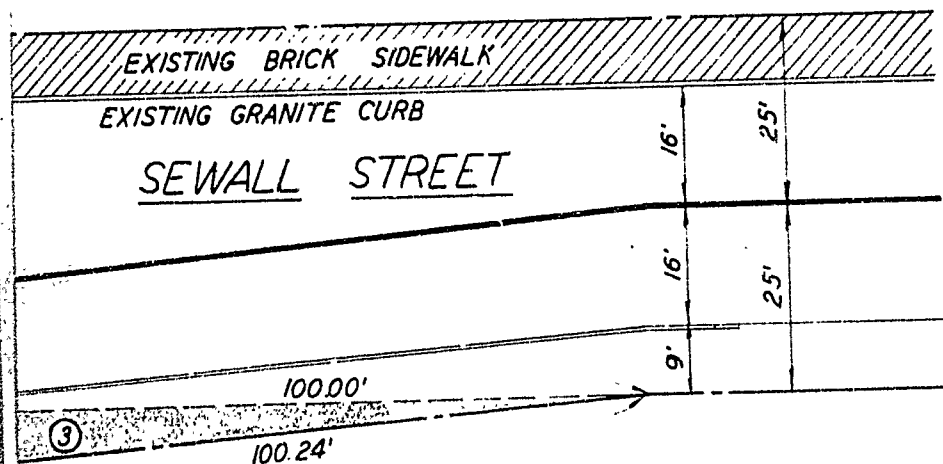
Sincerely,

Clark M. Neily  
Director of Economic Development

CMN:md

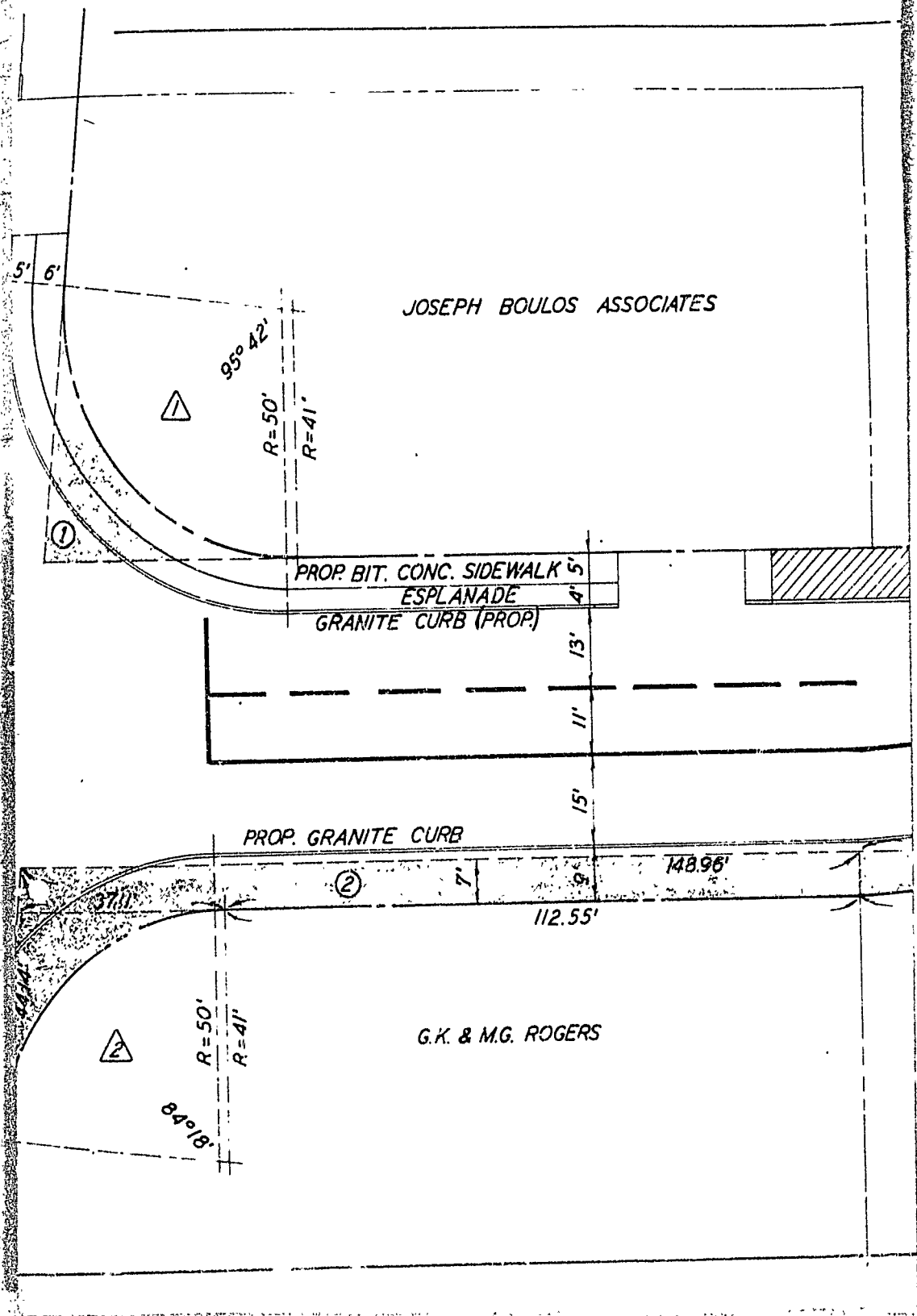
cc: Development Committee, Portland City Council  
Kenneth H. Cadigan, Chairman of the Planning Board  
Donald E. Megathlin, Jr., Planning Director  
George A. Flaherty, Director of Public Works  
R. Lovell Brown, Director of Building & Inspection  
Brian M. Nickerson, Planning Dept.

NO.	AREA	SQ. FT. ASSESSED VALUE	TOTAL ASSESSED VALUE
1.	452.80 S.F.	\$1.25/S.F.	\$ 566.00
2.	1,329.70 S.F.	\$0.70/S.F.	\$ 930.79
3.	350.00 S.F.	\$0.70/S.F.	\$ 245.00
		TOTAL	\$1,741.79



EMMANUEL CHRISTIAN CHURCH

SCALE - 1" = 20'





DATA:

$I = 95^{\circ}42'$

$T = 45.30'$

$L = 68.48'$

$R = 41.00'$

CURB DATA:

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$I = 84^{\circ}18'$

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$L = 73.57'$

$R = 50.00'$

WHITNEY

AVENUE

STREET

CONGRESS

11

## Beverage Warehouse

Nick  
Approved  
4-1

- has had access for 40 years  
moral obligation
- \*\* - access onto Congress is less than ideal  
but applicant says important to success  
of business
- \* - construction of sidewalks & curbing <sup>petition 50%  
concrete 10%</sup>  
- alleviates traffic problem
- Sewer in Congress St. Completed August

Recommend - \$8000 Sidewalk account  
Cost of Sidewalk balance of \$65,600

Recommend - No left hand turn onto Congress

Recommend  
commit to  
LDP

R-5 → B-2 tabled

Recommend Exit only  
25' OK

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Kenneth H. Cadigan, Planning Board Chairman  
FROM: John P. Rague, Department of Public Works  
SUBJECT: Report for Intersection Improvement at Sewall Street and Congress Street

DATE: 5-17-76

The following is a summary of this Department's study for the improvement of the intersection of Sewall Street at Congress Street as requested by the Planning Board at its meeting of May 11, 1976.

Before beginning a descriptive analysis of our findings, I would like to point out two factors which this Department feels are critical in the timing of this project and should be considered in its feasibility.

First of all, the Board is aware of the proposed improvements to the parcel of land situated at the southeasterly corner of Sewall Street and Congress Street owned by Joseph Boulos, developer. Part of the requirements for the improvements of this land is the construction of sidewalks and curbing. Mr. Boulos is aware of his right to petition the City to construct such sidewalks and curbing with one-half the cost being assessed to himself, and he has indicated to me that he does intend to issue such a petition. It is this Department's contention that if the City is indeed required to complete such construction and borne one-half the cost thereof, it should utilize this opportunity to layout and construct the sidewalks and curbing in such a manner as to alleviate a longstanding traffic congestion problem at this intersection.

Mr. Boulos has indicated a willingness to negotiate with City officials for a possible settlement between his sidewalk and curb assessment and the financial considerations for the taking of a portion of his property needed for the proposed widening of the intersection. Because of the uncertainty of this possibility, I have neglected to enter this aspect into the following financial breakdown for this project.

Secondly, the City has entered into a contract for the reconstruction of the existing sewer in Sewall Street. This work is scheduled to commence the end of this month and should be completed within ninety days thereafter. Part of this contract calls for a complete overlaying of the existing pavement of Sewall Street from Thompson's Point and extending into the intersection of Congress Street. It would be ideal to have the proposed curbing in place by the time the contractor is scheduled to do his overlaying work. I should point out that the ninety days was a specified amount of time the City felt the contractor needed to complete this work. In all actuality, he managed to do his overlaying work by the middle of August.



Report for Intersection Improvement at Sewall Street and Congress Street (continued)

The following information is a quantity and cost estimate breakdown in accordance with the proposed alterations to this intersection as shown on the attached sketch:

1. Easterly Side of Sewall Street:

A. Sidewalks:	68.33 S.Y. Bit. Conc. @ \$10.00/S.Y. =	\$683.30
B. Esplanade:	66.00 S.Y. Loam & Seed @ \$5.00/S.Y. =	\$330.00
C. Driveways:	49.00 S.Y. Bit. Conc. @ \$11.00/S.Y. =	\$539.00
D. Curbing:	121.00 L.F. Gran. Curb @ \$ 8.00/L.F. =	\$968.00
E. Miscellaneous Grading Work:	(Lump Sum)	= \$200.00

Estimated Sub-Total..... \$2,720.30

2. Westerly Side of Sewall Street:

A. Sidewalks:	None	
B. Esplanade:	None	
C. Driveways:	None	
D. Curbing:	305.00 L.F. Gran. Curb @ \$8.00/L.F. =	\$2,440.00
* E. Property Taking:	G.K. & M.G. Rogers.....\$	930.79
	Emmanuel Christian Church.....\$	245.00
F. Miscellaneous Grading Work	(Lump Sum)	\$ 200.00

Estimated Sub-Total \$3,815.79

3. Total Estimated Cost of Project:

Easterly Side:	\$2,720.30
Westerly Side:	\$3,815.79

Engineering:	\$6,536.09
	\$ 600.00

(Say \$8,000.00)

Cor. Agencies:	\$7,136.09
	\$ 700.00

Total Cost	\$7,836.09
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Report for Intersection Improvement at Sewall Street and Congress Street (continued)

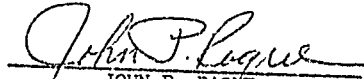
- \* Consideration is given to the cost of procuring land for the proposed street right-of-way widening on the westerly side of Sewall Street because the curbing on that side of the street would be ordered built by the City Council without assessments to the abutting property owners as is the case with Mr. Boulos on the easterly side of Sewall Street.

The estimated costs for the various items shown above are predicated on last year's prices bid under the 64-20 account for miscellaneous sidewalk and curb work throughout the City, plus a ten percent projected increase in anticipation of this year's 64-20 contract. This Department is suggesting that the proposed work be funded under this account. An inspection of the latest City financial report reveals a current balance of approximately ~~65,000.00~~ <sup>\$63,000</sup> in this account, however, no indication is given for previous commitments for this money, if any.

The estimated values for the proposed property takings are based on the current square foot valuation of this land established by the Assessor's Office of this City. Such valuation for land on the westerly side of Sewall Street is currently \$0.70 per square foot.

If I may of further assistance to yourself and the Planning Board, please feel free to contact me on ext. 255.

ATTACHMENT:

  
JOHN P. RAGME  
ASSOCIATE ENGINEER II

cc: George A. Flaherty, Director of Public Works  
John R. Chesebro, Chief Engineer  
Donald E. Megathlin, Jr., Planning Director  
Brian Nickerson, Planning Department

JPR/jpr



## CITY OF PORTLAND-MAINE

CLARK M. NEILY  
ECONOMIC DEVELOPMENT DIRECTOR

May 24, 1976

Mr. Joseph Boulos  
JOSEPH BOULOS ASSOCIATES  
89 Exchange Street  
Portland, ME 04112

Dear Joe:

I noticed in a letter addressed to you by Mr. Kenneth Cadigan, Chairman of the Planning Board, that there may be problems concerning the new beverage warehouse that you want to have located at the corner of Sewall and Congress Streets.

This item has been referred to Brian Nickerson of the Planning staff, and I'm sure you will be in contact with him. If there is anything you wish me to do as Development Director of the City of Portland, don't hesitate to let me know. We here in City Hall are all working as a team to bring forward appropriate development, and we want to do everything we can to assist you.

Sincerely,

Clark M. Neily  
Director of Economic Development

CMN:md

cc: Development Committee, Portland City Council  
Kenneth H. Cadigan, Chairman of the Planning Board  
Donald E. Megathlin, Jr., Planning Director  
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R. Lovell Brown, Director of Building & Inspection  
Brian M. Nickerson, Planning Dept.

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S. MASON PRATT, JR.  
JAMES I. HOLDEN, SR.

May 13, 1976

Mr. Joseph Boulos  
Joseph Boulos Assoc.  
89 Exchange Street  
Portland, Maine

Dear Mr. Boulos:

At its May 11, 1976 meeting, the Portland Planning Board voted to refer the site plan for the Beverage Warehouse at the corner of Sewall and Congress Streets back to the Planning and Department of Public Works staffs for further study of intersection improvements at Sewall and Congress Streets. The staff will meet with you to resolve ways by which intersection improvements abutting your property can be made. In order that your plans to open the facility by June 1st can be accommodated, this item will be scheduled for Planning Board action at its May 25th meeting.

The City staff will contact you soon to schedule a meeting with you regarding the intersection. Please contact Brian Mickerson of the Planning staff if you have any questions.

Sincerely,

*K. H. Cadigan*  
Kenneth H. Cadigan  
Chairman

KHC/jk

cc: Members of the Planning Board  
Donald E. Megathlin, J. ., Planning Director  
Gerald A. Holtenhoff, Assistant Planning Director  
George A. Flaherty, Director of Public Works  
John Rague, Public Works  
R. Lovell Brown, Director of Building & Inspection  
Alan Soule, Assistant Director of Building & Inspection  
Clark M. Neily, Director of Economic Development  
Daniel Desmond, Attorney



May 6, 1976

Mr. Joseph F. Boulos  
Joseph Boulos Associates  
89 Exchange Street  
Portland, Maine 04111

Re: Congress Street access to the former Rice's Bakery

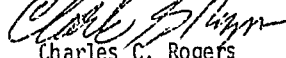
Dear Mr. Boulos:

This letter will serve to inform you that the lot now owned by you on the corner of Congress Street and Sewall Street has enjoyed continuous ingress and egress from Congress Street for a period of not less than the last forty years.

To reiterate what I told you on the telephone, not only was this entrance and exit used for the past 40 years, by Rice's bakery, and before that, Roger's bakery, but it was also utilized by the adjacent property owner (Alton T. Maxim Real Estate Co.) as an entrance for his real estate office for a number of years. Prior to that the access was used by a Mr. William Quinn for a driveway on to his property which abutted my eastern boundary line.

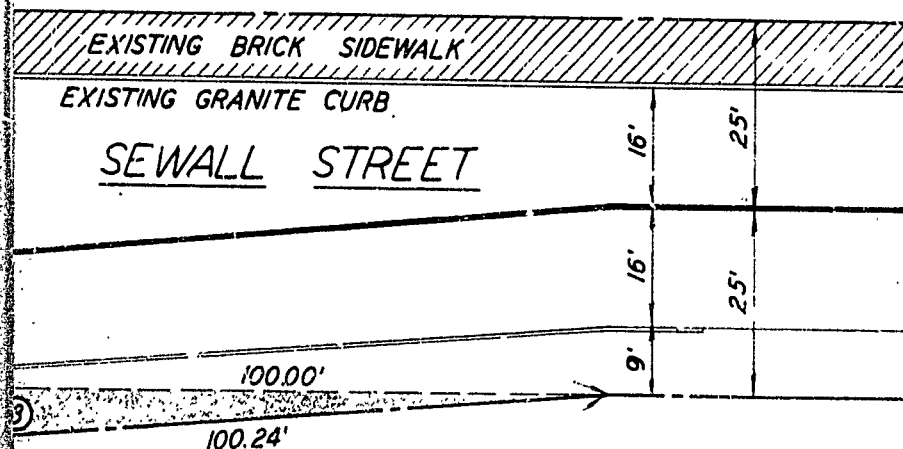
If I can be of any further assistance please don't hesitate to let me know.

Very truly yours,



Charles C. Rogers

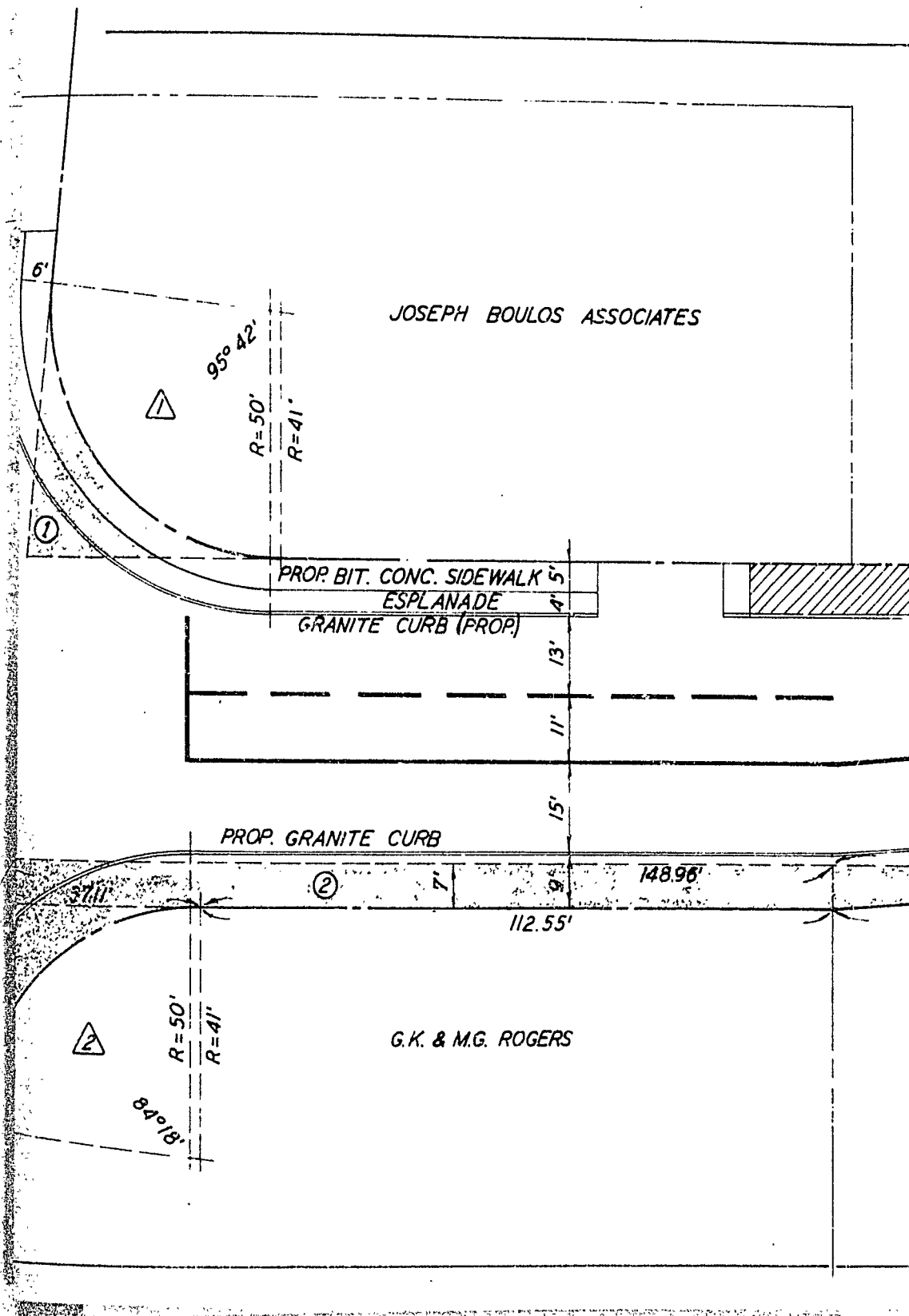
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WHITNEY

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5'

11'

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Chairman and Members of the Planning Board

DATE: 5/5/76

FROM: Brian Nickerson, Planning Staff

SUBJECT: Site Plan Review - Beverage Warehouse - Corner of Sewall and Congress Streets  
(Formerly Rice Bakery)

INTRODUCTION

The structure formerly used for Rice's Bakery has been vacant for nearly a year. A proposal has been received to utilize the structure as a retail outlet. Since the applicant proposes to develop access to the parking area from both Sewall and Congress Streets, site plan approval by the Planning Board is required by Section 602.14.J. of the Zoning Ordinance. Ordinarily the proposal would be a minor site plan requiring only staff review.

FINDINGS OF FACT

Proposed Use - "The Beverage Warehouse" - retail sale of bulk quantities of beer, soda and wine

Existing Zoning - R-5

LDP Proposed Zoning - R-5

Proposed Parking - 8 stalls

Floor Area of Existing Building - 2100 sq. ft.

Limited Land Use Policy Conflict - LDP recommendations would permit small retail variety stores which normally also sell beer, wine and soda. Proposed use would feature large stock of such beverages intended for both limited and bulk sale to individual customers. It would thus tend to draw trade from a wider area than a typical neighborhood variety store. This, conflict, however, is substantially reduced by the store's proximity to the neighboring B-2 Zone.

Conflict with City Project - The Traffic Engineer advises that plans have been developed to improve the intersection of Sewall and Congress Streets. Such improvements may require some land taking at the corner of the property in question. The land taking is anticipated to be minimal, however, and should not significantly affect the proposal.

Staff Review - Since the proposal involves a small existing structure, the Planning staff perceives the salient site plan features to be access/circulation and parking. (The applicant does not propose to install outside lighting).

Eight parking stalls are shown. The lot is ample and the stalls are proposed at 10' x 20'.

Access/Circulation is important due to the traffic and turning movements at the Congress and Sewall Street intersection and because of the two proposed curb cuts. A meeting was held with the applicant and the City Traffic Engineer. The City Traffic Engineer advises that, while a Congress Street curb cut is not ideal, dual access is acceptable if access ways are placed as far away from the intersection as possible. The applicant's revised plan is attached which reflects this recommendation.

Conditions which presently exist, and which probably existed when Rice's Bakery was in operation, allow for unlimited access across the site, thus allowing vehicles to illegally bypass the intersection signal light. The proposal, with Traffic Engineer recommendations, would channelize traffic onto the site. While bypass of the intersection will still be possible it will be restricted and discouraged through channelization.

The Department of Public Works staff report is attached.

#### STAFF RECOMMENDATION

The staff recommends that the site plans be approved conditional upon both Traffic Engineer and other Department of Public Works requirements.

#### REASON FOR RECOMMENDATION

The nature of the existing structure and the commercial traffic which passes through this intersection and on both Congress and Sewall Streets are such that it is highly unlikely that the property will be reused for residence in the foreseeable future. A retail use is most appropriate at this time as a reflection of the evolving character of the surrounding I-295 Interchange area. Access onto Congress Street is not ideal from a traffic standpoint. On the other hand, it is the opinion of the applicant that access from Congress Street is essential for a retail success on this site. The staff believes that the traffic engineer's recommendations on curb cuts effectively reduce the hazardous situations which could be realized as a result of a Congress Street curb cut in another location than recommended.

  
Brian Nickerson

BN/jk  
Attachment