

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 14th day of May, 1948,
on petition of George W. Berry, owner of property at
1719-1727 Congress Street seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

Building permit for construction of service station and service garage
at 1719-1727 Congress Street is not issuable under the Zoning Ordinance
because the property is located in a Local Business Zone which Section
6A of the Zoning Ordinance provides that a gasoline filling station and
service garage is excluded except as authorized by the Board of Appeals
after the usual appeal procedure.

The Board finds that an exception to the Zoning Ordinance may not be
permitted in this specific case without substantially departing from
the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may not be permitted
in this specific case.

W. H. G. G. G.
Helen C. Frost
Edwin J. Colley
John W. Lake

W. H. G. G. G.

Board of Appeals

May 14, 1948

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF GEORGE W. BERRY

AT 1719-1727 Congress Street

Public hearing on above
appeal was held before
the BOARD OF APPEALS
today.

Present for City

Board of Zoning Appeals members:-

VOTE

Yes No

Robert L. Getchell	()	(x)
Helen C. Frost	()	(x)
Edw. T. Colley	()	(x)
B. Wm. Holbrook	()	(x)
John W. Lake	()	(x)
	()	()
	()	()
	()	()
	()	()

Municipal Officers:-

FOR: Mr. Berry and Mr. Strange (Par.
Shell Oil Col by Mr. Acheson

OBJECTION: Letters and vote of church in file; City officials:-
4 phone calls to Mrs. Frost
Mr. Johnson on behalf of adjoining church
Mr. For Mr. Randall (Walton St.)
Mr. Maxfield (within 300') - depreciates value of property.
Mrs. Lovejoy - depreciates value of property
Mrs. Stover (opp.) maintain residential neighborhood
(noise and traffic - another station within 500 yds.)

From the Desk of ---

48/34

BARNETT I. SHUR

5/13/48

Mrs. Robert Jackson of 293 Westbrook
Street wishes to express disapproval of
service station so near to the community
church.

40 Garrison St #4864
Portland May 13
Cooperation
Council of
Portland, Me.

Dear Sir;

I understand that
Mr. George Burr, who
operates a market at
1717 Congress St, has
asked for a permit to
 erect a filling station
& service garage between
his store & the church
building

I do not approve
of granting the permit

119/34

Asking for your
indulgence as logical
reasons for not
granting this permit
remain

Arthur W Packard
40 Garrison St
Portland, Me

RALPH AMES LEAVITT

382 WESTBROOK STREET PORTLAND 4 MAINE

18/34

May 10, 1948

City of Portland
Board of Appeals
Robert L. Getchell, Chairman
Portland City Hall
Portland, Maine.

Dear Mr. Getchell;

I have received your notice of the hearing scheduled for Friday morning at 10.30 of the appeal of George W. Berry requesting exception to the Zoning Ordinance to permit construction of service station and service garage at 1719-1727 Congress Street.

Since it is necessary for me to be out of the City on Friday I am sending this statement to you to protest against granting this request. I feel that such construction would definitely depreciate the value of property near by..

My son, William Leavitt is owner of property at 1747 Congress Street and I am his legal guardian since he is a minor.

I hope you will give this expression of opinion the same consideration which you would give to me if I could be present.
Thank you.


Sincerely yours,

Ruth B. Leavitt, Guardian

Mrs. Ralph A. Leavitt

382 Westbrook Street
Portland, Maine

48/34



Stroudwater Baptist Church
Portland, Maine

~~Stroudwater Baptist Church~~, Pastor
1735 Congress Street

MAURICE B. JOHNSON, Clerk
3 Cliff Street

May 12, 1948.

Mr. Robert Getchell, Chairman
Board of Appeals
City Hall,
Portland, Maine

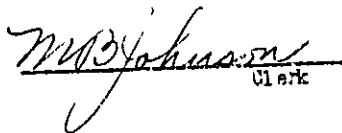
Dear Sir,

At a meeting of the Parish Committee of the Stroudwater Religious Society, all members being present, the notice of the appeal of Mr. George Berry for a filling station and service garage on property beside the church was presented.

On motion, it was unanimously voted: "That the Stroudwater Religious Society is definitely opposed to a service garage or filling station on this property adjacent to the church."

Very truly yours,

Stroudwater Religious Society


Clerk

F/34

CITY OF PORTLAND, MAINE
LEGAL DEPARTMENT

May 10, 1948

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 14, 1948 at ten-thirty o'clock in the forenoon to hear the following appeals under the Zoning Ordinance:

George W. Barry - 1724-1727 Congress Street - construction of service station and service garage at this address. (See attached notice)

Frank C. Wood - 62 King Street - construction of 4-car garage at this address is not issuable under Zoning Ordinance because it would constitute unlawful encroachment upon required rear yard in that it is proposed to occupy 50 percent of rear yard and should only occupy 30 percent; also front of garage projects about 9' into required side yard and ordinance requires side yard to be at least 10' wide with no buildings encroaching on it. Side wall is proposed only 3' from side property line and front wall about 44' from King Street and ordinance provides that if any part of building closer than 50' to street, side wall would have to be at least 5' from side property line.

Curtis Bauer - 209 State Street - Relocation of garage on these premises is not issuable under the Zoning Ordinance because wall of the garage would be only 2' from side property line and ordinance provides that where the garage would be closer than 50' to street line, side wall shall be at least 5' from side property line; and because moving the garage 4' farther from street would constitute a still greater encroachment on side yard space required to be no less than 10' wide and entirely open.

BOARD OF APPEALS

Robert L. Getchell

Chairman

M

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

May 4, 1948

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 14, 1948 at ten-thirty o'clock in the forenoon to hear the appeal of George W. Berry requesting exception to the Zoning Ordinance to permit construction of service station and service garage at 1719-1727 Congress Street.

This permit is not issuable because the property is located in a Local Business Zone in which Section 6A of the Zoning Ordinance provides that a Gasoline Filling Station and Service Garage is excluded except as authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 17E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Robert L. Getchell

Chairman

M

48/34

48/34

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

May 10, 1948

Mr. George W. Berry
1717 Congress Street
Portland, Maine

Dear Mr. Berry:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 14, 1948 at ten-thirty o'clock in the forenoon to hear your appeal under the Zoning Ordinance to permit construction of service station and service garage at 1719-1727 Congress Street.

Please be present or be represented at this hearing in support of your appeal.

Very truly yours,

BOARD OF APPEALS

Robert L. Gatchell

Chairman

49/34

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

May 4, 1948

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 14, 1948 at ten-thirty o'clock in the forenoon to hear the appeal of George W. Berry requesting exception to the Zoning Ordinance to permit construction of service station and service garage at 1719-1727 Congress Street.

Permit is not issuable because the property is located in Local Business Zone in which Section 6A of the Zoning Ordinance provides that a Gasoline Filling Station and Service Garage is excluded except as authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 17B of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Robert L. Gatchell

Chairman

M

47/31

Appeal of George W. Berry at 1719-1721
Congress Street 4/27/48

✓ Congress Street - 1675 to 1779 ✓
✓ " " - 1674 to 1780 ✓

✓ Walden Street - Entire ✓ (At Snow's water)

Westbrook Street - Assessors' List Nos. 21-C-

1, 2, 3, 4, 5, 6, 11, ✓

- 213-D- 1, 2; 213-E- 2, 3, 4, 5,
9,

218-C- 1, 2, 3; 219-A- 1, 8 ✓



~~Capital of the original City of 1719-1722~~ *Congress St.* 48/34
 Pg. 1 of 2
 (15)

- 1577-1715. John P. Burman, a. l. t. No. = 134 S. Main St.
- 1715-1718. J. C. ... Lorange 1300 P. of H - 1711 Congress St.
- 1715-1727. George W. Berry - 1717 Congress St.
- 1721-1731. St. Andrew's Religious Society - 1729 Congress St.
- 1733-1737. Dep. (In. ...)
- 1741-1751. William ... & Ancient ... - 3rd Westbrook St.
- 1753-1755. Dep. (...)
- 1757-1763. Thomas (...) Jackson ... - 2nd ... St.
- 1766-1774. ...
- 1776-1786. ...
- 1787-1796. Lawrence J. ... - 2nd ... St.
- 1797-1799. City of ...
- 1767-1797. Ralph A. ... - 3rd Westbrook St.

Waldo St.

- 212-D-2. Dep. (...)
- 215-E-5. Arthur F. ... - 335 Westbrook St.
- 215-E-9-2. City of ...
- 215-E-9-3. Robert Kenneth Jordan ... - 415 Ocean Ave.

Westbrook St.

- 215-D-1. City of ...
- 215-D-2. Dep. (...)
- 215-C-1. Dep. (...)
- 215-C-2. Dep. (...)
- 215-C-3. Natl. Soc. of the Colonial Dames of America - 158 Westbrook St.
- 215-C-4. Dep. (...)
- 215-C-5. Dr. J. ... - 40 ... St.
- 215-C-6. Eleanor ... - 205 Westbrook St.
- 215-C-11. Myrtle E. ... - 16 Westbrook St.
- 215-D-2. City of ...
- 215-E-3. Dep. (...)
- 215-E-4. "
- 215-E-5. Dep. (...)
- 215-E-9. City of ...
- 215-C-1. Dep. (...)
- 215-C-2. ... - 17 Westbrook St.

Westbrook St

77 28/10

12/8-0-4 Deep (Libby)
211-A-1 Deep (Hartfield)
12/9-0-8 Deep (Libby)

12/34

AP 1719-1727 Congress Street-I
CITY OF PORTLAND, MAINE
Department of Building Inspection

5/24
4/21

FU

April 24, 1948

Mr. George W. Berry
1717 Congress Street
Portland, Maine

Subject: Application for building permit for Service
Station and Service Garage at 1719-1727 Congress
Street and zoning appeal relating thereto

Dear Mr. Berry:

C
O
P
Y

Building permit for the above work is not issuable under the Zoning Ordinance because the property is located in a Local Business Zone in which Section 6A of the Zoning Ordinance provides that a Gasoline Filling Station and Service Garage is excluded except as authorized by the Board of Appeals after the usual appeal procedure. Because you have indicated your desire to seek such authorization, there is enclosed an outline of the appeal procedure. The first opportunity for the required public hearing before the Board of Appeals will probably be on May 14, and because of the 10 day notice of such hearing which the Board is required to give, your appeal should be filed at the Corporation Counsel no later than April 28 if you wish to avoid further delay.

Evidently in an effort to get the appeal proceedings under way quickly, the plans have been filed without any floor plan and plans showing any other details of the building. No doubt these will be forthcoming if you are successful in your appeal, but it should be borne in mind that no checking against Building Code requirements, except in a very general way indicated in my former letter, can be undertaken.

From the fact that the revised plans still show a wooden frame building, I take it that you do not have in mind anything in the nature of a Repair Garage and that you realize, that both under your appeal as you now propose it and under the provisions of the Building Code, no repairs whatever would be allowable in the building or on the open land.

Very truly yours,

WALTER HARRIS

Inspector of Buildings

WMLD/J

Enclosure: Outline of appeal procedure.

CC: Edward T. Gignoux
Assistant Corporation Counsel

AP 1719-1727 Congress Street-I

April 24, 1948

Mr. George W. Berry
1717 Congress Street
Portland, Maine

Subject: Application for building permit for Service
Station and Service Garage at 1719-1727 Congress
Street and zoning appeal relating thereto

Dear Mr. Berry:

Building permit for the above work is not issuable under the Zoning Ordinance because the property is located in a Local Business Zone in which Section 6f of the Zoning Ordinance provides that a Gasoline Filling Station and Service Garage is excluded except as authorized by the Board of Appeals after the usual appeal procedure. Because you have indicated your desire to seek such authorization, there is enclosed an outline of the appeal procedure. The first opportunity for the required public hearing before the Board of Appeals will probably be on May 14, and because of the 10 day notice of such hearing which the Board is required to give, your appeal should be filed at the Corporation Counsel no later than April 28 if you wish to avoid further delay.

Evidently in an effort to get the appeal proceedings under way quickly, the plans have been filed without any floor plan and plans showing any other details of the building. No doubt these will be forthcoming if you are successful in your appeal, but it should be borne in mind that no checking against Building Code requirements, except in a very general way indicated in my former letter, can be undertaken.

From the fact that the revised plans still show a wooden frame building, I take it that you do not have in mind anything in the nature of a Repair Garage and that you realize, that both under your appeal as you now propose it and under the provisions of the Building Code, no repairs whatever would be allowable in the building or on the open land.

Very truly yours,

Inspector of Buildings

EMER/J

Enclosure: Outline of appeal procedure.

CC: Edward T. Cignoux
Assistant Corporation Counsel

Mrs. Helen C. Frost
466 Westbrook Street

AP 1719-1727 Congress St.-1

April 11, 1963

Mr. George W. Berry
1717 Congress Street
Portland, Maine

Subject: Preliminary application for building permit to cover construction of proposed Service Garage at 1719-1727 Congress Street for use in connection with gasoline filling, and service station proposed there, and zoning appeal relating thereto

Dear Mr. Berry:

Building permit for the above work is not issuable because the property is located in a Local Business Zone in which Section 6A of the Zoning Ordinance provides that the gasoline filling station and service garage is excluded except as authorized by the Board of Appeals after the usual appeal procedure.

You have indicated your desire to seek authorization by the Board of Appeals, and, there is enclosed, therefore, an outline of the appeal procedure.

Your application gives the use of the proposed building as Service Garage. Both Zoning Ordinance and Building Code make a distinction between Service Garage and Repair Garage. A Repair Garage is one where motor vehicles other than those habitually kept there, are repaired. A Service Garage is one where motor vehicles, other than those habitually kept there, are serviced or maintained by such acts as changing oil, greasing, changing tires and the like, but where no repairs are made. If you should have in mind any type of motor vehicle repairs within the building, the application ought to carry the intention to have a Repair Garage and that particular classification ought to be mentioned in the appeal. Otherwise, if you were successful in your appeal, the use of the building would be limited to Service Garage and no repairs could lawfully be made there.

From the standpoint of the Building Code, a Repair Garage is not permitted in a wooden frame building, and that is the class of construction which you have indicated on your application. If a Repair Garage is contemplated in any part of the building, therefore, you will likely have to make the exterior walls of masonry and the roof of no less than heavy timber construction.

Another feature of the Building Code is important to you because you have indicated the dimensions of the building as 40' x 32' which amounts to an area of something over 1200 square feet, while the Building Code under Section 201c2 limits the area of a Service Garage in wooden frame buildings, and between exterior walls and interior fire walls to 700 square feet.

I suggest that you go into all of these matters, and decide what you really want before the notices are sent for the public hearing so that you may not run the risk of applying for and securing one type of building and use and then find that you really want some other type.

As I explained to you the earliest possible date on which you can expect an answer from the Board of Appeals is likely to be April 30. Because of the 10-day notice requirement of the ordinance for public hearing, you could hardly get a decision on that date unless your appeal is filed at the office of Corporation Counsel by tomorrow night, Thursday, or at least give notice to the Corporation Counsel's Office that

April 14, 1943

Mr. George W. Berry _____ 2

you intend to file it this week so that the work of preparing notices of the public hearing may be started at once.

Very truly yours,

Inspector of Buildings

ED/S

Encl: Outline of appeal procedure
CC: Edward T. Gignoux
Assistant Corporation Counsel

P.S. Your application and location plan are only preliminary, and in order not to prejudice your case before the Board of Appeals, I recommend that you have a comprehensive plan filed at this office well in advance of the public hearing for the use of the Board of Appeals at that time. This plan to show definitely what you propose including what the architectural appearance of the building will be and what you propose in the way of laying out the ground, especially as to approaches from the public street.

CC: Mrs. Helen Frost
466 Westbrook Street



(L) LOCAL FIRE ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, April 14, 1948
New plans 4/2/48

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 1719-1727 Congress Street Within Fire Limits? no Dist. No. _____
Owner's name and address George Berry, 1717 Congress Street Telephone 2-9220
Lessee's name and address _____ Telephone _____
Contractor's name and address not let Telephone _____
Architect _____ Specification _____ Plans yes No. of sheets 4
Proposed use of building Service Station and Service garage No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ _____

General Description of New Work

To construct 1 story frame building, 40'x32' for service station and service garage.
~~xxxx~~

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

Appeal denied 5/14/48

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

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber _____ Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x1-10" 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? _____

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

APPROVED:

Signature of owner George W. Berry

Permit No 481
Location 1719-1725 Congress St.
Owner George Berry
Date of permit 4/1 1-48
Notifi. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn _____
Cert. of Occupancy issued _____

NOTES:

[Handwritten signature]



City Clerk,
339 Congress St.,
Portland, Maine.

1717 Congress St.,
Portland, Maine:
March 10th, 1948

Dear Sir:

An EXCI is desirable of leasing a 100' frontage of our land at the above address for a filling station, but the Oil Co. has informed him that it would be necessary to change from a local business zone to a limited business zone for it to go ahead.

Would you kindly take whatever course necessary to get permission to put a filling station on this property.

Yours truly,

George W. Berry

3-9-48
assumed by 4/13/48
perm run away
and applying for
file app. 4/13/48
for permit

RECEIVED
MAR 27 1948
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

INQUIRY BLANK

ZONE L

FIRE DIST. 970

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date 3/27/48

Verbal
By Telephone

LOCATION 1717 Congress Street OWNER George M. Bell

MADE BY Owner TEL. _____

ADDRESS _____

PRESENT USE OF BUILDING _____

CLASS OF CONSTRUCTION _____ NO. OF STORIES _____

REMARKS: _____

INQUIRY: How does the zoning Ordinance apply to the above location being used

for filling station?

ANSWER: Accomplish on being letter

DATE OF REPLY 4/13/48 REPLY BY [Signature]

pm
INQUIRY BLANK

ZONE L
FIRE DIST. W

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Verbal
 Telephone
Date 3/9/48

LOCATION 1727 Temple St OWNER _____

MADE BY A. A. H. Heston TEL. 4-2661

ADDRESS 7 Main St S.P. (Shell Oil Co)

PRESENT USE OF BUILDING _____

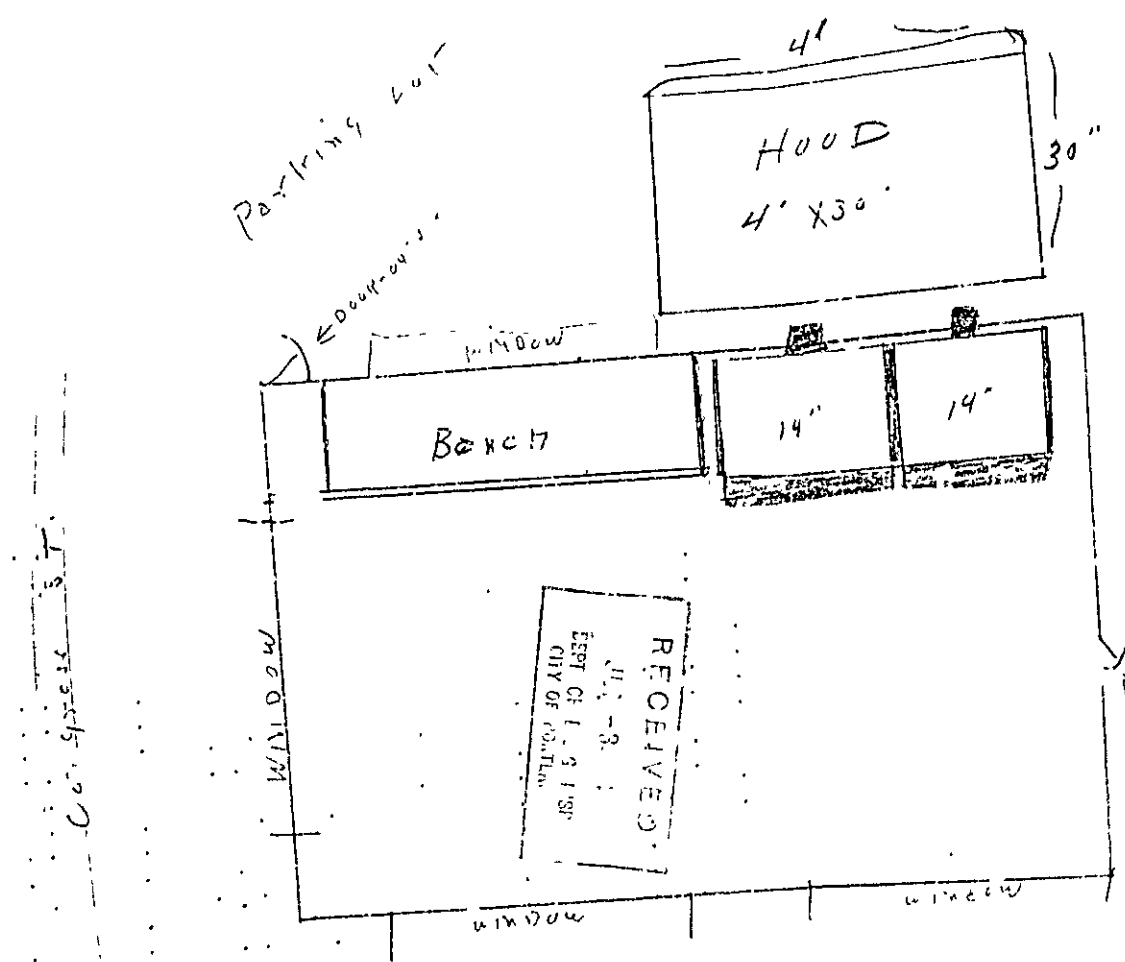
CLASS OF CONSTRUCTION _____ NO. OF STORIES _____

REMARKS: _____

INQUIRY: Can person garage & gasoline building side be located here?

ANSWER: Under the current laws in the Board of Appeals of the usual official procedure.

DATE OF REPLY 3/9/48 REPLY BY [Signature]



Install two Peter's 14" Freezers -
 One already installed on previous
 Point of wooden construction from kitchen in stone
 One being 20% being market 1917 Congress Ct -
 Bellingham, Jan. 1892 Dept. of L. & S. St.
 in kitchen

AP 1717 Congress Street
(Installation of Irigators)

June 7, 1947

Billington's Inc.
139 Brighton Avenue
Mr. George Perry
1717 Congress Street

Subject: Permit for installation of two gas-fired
irigators at 1717 Congress Street and approved
amendment for construction of partitions for new
kitchen at the same location

Gentlemen:

If any new installation of gas cylinders is needed to serve the new appliances, or if any new supply pipes from cylinders are required through the building wall, and in fact all of the piping for the gas is to be in accordance with the standards of the National Board of Fire Underwriters for liquified petroleum gases (pamphlet No. 53) with special attention to required shut-off valve and flexible joints to guard against settling or moving by frost. The cylinders to be set upon a firm foundation.

It is understood that you now propose to vent the protective hood through the roof of the building, which has to be done on the basis of the requirements of Section 602c and 602d of the Building Code—namely as follows: A sheet metal thimble shall be provided so as to maintain at all times at least 6-inch air space between the vent pipe through the roof and the thimble; this thimble to extend from the under side of the ceiling to at least 9 inches above the roof; the thimble to have a flange at the bottom at least 2 inches wide and the sides of the thimble to be no closer to any combustible material than one inch, the duct to be firmly secured with incombustible material so as to be centered upon the thimble.

It is obvious that the above arrangement will leave an opening through the roof outside of the vent duct, between it and the thimble, and that it is necessary to do something to protect the heater from coming into the kitchen. This is to be done by a weather protective hood of iron or steel material attached to the vent pipe above the roof and not in contact with the vent pipe thimble. This, of course, will leave a permanent opening from the atmosphere above the building into the kitchen unless some satisfactory method is found to close the opening between thimble and vent pipe at the ceiling level at times when the irigators would not be operative. This is a difficult proposition to accomplish and satisfy the requirements of the Health Department who, I believe, feel that the opening between thimble and vent pipe is desirable for ventilating the room. At any rate, if you have any idea of closing the opening at times when the irigators are not in operation, you ought to take this into account now and get the matter straightened out with the Health Department and the department before proceeding with construction of thimble or vent duct. The temporary, improvised closing of this opening, even with incombustible material is not allowable from the standpoint of the building code, and it is not allowable in any manner at all unless so arranged that a leak of gas on the irigator would automatically open this space to prevent starting fire/rook.

Very truly yours,

Inspector of Buildings

WJ:O/S

CC: Dr. Albert Foster
Health Officer

(see next page)

Mr. George Berry ----- 2

June 7, 1947

Dear Mr. Berry:

In connection with approval of the amendment to provide the new kitchen, note that the Building Code (Section 205g) provides that all kitchens where food or drink is prepared for consumption on the premises shall have adequate natural or mechanical systems of ventilation, the adequacy to be determined by the Health Officer; also that spaces where food is prepared shall have no undressed wood or other absorbent material exposed on walls or ceilings.

Note also that the Building Code provides that the vent pipe from the hood shall discharge into the open air in such a way and in such a location as to avoid fire hazard and offensive odors. In this connection it would be well for you to bear in mind the provision of the Zoning Ordinance in the Local Business Zone where your property is located that any use injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration or noise or other cause is prohibited. At other locations we have had complaints about objectionable odor, grease, etc. from the frying operation. Unless great care is used, complaints may come in from your operations and would have to be handled under this clause of the Zoning Ordinance (Section 6A). It is also to be borne in mind that even though the city should not find itself able to pursue a remedy in case of such a complaint, any citizen or group of citizens can invoke the application of the Zoning Law through the courts without the city being involved.

Warren McDonald

Dear Dr. Foster:

After our conference about this proposition, I talked with Mr. Berry and found that he for some years had a similar kitchen with a hot plate in it which Mr. Bunting had approved without a concrete floor. According to Mr. Berry, Mr. Bunting had approved the new kitchen on the same basis. Therefore, it seemed of little use to withhold these permits longer.

Warren McDonald



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, June 3, 1947

01264 JUN 7 1947

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 1717 Congress Street Use of Building Store No. Stories 1 New Building Existing "
Name and address of owner of appliance George Berry, 1717 Congress Street
Installer's name and address Billington's Inc. 140 Brighton Avenue Telephone 2-3171

General Description of Work

To install two gas-fired fri-o-lators

IF HEATER, OR POWER BOILER

Location of appliance or source of heat Type of floor beneath appliance
If wood, how protected? Kind of fuel
Minimum distance to wood or combustible material, from top of appliance or casing top of furnace
From top of smoke pipe From front of appliance From sides or back of appliance
Size of chimney flue Other connections to same flue
If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER Permit Issued with Memo

Name and type of burner Labelled by underwriter's laboratories?
Will operator be always in attendance? Does oil supply line feed from top or bottom of tank?
Type of floor beneath burner
Location of oil storage Number and capacity of tanks
If two 275-gallon tanks, will three-way valve be provided?
Will all tanks be more than five feet from any flame? How many tanks fire proofed?
Total capacity of any existing storage tanks or furnace burners

IF COOKING APPLIANCE

Location of appliance first Kind of fuel gas Type of floor beneath appliance wood
If wood, how protected? Burners 30" above floor.
Minimum distance to wood or combustible material from top of appliance Burner cabinet ventilated
From front of appliance none From sides and back 14" 6" From top of smokepipe
Size of chimney flue Other connections to same flue
Is hood to be provided? Yes If so, how vented? through west side wall
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Enclosed burners produce not more than 50,000 BTU
Hood will be at least 9" below ceiling and extends at least 6" beyond fri-o-lators on all sides.

Amount of fee enclosed? 1.50 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? NO

Permit Issued with Memo
Billington's Inc.

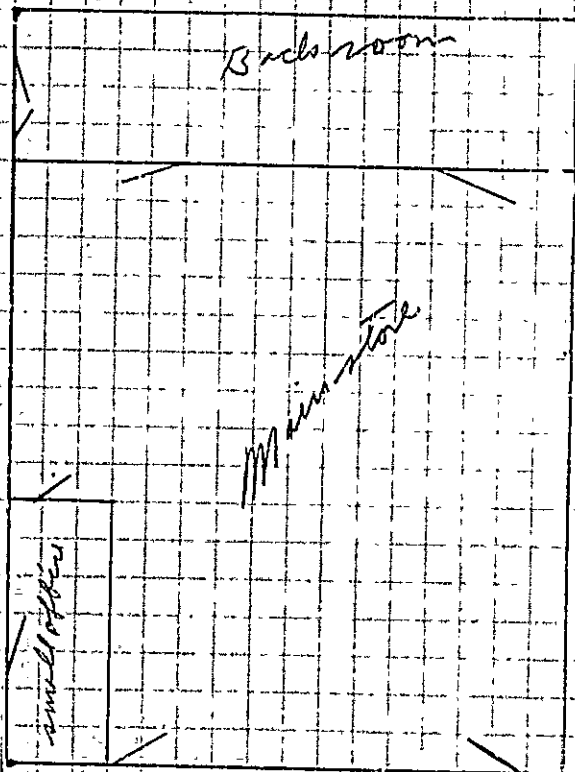
Signature of Installer

by: J.R. Webster

Permit No. 47/1264
Location 1712 Congress St
Owner George Berry
Date of permit 6/7/47
Approved 6/30/47

NOTES

6/11/47 - P.M. - Mr
Berry at site
E.H.
6/20/47 - Contract
installed E.H.
6/30/47 - all work done
E.H.



Door & window cut in all right.

Small transitional room was not included in permit. 2x3 studs 16" O.C. approximately 5'x10'. ~~to be included~~
~~to be included~~ ~~in new blueprint~~ ~~which is to be used in connection~~
 with future alterations. E L D

BP 47/979-Amt. #1-1
(1717 Congress Street)

May 29, 1947

Mr. George W. Berry
1717 Congress Street
Portland 4, Maine

Subject: Application for amendment to building permit--the amendment to cover provision for a separate room intended, now or later, to be used as a kitchen at 1717 Congress Street

Dear Sir:

It appears that the small room, which has been partitioned off in the front of your store beyond the provisions of the original permit, is to be used now or later as a kitchen, according to information shown on the application for the amendment.

Since the kitchen naturally indicates the preparation of food for sale, a number of questions arise in connection with it that have to be cleared up before we can issue any additional permits. I am told that you intend to fry clams in this room or something of that nature, and presumably food is to be cooked in some manner to be sold in packages and not to be consumed on the premises. In the latter case you would have a luncheon or restaurant and no doubt a victualer's licence would be required.

Whether food is to be consumed on the premises or not, the preparation of food has large interest to the Health Department and that department has a considerable amount of control over the appointments. If you have not already done so, I recommend that you consult with William B. Bunting, Chief Restaurant Inspector in the Health Department, so that your plans may be in line with their requirements.

Naturally, their requirements and the requirements of the Building Code should be cooperative. For instance, should the Health Department require a concrete floor surface in this kitchen with sanitary base, the usual such surface used is concrete no less than 2" thick which weighs about 25 pounds per square foot; and you would have to show us a plan showing that the floor of the kitchen was framed and supported strongly enough to support this added dead weight plus the required superimposed load of 75 pounds per square foot, or show on the plan measures to be taken to make it strong enough.

Presumably there will also be installation of one or more heating appliances and perhaps a heater for hot water. Each such appliance requires a permit from this department to be applied for by and issuable only to the actual installer, although if the same installer puts in more than one appliance at the same time, several may be included in one permit. If gas appliances are intended, we figure that the one who actually connects the gas to the appliance and makes it operative is the actual installer and should apply for and secure the permit in his own name.

Very truly yours,

Inspector of Buildings

WMCd/S

CC: William B. Bunting
Chief Restaurant Inspector

APPLICATION FOR AMENDMENT TO PERMIT



Amendment No. 1

Portland, Maine, May 27, 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for an amendment to Permit No. 17/979 pertaining to the building or structure comprised in the original application 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 1717 Congress Street Within Fire Limits? no Dist. No. _____
 Owner's name and address George W. Berry, 1717 Congress Street Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address owner Telephone _____
 Architect _____ Plans filed no No. of sheets _____
 Proposed use of building Store and restaurant No. families _____
 Increased cost of work 30. Additional fee 25

Description of Proposed Work

To erect 10' non-bearing partition, front of building, to provide new kitchen.
 Studs 2x3, 16" O.C., fibre board one side.

See memo with notes for file of 6/1/47

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or field land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____ of lining _____
 No. of chimneys _____ Material of chimneys _____
 Framing lumber—Kind _____ Dressed or full size? _____ Size _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
 Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

Approved: _____

Permit Issued with Memo

Signature of Owner George W. Berry

Approved: 6/7/47 WMD
 Inspector of Buildings.

INSPECTION COPY

Memorandum from Department of Building Inspection, Portland, Maine

1717 Congress Street—Cutting in window and door in store
for and by George W. Berry--5/10/47

To Owner:

Though not made clear in the application, I take it that both the new door and the new window will be at least three feet from your private lot line. If not, the door would have to be a standard fire door (Class B), set in consistent metal covered frame, and the window would have to be metal sash and wire glass.

WMcD/S

(Signed) Warren McDonald
Inspector of Buildings



(C) LOCAL BUSINESS ZONE
APPLICATION FOR PERMIT

PERMIT ISSUED
 00979
 MAY 10 1947

Class of Building or Type of Structure Third Class
 Portland, Maine, May 9, 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair and finish all 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 1717 Congress Street Within Fire Limits? no Dist. No. 3-900
 Owner's name and address George W. Berry, 1717 Congress St. Telephone 3-900
 Lessee's name and address _____ Telephone _____
 Contractor's name and address owner Specifications _____ Plans no No of sheets _____
 Architect _____ No. families _____
 Proposed use of building Store _____ No. families _____
 Last use _____ Roofing _____
 Material frame _____ No. stories 1 Heat _____ Style of roof _____
 Other buildings on same lot _____ Roofing _____
 Estimated cost \$ 20. Fee \$.50

General Description of New Work

2'6"
 To cut in new door/on side of building toward parking lot; cut in new window on side of building.

CERTIFICATE OF OCCUPANCY
 REQUIREMENT IS WAIVED

Permit Issued with Memo

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

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber—Kind _____ Dressed or full size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
 Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, 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

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

APPROVED:

Signature of owner George W. Berry

INSPECTION COPY

Permit No. 471929
Location 1712 Congress St
Owner George Berry
Date of permit 5/10/47
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 5/26/47
Cert. of Occupancy issued none

NOTES

5/26/47 - Work done
Permitted by
E H

~~RECEIVED
MAY 27 1947~~

RECEIVED
MAY 27 1947

At 1717 Congress Street-I

April 3, 1946

E. G. Johnson Company
5 Cliff Street
Mr. George Perry
627 Westbrook Street
Mr. Albert R. Harrington
172 Dartmouth Street

Subject: Building permit for constructing addition
and making other alterations at the store at
1717 Congress Street

ATH
V ESS
V RMT
V PH
V AJS
X HL
V BS

Gentlemen:

The plans show so much more work than is now contemplated and the changes made by the contractor in crayon on the plans (some of the latter have already been superseded) and the changes in the application have made this entire job so confusing that it seems best in order to put the job under way with no further delay to separate the plans from the application and attempt to outline the work and the general features controlled by the Building Code in this letter so that the atmosphere may be cleared and so that our inspector on the job can have some chance of finding out the extent of work and how it is intended to be completed.

On this basis you may have the set of mine prints made for future use if some one will call for them at this office before April 15. When when you get ready to do more of the work, if the plans illustrate the work then contemplated, you can remove the crayon markings and make necessary revisions and file with the new application for the permit a fresh set of prints using the present prints as far as they illustrate the job.

This is no reflection upon the architect for I realize that he no doubt made plans for the job that the owner wanted in the first place, but does represent an effort to try to keep our records and inspection straight in the unparalleled quantity of work that is coming in and going out of this office for quite a long time now.

We must have a record of the job now to be done, however, and the permit is issued on the basis that before notice is given for the closing-in inspection on any part of the addition or alterations, there will be filed a plan here competent to show the comparatively simple amount of work now contemplated as regards the actual details to be followed for foundations etc. and to show all features controlled by the Building Code. If you are unwilling to accept the permit on this basis, please return it and refrain from starting the work.

The permit now issued herewith to the contractor includes then only the construction of a one-story frame addition 20 feet by 25 feet at the rear of the present store, foundation wall all around the addition except where it adjoins the present store to be a trench wall, extending at least four feet below the finished grade of the ground and at least six inches above the finished grade of the ground so that the bottoms of the sills will be that high above the grade. Exterior walls are to be of the usual frame or Third Class construction to a height of 12 feet and a flat roof used.

The foundation wall is to have a stem of uniform thickness of 12 inches extending down to a footing (12 inches wide and projecting uniformly beyond either side of the stem), footing to be no less than 10 inches deep and reinforced at the bottom with 2/4 inch rods running lengthwise--four rods in the width of the footing and uniformly spaced. The latter description of foundation is not a requirement of law but is that shown on the plans in yellow crayon by the contractor.

April 3, 1946

Johnson, Barry, Farrington ----- 2

Suitable fill is to be placed inside the new trench wall inside the foundation walls of the present store, the present wooden floor of present store to be removed and the floor of the entire enlarged store shall be built of 4-inch concrete slab suitably reinforced or otherwise to take care of expansion and contraction, expansion joints to be provided all around where the floor slab abuts the concrete foundation.

Proposed framing of new roof ought to be shown on new plans without delay and filed here for checking, the same plans to show whether or not there is to be a ceiling in the addition, how it is to be supported and of what material it is to be. The application calls for 2x8 roof joists, 16 inches from center to center on spans of 13 feet supported upon an 8x12 "through center" on 11 foot span. It is not clear how these spans are arrived at in the view of the fact that the addition is 20 feet by 38 feet, but the new plan should show that up, also the material and unsupported height of columns to support the 8x12. The 2x8's on spans of 13 feet would only work out all right if the ceiling is to be of light material like fibre board. If plaster board or plaster were contemplated, the 2x8's are not strong enough. Probably it is proposed to frame the new roof over addition much like the framing shown for second floor plan on the prints we have, the 8x12's running the depth of the building at right angles to the store front and 2x8's running across them.

The 8x12's on the 11-foot span are more than enough to support merely the roof load, so I suppose the owner is still figuring on a future second story, but we have made no attempt to check the structural parts as regards its ability to carry a second story, nor have we checked on the area of the foundation and bearing capacity of the soil as to supporting the additional load of the second story.

It is understood that this permit does not include construction of the boiler room or the chimney, but does include the construction of the two toilet rooms with vestibules indicated on the blueprint as being in the store room. With regard to the latter, however, it looks to me as though it was not clearly the intent to provide tight vestibules between the store room and each toilet room so constructed that the vestibule and toilet room will form separate rooms, both separated completely from the store room except by passing through a door from toilet room to vestibule and from vestibule to store room. This is usually a requirement of the Health Department and is also a requirement of the Building Code if food or drink is to be manufactured or prepared for sale or sold in other than sealed containers or from the storeroom, all of these doors whether leading to vestibule or from vestibule to toilet room to be self-closing in the sense that they will be normally closed and kept closed by a suitable device. All of this should be clearly shown on the new plans.

Show on the new plan and provide a vestibule lockset or equivalent on door between present store and the store room a standard exit sign on the store side of the opening. Also, show on the new plan and provide a suitably located exterior door in the addition to be used as an emergency means of egress from the store through the store room, this exterior door to be no less than three feet wide nor less than six feet six inches high, it be equipped with a vestibule lockset and show on the new plan and provide over it a standard exit sign.

This permit is also to include demolition of existing one-story frame addition on the rear of the building now used for toilet rooms and storage, but no work other than indicated in this letter.

Very truly yours,

Inspector of Buildings

MCL/S



APPLICATION FOR PERMIT

00506

Class of Building or Type of Structure Third Class

Portland, Maine, March 20, 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter repair demolish rehabilitate 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 1233 Congress Street Within Fire Limits? no Dist. No. _____
 Owner's name and address George Berry, 627 Westbrook Street Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address E. G. Johnson Co., 3 Cliff Street Telephone 3-1630
 Architect Albert Farrington Specifications _____ Plans yes No. of sheets 9
 Proposed use of building Store No. families _____
 Last use _____ No. families _____
 Material frame No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot 1 _____
 Estimated cost \$ 3500. Fee \$ 3.75

General Description of New Work

To construct 1 story frame addition 20'-38" on rear of store, as per plan.
 To cut in new doors between existing store and new addition.
 To construct trench wall under entire existing store.
 To demolish 1 story frame addition on rear of building used for toilet rooms and storage.
 Work shown on plans for apartments on second floor to be covered later.

Permit issued with Letter

Sent to Health Dept. 3/20/46
 Sent to Health Dept. 3/20/46

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

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

Is any plumbing work involved in this work? no Is any electrical work involved in this work? no
 Height average grade to top of plate 9' Height average grade to highest point of roof 35' 10"
 Size, front 30' depth 20' at least 4' below grade? solid earth or rock? earth
 Material of foundation concrete trench wall thickness, top 12" bottom 12" cellar no
 Material of underpinning to sill Height _____ Thickness _____
 Kind of roof flat Rise per foot none Roof covering Class C asphalt built-up
 No. of chimneys 2 Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber Kind hemlock Dressed or full size? dressed
 Corner posts 4x6 Sills 4x6 Girt or ledger board? _____ Size _____
 Girders 4x12 Size _____ Columns under girders concrete Size 12x12 Max. on centers 11'
 Steds (outside walls and carrying partitions) 2x1-16" O. C. Spacing in every floor and flat roof span over 8 feet.
 Joists and rafters. 1st floor 2x12 2nd _____ 3rd _____ roof 2x8
 On centers. 1st floor 16" 2nd _____ 3rd _____ roof 16"
 Maximum span. 1st floor 14' 2nd _____ 3rd _____ roof 13'
 If one story building with masonry walls, thickness of walls? 6x8 three center 12' span height? 8x12 thru 11' span

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

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

APPROVED:
Albert D. Johnson, P.M.D.
Wm. B. Johnson
Rep. Smith

E. G. Johnson Co.

Signature of owner by: W. B. Johnson

Permit No. 46/506

Location 717 Congress St.

Owner George Barry

Date of permit 4/2/46

Notif. closing-in 6/25/46

Inspn. closing-in 6/26/46 - G.J.

Final Notif

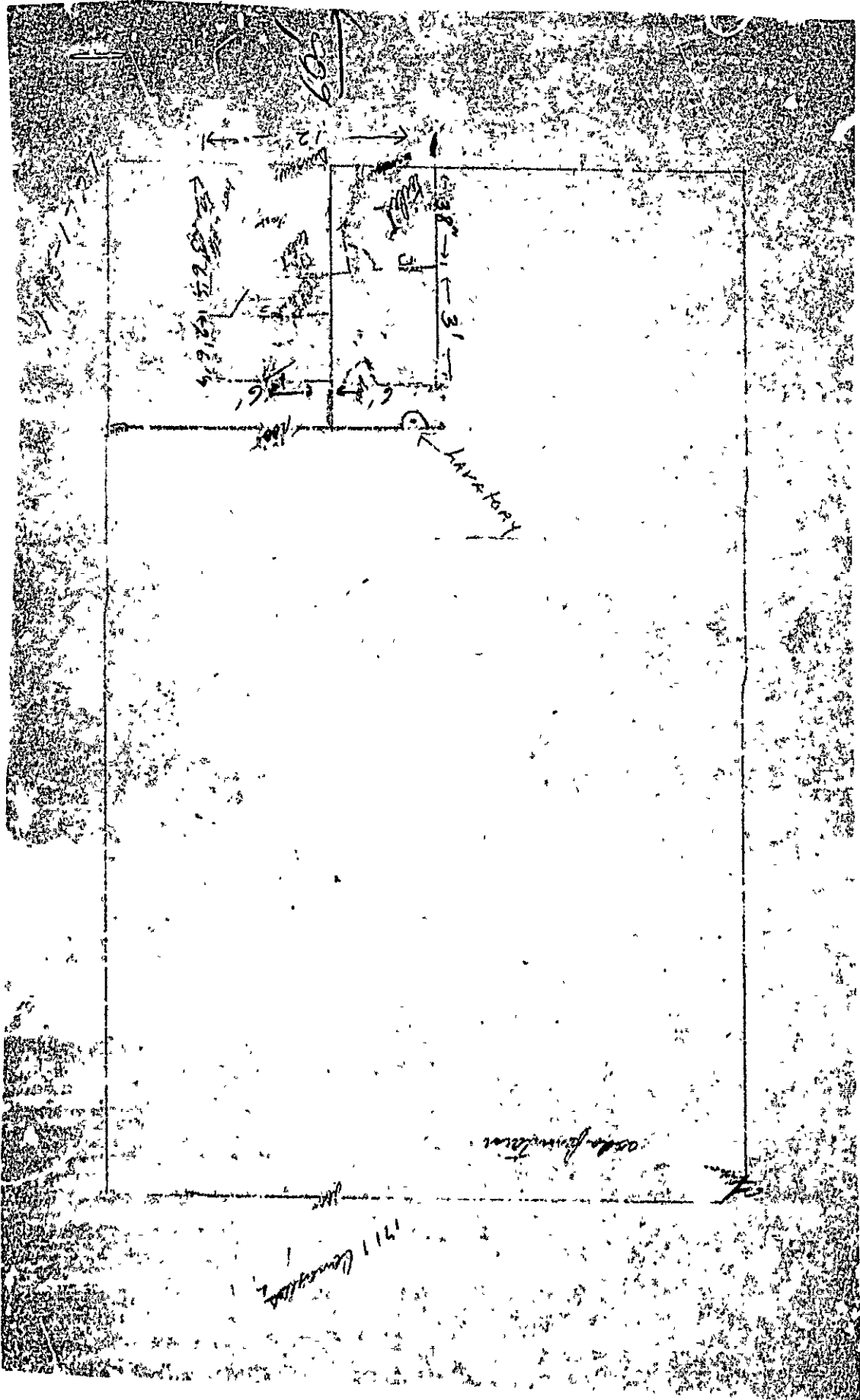
Final Inspn 5/9/47

Cert. of Occupancy issued 7/1/46

NOTES

4/16/46
 5/11/46 WORKING ON
 FOUNDATION FORMS
 5/14/46
 FORMS IN +
 STRIPPED SILL
 L-ALG
 5/24/46
 WALLS BENTON
 BOARDING
 5/25/46
 WORKS PROGR
 BEING SUSPENDED
 6/21/46 George Barry

to close in public building
 Frankfort, Va. 100
 5/9/47 - on account of
 this being two stories
 this is covered by
 this is covered by
 enclosed shown 209





LOCAL FIRE HAZARD ZONE
APPLICATION FOR PERMIT **PERMIT ISSUED**
 Permit No. 11278

Class of Building or Type of Structure Third Class APR 16 1940
 Portland, Maine, April 16, 1940

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 1717 Congress Street Within Fire Limits? Dist. No.
 Owner's or Lessee's name and address George W. Berry, 1717 Congress St. Telephone 3-9314
 Contractor's name and address Order Telephone
 Architect Plans filed yes No. of sheets 2
 Proposed use of building Store No. families
 Other buildings on same lot Fee \$.25
 Estimated cost \$ 20

Description of Present Building to be Altered

Material wood No. stories 1 Heat Style of roof Roofing
 Last use Store No. families

General Description of New Work

To provide two new toilets with vestibule rear of store as shown on plan, partitions to go to ceiling 2x4 studs, 16" O.C. with pressed board on both sides, doors will be at least 24" wide and made of solid wood. Doors will be hung in such a way that there will be little chance of both doors being open at same time.
 To install a new window at least three square feet in area for ventilation of each toilet

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

Is any plumbing work involved in this work? yes
 Is any electrical work involved in this work? Height average grade to top of plate
 Size, front depth No. stories Height average grade to highest point of roof
 To be erected on solid or filled land? earth or rock?
 Material of foundation Thickness top bottom clear
 Material of underpinning Height Thickness
 Kind of Roof Rise per foot Roof covering
 No. of chimneys Material of chimneys of lining
 Kind of boiler Type of fuel Is gas fitting involved?
 Framing Lumber—Kind Dressed or Full Size?
 Corner posts Sills Girt or ledger board? Size
 Material columns under girders Size Max. on centers
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x3 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 , 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
 Total number commercial cars to be accommodated
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

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 George W. Berry

INSTRUCTION COPY

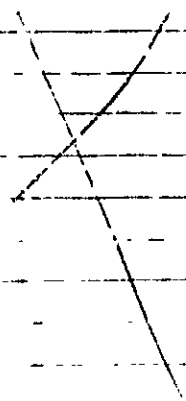
Wm. A. ...

67114C

3911447
Permit No. 40/378
Location 219 Congress St.
Owner Geo. W. Berry
Date of permit 4/16/40.
Notif closing-in 4/27/40
Inspn closing-in 4/27/40-37
Final Not.f
Final Inspn. 5/6/40
Cert. of Occupancy issued None

NOTES

4/24/40 - No work started
on toilets - J.S.C.
4/27/40 - Conditions met
entire day.



TELEPHONE 3 8408

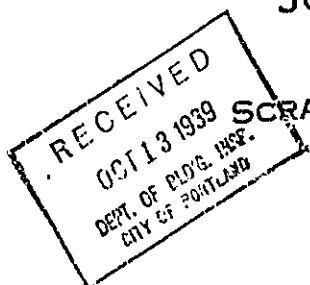
JOSEPH SOUTAR COMPANY
SUCCESSORS TO GUTTERSON & GOULD, INC.

DEALERS IN

SCRAP IRON, METALS AND PAPER STOCK

PORTLAND, ME.

October 13, 1939



City of Portland
Building Inspector
Portland, Maine

Attention: Mr. Warren McDonald

Dear Sir:

The 15" I-Beam which we have offered to the bearer of this note, Mr. George W. Berry, has not been through a fire or damaged in any way. In fact, when we took these beams out of the building they were as good as new.

Very truly yours,

JOSEPH SOUTAR COMPANY

By

Joseph Soutar
President

*Forest Paper Co
Lansdowne, Me*

JS:HJ

Rept. 5252C-I

September 6, 1933

Mr. George W. Berry,
1717 Congress Street,
Portland, Maine

Dear Sir:

Enclosed is the building permit covering alterations in your store at 1715-1717 Congress Street.

Please note the following:

There is no indication on the plan as to what will constitute the foundation of the 6x6 posts which are to support the steel beams to be erected between the two sections of the store to support the roof. Presumably if there is not already a concrete wall beneath these posts, masonry piers will be provided extending at least four feet below the grade of the ground.

If second-hand steel is used for the beam under the roof, it will be necessary to furnish a statement by the person or firm who sells the steel to you indicating where the steel came from and certifying that it has not been through a wreck or a fire, this statement to be in writing, signed by the seller, and filed at this office before the used steel is delivered to the job.

I presume that the corner posts of the present building where they are to be extended upwards to form the corners of the false front will be adequately spliced with lap splices or equivalent.

I note considerable alterations in window and door framing, besides the new framing in the false front. Needless to say all of these details are required to comply with the Building Code as regards headers, snort studs under them, etc., and the studding in the false front should be no less than 2x4, spaced not more than 16 inches from center to center, regardless of what the spacing of the studs in the outside walls of the present building is.

Please be governed accordingly.

Very truly yours,

Inspector of Buildings

WMB/H



APPLICATION FOR PERMIT

Permit No. _____

PERMIT ISSUED

Class of Building or Type of Structure Third Class

Portland, Maine, January 20, 1939

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter insert 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 1715-1717 Congress Street Within Fire Limits? no Dist. No. _____

Owner's or Lessee's name and address George F. Berry, 1717 Congress St. Telephone 3-9384

Contractor's name and address Hansen Stoddard and Owner Telephone _____

Architect _____ Plans filed yes No. of sheets 1

Proposed use of building Store No. families _____

Other buildings on same lot _____

Estimated cost \$ 100 Fee \$ 50

Description of Present Building to be Altered

Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____

Last use Store No. families _____

General Description of New Work

To remove the roof of the easterly portion of the building and construct a new roof over this portion.

To remove the wall between the main portion of the westerly part of the building and the easterly portion of the building and support the roof and ceiling of both portions by steel girder.

To build a false front above the eaves of the entire building, this false front to be framed with 2x4 studs, 16" OC, and finished both front and back so as to exclude the weather. All of this work as per plan submitted.

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

Is any plumbing work involved in this work _____

IDENTIFICATE OF LOCAL REQUIREMENTS BY WATER

Is any electrical work involved in this work? _____ Height average grade to top of plate _____

Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____

To be erected on solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Material of underpinning _____ Height _____ Thickness _____

Kind of Roof _____ Rise per foot _____ Roof covering Asphalt roofing Class C Int. set.

No. of chimneys _____ Material of chimneys _____ of lining _____

Kind of heat _____ Type of fuel _____ Is gas fitting involved? _____

Framing Lumber—Kind fir Dressed or Full Size? dressed

Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____

Material columns under girders _____ Size _____ Max. on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x6 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 _____, 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 _____

Total number commercial cars to be accommodated _____

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

Miscellaneous

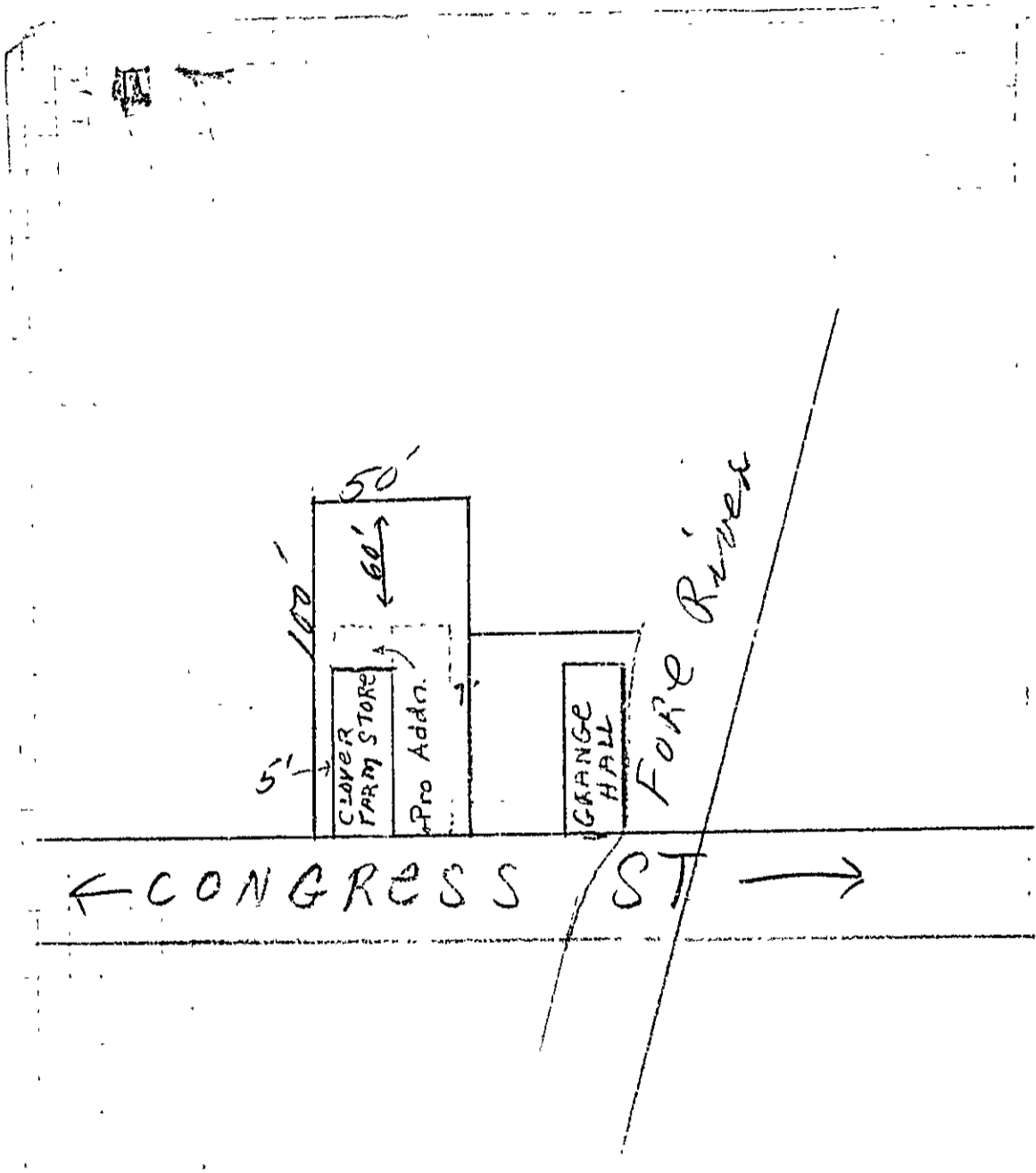
Will above work require removal or disturbing of any shade tree on a public street? no

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 George F. Berry

INSTRUCTION COPY



STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for _____
at _____

Date 9-8-38

1. In whose name is the title of the property now recorded? W. McKernan
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? by stakes
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 eave or drip? 6"
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 this 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

W. Barry



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class Permit No. 1-112

Portland, Maine, September 8 1938

To the INSPECTOR OF BUILDINGS, PORTLAND, ME, above

The undersigned hereby applies for a permit to erect alter 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 1715 Congress Street Within Fire Limits? no Dist. No. _____
 Owner's or Lessee's name and address George H. Barry, 1717 Congress St. Telephone 5-9214
 Contractor's name and address W. S. Tingley, 25 St. James Street Telephone _____
 Architect _____ Plans filed yes No. of sheets 1
 Proposed use of building store No. families _____
 Other buildings on same lot none
 Estimated cost \$ 85. Fee \$.50

Description of Present Building to be Altered

Material frame No. stories 1 Heat none Style of roof pitch Roofing asphalt roofing
 Last use store No. families _____

General Description of New Work

To move one story frame building 18' x 38' from 1 Walds to the above location. This building will be added on to existing store at 1715 Congress Street.

Sills and center girder are at least 6x8 and cedar post foundations will be spaced no more than 7' 3" on centers and closer if found necessary to satisfy Building Code requirements.

THIS PERMIT DOES NOT INCLUDE THE INSTALLATION OF HEATING APPARATUS WHICH IS TO BE TAKEN OUT SEPARATELY BY AND IN THE NAME OF THE HEATING CONTRACTOR.

CITY OF PORTLAND
 INSPECTOR OF BUILDINGS

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 _____ depth _____ No. stories 1 Height average grade to top of plate _____
 Height average grade to highest point of roof _____
 To be erected on solid or filled land? cedar posts filled earth or rock? earth
 Material of foundation cedar posts Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of Roof pitch Rise per foot _____ Roof covering _____
 No. of chimneys none Material of chimneys _____ of lining _____
 Kind of heat none Type of fuel _____ Is gas fitting involved? _____
 Framing Lumber—Kind _____ Dressed or Full Size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Material columns under girders _____ Size _____ Max. on centers _____
 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 _____, 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 _____
 Total number commercial cars to be accommodated _____
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

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

INSPECTION COPY

Signature of owner George H. Barry

276 200
 B.H.

Permit No. 38/1412

Location 1915 Congress St

Owner George W. Berry

Date of permit 9/8/38

Not closing-in

Inspn. closing-in

Final Notif.

Final Inspn. 2/2/39

Cert. of Occupancy issued None

NOTES

~~9/13/38 - Part of window
removed
9/17/38 - Bldg. windowed
to new location
10/5/38 - Work outside done
which has been banked
Reported OK~~



City of Portland, Maine

*No. 2d
Camp*

Petition to the City Council to Permit
a Gasoline Filling Station
On the Property at 1717 Congress Street

June 5, 1937.

To the City Council

Your petitioner, George W. Berry
who is the Lessee of property at 1717 Congress Street
respectfully petitions the City Council of the City of Portland to permit
on this property, a Gasoline Filling Station, such use being otherwise
excluded, the property being located in a Local Business Zone

Attached hereto are the written consents to this proposed use of the
owners of seventy-five per cent of the frontage set forth in Section 10,
Paragraph f of the Zoning Ordinance.



City of Portland, Maine

Petition to the City Council to Permit
a Gasoline Filling Station

On the Property at 1717 Congress Street
June 8, 19 37.

To the City Council

Your petitioner, George W. Berry
who is the Lessee of property at 1717 Congress Street
respectfully petitions the City Council of the City of Portland to permit
on this property, a Gasoline Filling Station, such use being otherwise
excluded, the property being located in a Local Business Zone

Attached hereto are the written consents to this proposed use of the
owners of seventy-five per cent of the frontage set forth in Section 10,
Paragraph f of the Zoning Ordinance.

2455B

June 17, 1937

Mr. George W. Barry,
1717 Congress Street,
Portland, Maine

Dear Sir:

Following my letter of June 8th to you concerning your petition for a filling station at 1717 Congress Street, the Assessors' Department and the Department of Public Works believe that they have found a legal owner for the property which was in question when I wrote my letter.

If you will confer with Mr. Whitney or Mr. Maxfield in the Department of Public Works office, I think they will be able to give you now the names of the owners of property involved in the written consents necessary in filing your petition. In this way you will be able to find out the owners of all of the property involved, under the Zoning Ordinance, and perhaps can secure their written consents and present your petition in regular form for consideration of the City Council.

I find that you have received a refund of the five dollar fee that you paid when the petition was filed. If you intend to go ahead now and get the written consents, it will be necessary for you to again pay the five dollar fee.

Very truly yours,

Inspector of Buildings

McD/H

June 8, 1937

Mr. George W. Berry,
1717 Congress Street,
Portland, Maine

Dear Sir:

Referring to your petition to the City Council for a gasoline filling station in the Local Business Zone at 1717 Congress Street, the Department of Public Works which always checks the written consents of neighboring property owners required by the Zoning Ordinance, reports to me that a peculiar situation developed with regard to the consents of property owners, one which it appears, under the law, may practically make it impossible for the City Council to entertain and take action upon your petition.

It appears that there is a lot of land occurring within the areas stipulated by the Zoning Ordinance for written consent to be concerned, having a frontage of 133 feet on Congress Street, the ownership of which is unknown. After a fairly diligent search the department has come to the conclusion that it is impossible to establish ownership upon this particular lot. The frontage of this lot is large enough so that without the signature of its owner you cannot possibly file the consents of the owners of property frontage required by the Zoning Ordinance. The City Council cannot legally entertain or act upon your petition until these required consents have been filed.

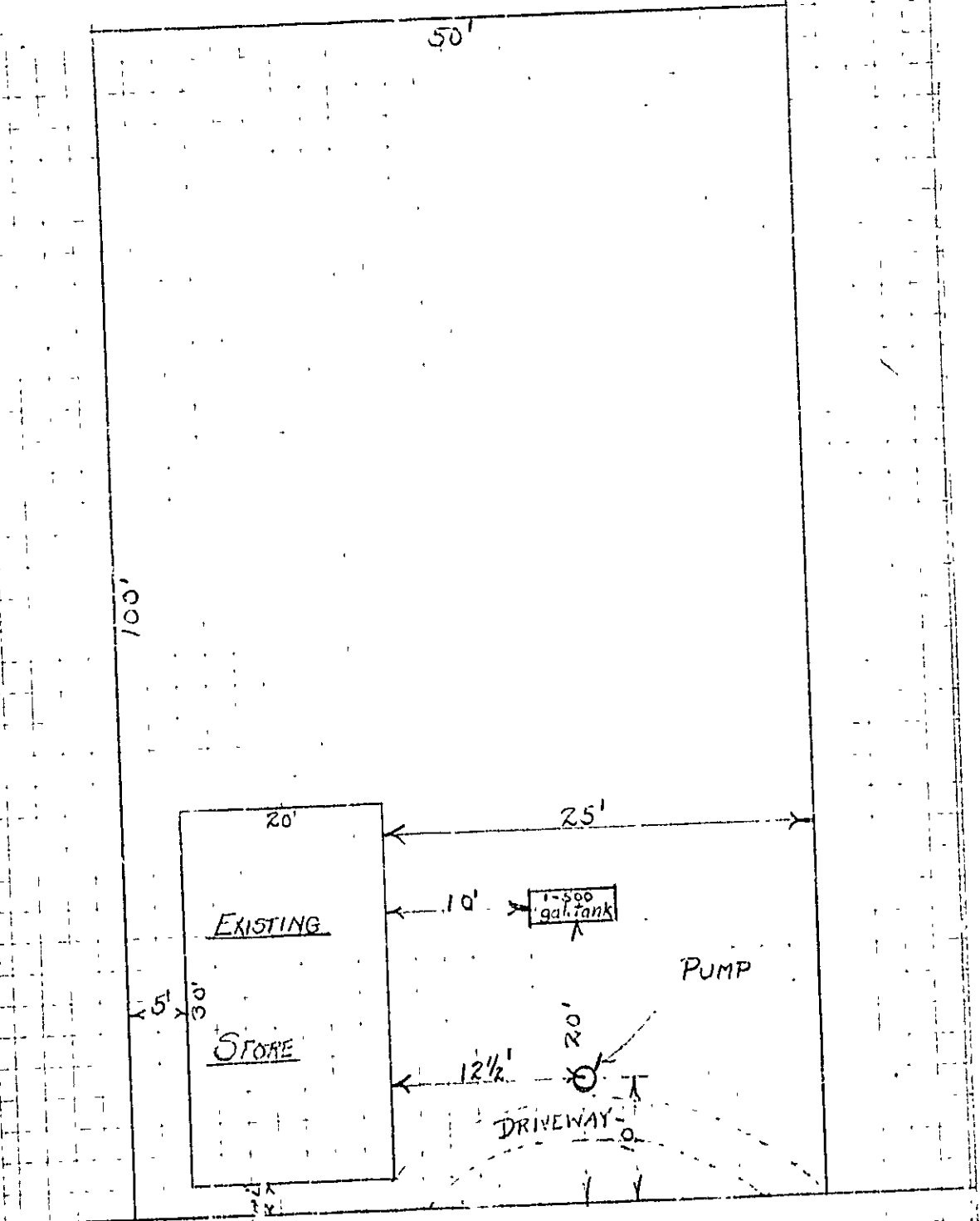
I am sorry that this condition exists, but I know of no way in which you can proceed further with the petition. The fairly exhaustive research already made indicates that the rightful owners are most likely a large number of heirs of persons long dead. There is a possibility that the city may eventually become technical owner of this property by tax deed, but that would take at least two years to accomplish.

Under the circumstances if you will return the receipt for the fee paid to this office, your money will be refunded by voucher.

Very truly yours,

McD/H

Inspector of Buildings

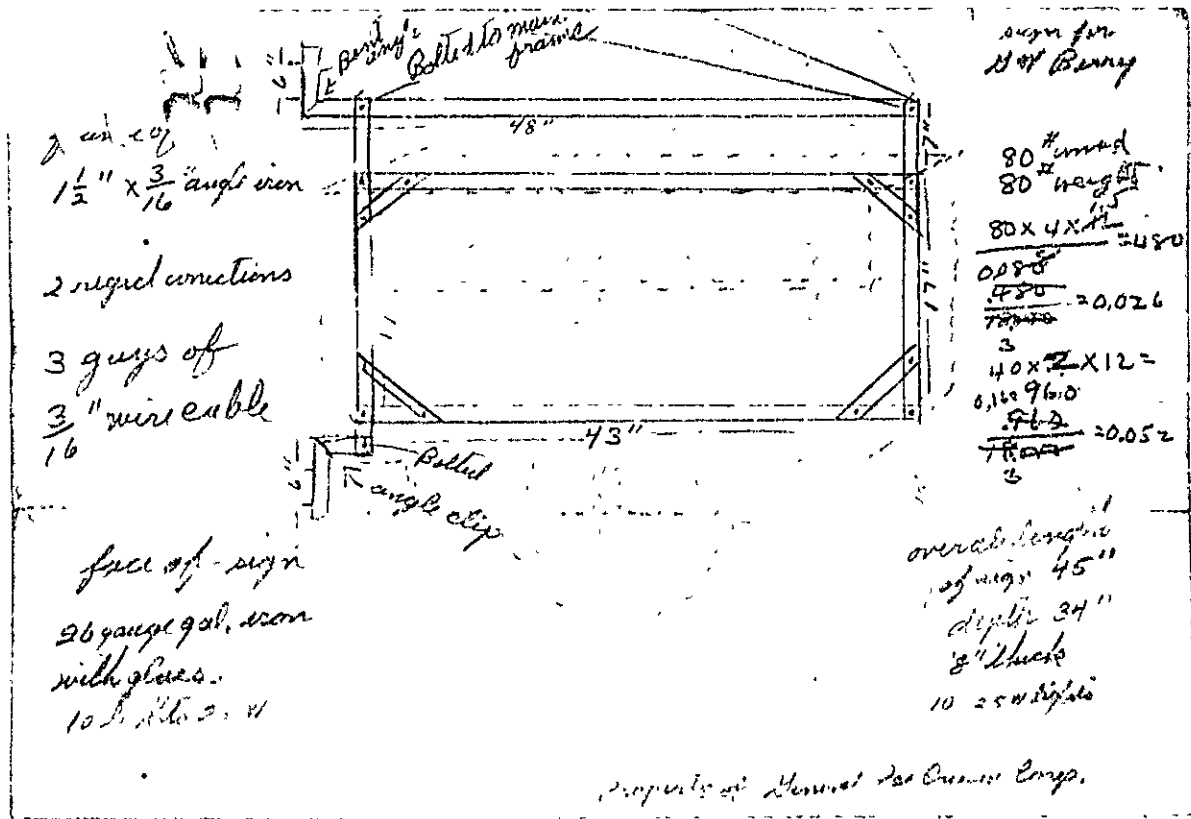


1715-1717
CONGRESS STREET

Inner Circle

<i>Owner</i>	<i>Frontage</i>	<i>Signed</i>	<i>Location</i>
<i>Stroudwater Grange #450, P of H.</i>	<i>114</i>		<i>1705-1713 Congress St.</i>
<i>Stroudwater Religious Society</i>	<i>6</i>		<i>1707 Congress St.</i>
<i>City of Portland</i>	<i>202</i>		<i>1770-1776 Congress St.</i>
<i>Winner Wickham (Fore River)</i>	<i>16</i>		<i>1708 Congress St.</i>
	<i>338</i>		
<i>75% =</i>	<i>254</i>		

Outer Circle		Frontier Street	Location
Owner			
Frank P. Cummings, Est. Tr	180		1691-1705 Congress St.
Stroudwater Religious Society	43		1729-1731 Congress St.
Arthur D. Welch, Tr	100		1733-1739 Congress St.
Gertrude S. Learitt	30		1741-1743 Congress St.
Owner Unknown (Fore River Flats)	193		1690-1702 Congress St.
Mary M. Swett	128		1734-1747 Congress St.
	684		
	517		
	250		



sign for
HOT BUNNY

80 # iron	
80 # weight	
80 x 4 x 1/2	= 480
0080	
480	= 0.026
3	
40 x 2 x 12	=
0,110 96.0	
96.0	= 0.052
3	

2 an. cop
1 1/2" x 3/16" angle iron
2 regular connections
3 guys of
3/8" wire cable
16

face of sign
26 gauge gal. steel
with glass.
10 lb. Hb. 2. W

overall length
of sign 45"
depth 34"
3" thick
10 25 W depth

Property of General Ice Cream Corp.

owned by

H W Berry

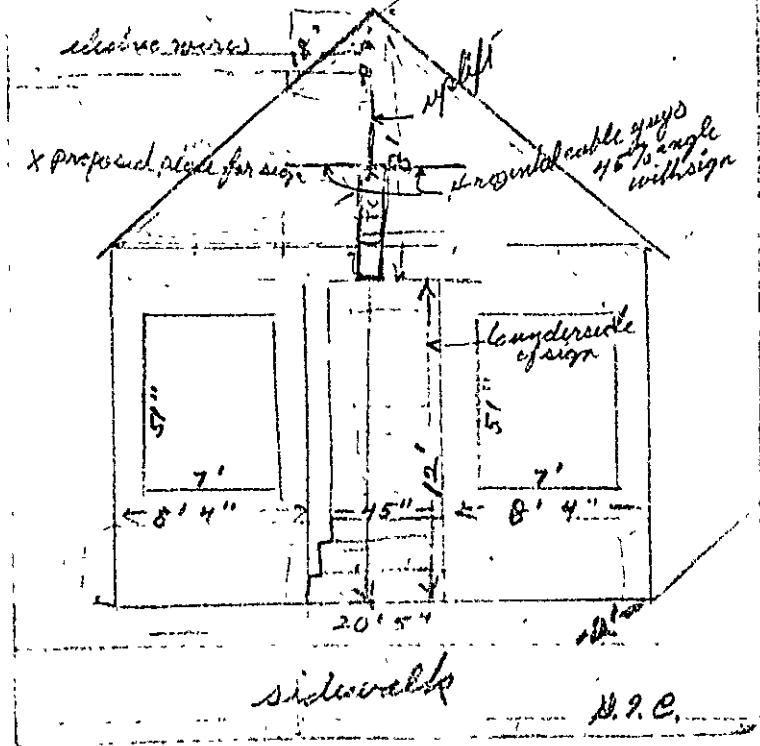
1717 Congress st

one story wooden building

clover frame store

sign to protrude not over

2 ft on sidewalk





TO LOCAL BUSINESS ZONE

PERMIT NO. 131076

APPLICATION FOR PERMIT TO ERECT SIGN OVER PUBLIC SIDEWALK OR STREET

JAN 25 1937

Portland, Maine, January 12, 1937

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect the following described sign extending over a public sidewalk or street in accordance with the Building Code of the City of Portland, and the following specifications:

Location 1717 Congress Street Ward 8 Within Fire Limits? no Dist. No.
 Owner of building to which sign is to be attached U. L. Barry
 Name and address of owner of sign General Ice Cream Corp. 320 Commercial St.
 Contractor's name and address General Ice Cream Corp. 229 Commercial St. Telephone 2-0141
 When does contractor's bond expire?

Information Concerning Building

No. stories 1 Material of wall to which sign is to be attached wood

Details of Sign and Connections

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

Electric? yes Vertical dimension after erection 54" Horizontal 55"
 Weight 35 lbs., Will there be any hollow spaces? yes Any rigid frame? yes
 Material of frame angle iron No advertising faces? 2 material steel and glass
 No. rigid connections 2 Are they fastened directly to frame of sign? yes
 No. through bolts none, Size , Location, top or bottom
 No. guys 8, material cable angle iron, Size 3/16" 1 1/2 x 3/16
 Minimum clear height above sidewalk or street 12'
 Maximum projection into street 20"

Truman L. Roberts Signature of contractor General Ice Cream Corp. Fee \$ 1.00
 CHIEF OF FIRE DEPT. INSPECTION COPY