



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, July 1, 1960

PERMIT ISSUE

00849 JUL 7 1960

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 1494 Forest Ave. Use of Building hot house No. Stories 1 New Building Existing " Name and address of owner of appliance Milton Walter, 1494 Forest Ave. Installer's name and address Randall & McAllister, 81 Commercial St. Telephone 4-4554

General Description of Work

To install Oil burning equipment in connection to existing steam heat (conversion)

IF HEATER, OR POWER BOILER

Location of appliance Any burnable material in floor surface or beneath? If so, how protected? Kind of fuel? Minimum distance to burnable 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 Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?

IF OIL BURNER

Name and type of burner Sun-Ray gun type Labelled by underwriters' laboratories? yes Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom Type of floor beneath burner cement Size of vent pipe 2" Location of oil storage Number and capacity of tanks 1-5,980 gal. Low water shut off yes Make McDowell Miller No. 47-2 Will all tanks be more than five feet from any flame? yes How many tanks enclosed? Total capacity of any existing storage tanks for furnace burners

Sent to Fire Dept. 7-1-60 Rec'd from Fire Dept. 7-7-60

IF COOKING APPLIANCE

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

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

OK-7/7/60 - ags

Carl P. Johnson CHIEF OF FIRE DEPT.

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

Randall & McAllister

By:

Signature of Installer

J. C. [Signature]

CS 300

INSPECTION COPY

NOTES

1	General	
2	Specialty	
3	Quality	
4	Quantity	
5	Material	
6	Methods	
7	Equipment	
8	Personnel	
9	Cost	
10	Time	
11	Safety	
12	Environment	
13	Other	

Permit No. 601819
 Location 1494 Javelin Dr.
 Owner Milton Kator
 Date of permit 7/7/69
 Approved [Signature]

7-11-69 9:12

7-11-69. NO WORK
 started
 8-9-69. 112 Change
 [Signature]

[Faint, mostly illegible handwritten notes and lines]

TELEPHONE
SPRUE 4-4354

Randall & McAllister

ESTABLISHED 1851

84 Commercial Street
PORTLAND, MAINE

TIMKE V
Silent Automatic
PRODUCTS

August 12, 1960

Mr. Albert J. Sears, Building Inspector
City Hall
389 Congress Street
Portland, Maine

Dear Mr. Sears:

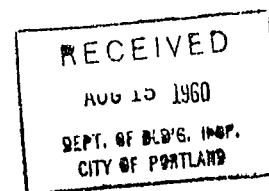
We are enclosing a corrected sketch on the Tank location
for the Milton C. Walter job, 1454 Forest Avenue.

During excavation we found an old 2" line running to a cistern,
and we have indicated this with the dotted lines on the corrected
sketch.

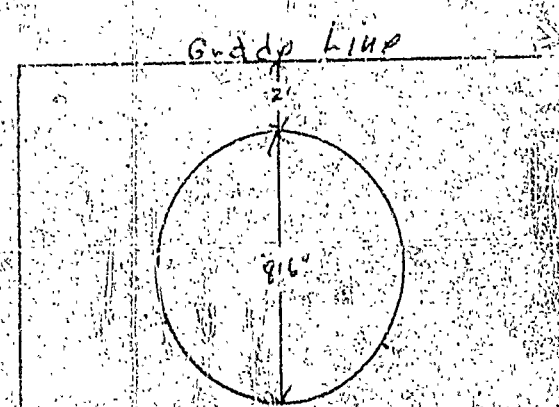
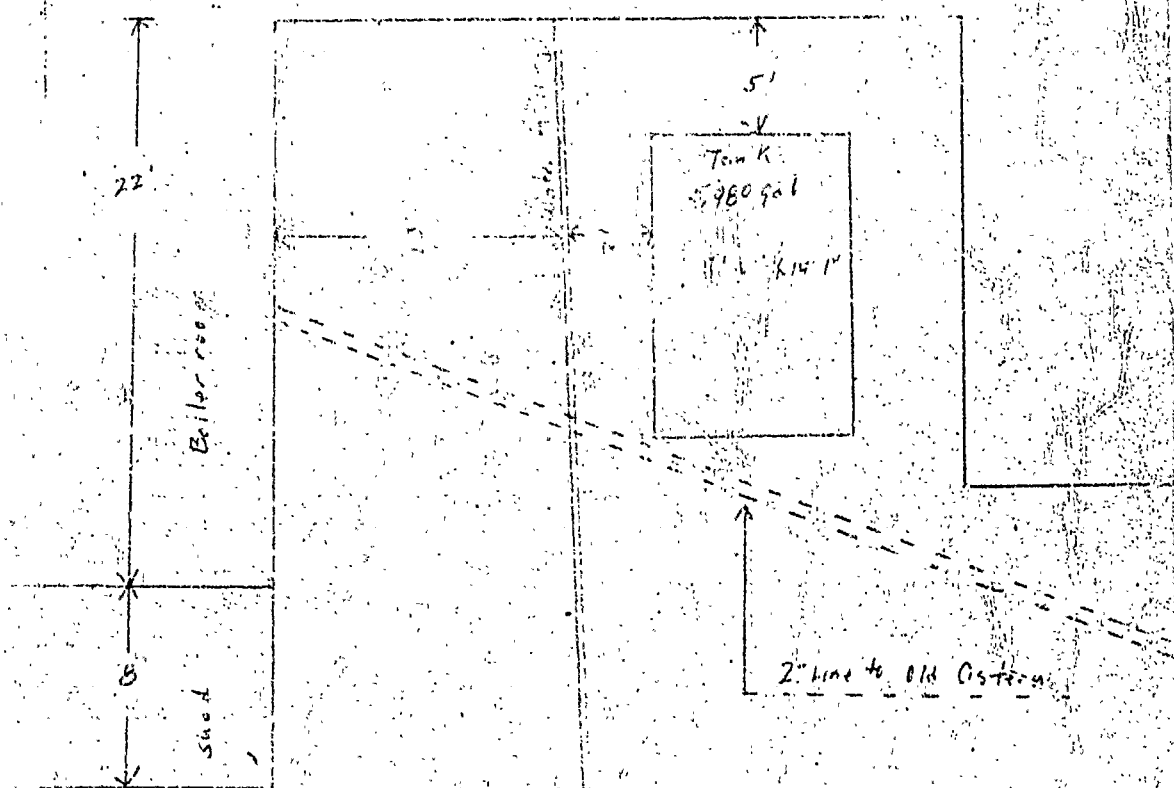
Very truly yours,


Gordon V. Clark, Engineer

GWC:nm



RANGE, FUEL AND INDUSTRIAL FUEL OILS • COAL - COKE - CHARCOAL • AUTOMATIC HEATING EQUIPMENT



Milton Walter Job, 1494 Forest Ave.

RAM: G.W.C.

RECEIVED
 AUG 15 1960
 DEPT. OF S.W.'S. 1907
 CITY OF PORTLAND

MEMORANDUM FROM DEPARTMENT OF BUILDING INSPECTION, PORTLAND, MAINE

July 6, 1960

Location: 2474 Forest Ave.

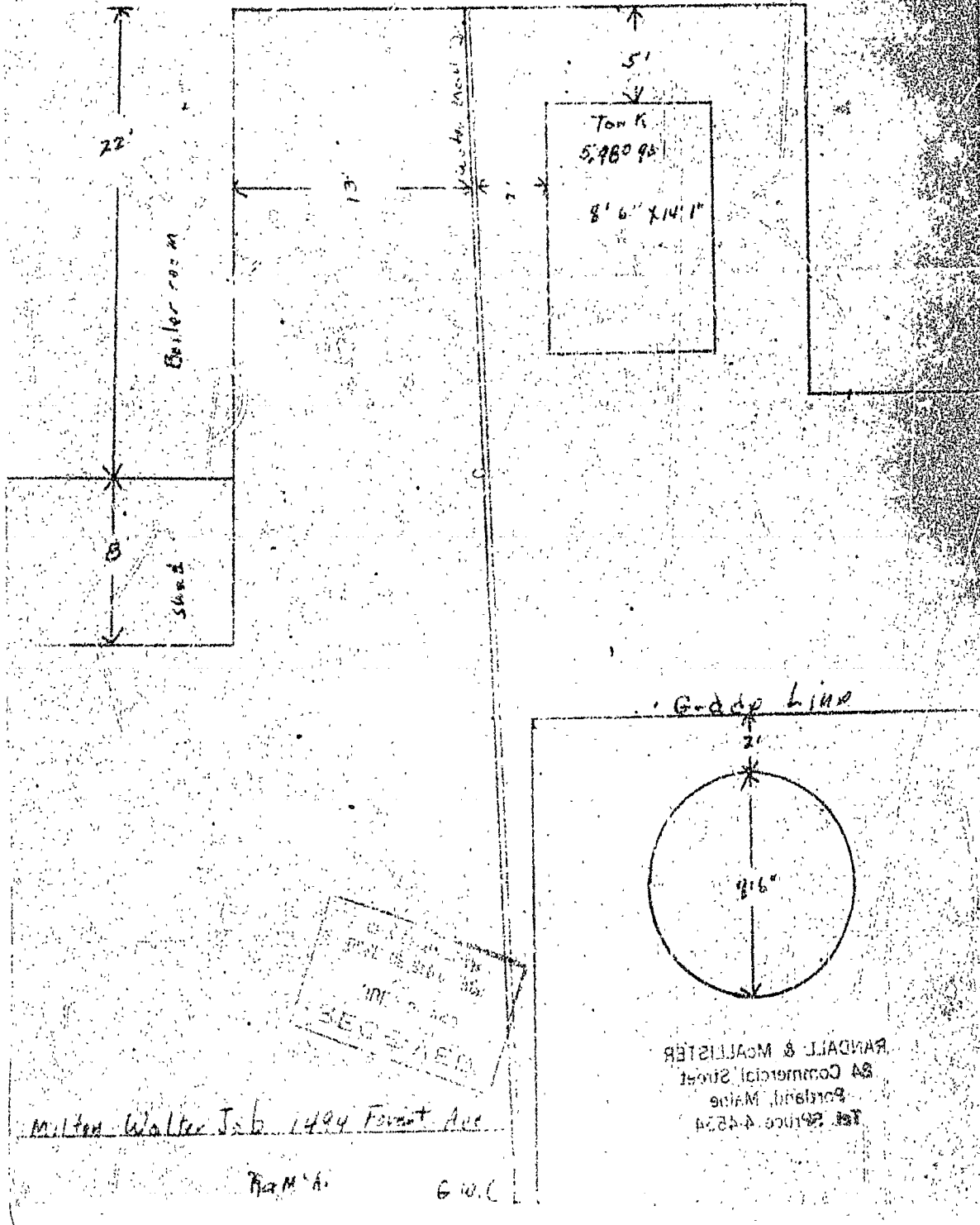
Before tank and piping is covered from view, installer is required to notify the ~~Fire Dept. Headquarters~~ of readiness for inspection and to refrain from covering up until approved by the ~~Fire Dept. Headquarters~~.

This tank of ⁽¹⁾5980 gallons capacity is required to be of steel or wrought iron no less in thickness than #4 gauge; and before installation is required to be protected against corrosion, even though galvanized, by two coats of tar, asphaltum, or other suitable rust-resisting paint, and special protection wherein corrosive soil such as cinders or the like.

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

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

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



RECEIVED
 DEPT. OF PUBLIC WORKS
 1964

Milton Walter Job 1494 Forest Ave

RAM '64 G.W.C.

RANDALL & MCALLISTER
 24 Commercial Street
 Portland, Maine
 Tel. BR 4-4524



RS REFERENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure... Third Class
Portland, Maine, April 28, 1959

PERMIT ISSUED
MAY 5 1959
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location . . . 149 1/2 Forest Ave.	Within Fire Limits? no	Dist. No.
Owner's name and address . . . Milton C. Walter, 149 1/2 Forest Ave.		Telephone 4-1050
Lessee's name and address		Telephone
Contractor's name and address owner		Telephone
Architect	Specifications	Plans
Proposed use of building	Display and sale only of vegetable and other produce raised on the premises.	No. of sheets
Last use		No. families
Material No. stories Heat Style of roof		Roofing
Other building on same lot		Fee \$ 10.25
Estimated cost \$		

General Description of New Work

To erect a temporary stand about 15' long and by 6' deep by 8' high with awning to set at least 25' from street lines of Forest Ave. to be maintained for not more than six months (May 15 to Sept. 15) in any one calendar year and to be used for display and sale only of vegetable and other produce raised on the premises. Building to be the same as permit 54/702

City of Portland, Maine 5/4/59

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

Details of New Work

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

Is connection to be made to public sewer? If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

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

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

Material of foundation Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof Roof covering

No. of chimneys Mat. of lining Kind of heat fuel

Framing Lumber—Kind dressed or full size? Corner posts Sills

Size Girder Columns under girders Size

Kind and thickness of outside sheathing of exterior walls?

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

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

On centers: 1st floor , 2nd , 3rd , roof

Maximum span: 1st floor , 2nd , 3rd , roof

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

If a Garage

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

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

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

Milton C. Walter

APPROVED:
ON 5/5/59 - ags

Signature of owner

Milton C. Walter

INSPECTION COPY

F m

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Julian H. Orr, City Manager
DATE April 23, 1959
FROM: Albert J. Sears, Inspector of Buildings
SUBJECT: Approval by Municipal Officers of temporary stand at 1194 Forest Ave.

This is a seasonal proposition which has been carried on under zoning appeal for several years.

H

Inspector of Buildings

cc: City Clerk
Corp. Council

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

April 28, 1959

ORDERED :

That a building permit intended to authorize erection and maintenance of a temporary stand 15' by 6' and 8' high with awning at 1494 Forest Ave. for the retail sale of vegetables and other produce, raised on the premises, to be maintained for a period of no more than six months be and hereby is approved in accordance with Section 102c of the Building Code.

cc: City Manager
Corp. Counsel.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Julian H. Orr, City Manager
DATE: May 23, 1958
FROM: Warren McDonald, Inspector of Buildings
SUBJECT: Approval by Municipal Officers of temporary stand at 149 1/2 Forest Ave.

This is a seasonal proposition which has been carried on under
pending appeal for several years.

H

Inspector of Buildings

cc: City Clerk
Corp. Counsel

City of Portland, Maine
IN BOARD OF MUNICIPAL OFFICERS

May 23, 1958

ORDERED

That a building permit intended to authorize erection and maintenance of a temporary stand 15' by 6' and 8' high with awning at 1494 Forest Ave. for the retail sale of vegetables and other produce, raised on the premises, to be maintained for a period of no more than six months be and hereby be approved in accordance with Section 102³ of the Building Code.

CC: City Manager
Corp. Council



RS RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, May 20, 1958

PERMIT ISSUED

JUN 5 1958

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location: 1494 Forest Ave. Within Fire Limits? no Dist. No.
Owner's name and address Milton C. Walter, 1494 Forest Ave. Telephone 4-1050
Lessee's name and address
Contractor's name and address
Architect Specifications Plans No. of sheets
Proposed use of building Display and sale only of vegetable and other products raised on the premises No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other building on same lot
Estimated cost \$ Fee \$ 10.25

General Description of New Work

To erect a temporary stand about 15' long and by 6' deep by 8' high with awning to set at least 25' from street lines of Forest Ave. to be maintained for not more than six months (May 15 to Sept. 15) in any one calendar year and to be used for display and sale only of vegetable and other produce raised on the premises. Building to be the same as permit 54/702

Approved by Municipal Officers 6/2/58

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

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth 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
Size Girder Columns under girders Size Max. on centers
Kind and thickness of outside sheathing of exterior walls?
Studs (outside walls and carrying partitions) 2x4 16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

If a Garage

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

APPROVED:

OK - 6/5/58 - [Signature]

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
Milton C. Walter

Signature of owner by: Milton C. Walter

INSPECTION COPY

F.M



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, May 17, 1957

JUN 10 1957
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 149 1/2 Forest Ave. Within Fire Limits? Dist. No.

Owner's name and address Milton C. Walter, 149 1/2 Forest Ave. Telephone 4-1050

Lessee's name and address _____ Telephone _____

Contractor's name and address _____ Telephone _____

Architect _____ Specifications _____ Plans _____ No. of sheets _____

Proposed use of building Display and sale only of vegetable and other products raised on the premises No. families _____

Last use _____ No. families _____

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

Other building on same lot _____

Estimated cost \$ _____ Fee \$ 10.25

General Description of New Work

To erect a temporary stand about 15' long by 6' deep by 8' high with awning to set at least 25' from street line of Forest Ave. to be maintained for not more than six months (May 15 to Sept. 15) in any one calendar year and to be used for display and sale only of vegetable and other produce raised on the premises. Building to be the same as permit 54,702

5/4/57
7/3/57

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

Details of New Work

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

Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

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

Size, front _____ depth _____ 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 _____

Size Girder _____ Columns under girders _____ Size _____ Max. on centers _____

Kind and thickness of outside sheathing of exterior walls? _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____

On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

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

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____

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

APPROVED:

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.

INSPECTION COPY

Signature of owner Milton C. Walter

3-10-17
10/24

Permit No.

57/1994

Location

1444 South Ave

Owner

Michael O'Malley

Date of prmit

6/1/17

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn

10/29/17

Cert. of Occupancy issued

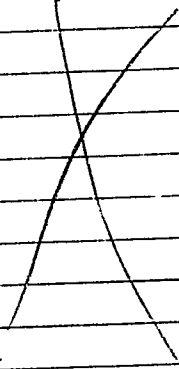
Staking Out Notice

Form Check Notice

NOTES

4/28/17 - Stand in
demol location S.S.

10/29/17 - Stand closed
S.S.S.



City of Portland, Maine
IN BOARD OF MUNICIPAL OFFICERS

June 3, 1957

ORDERED :

That a building permit intended to authorize erection and maintenance of a temporary stand 15' by 6' and 8' high with awning at 1494 Forest Ave. for the retail sale of vegetables and other produce, raised on the premises, to be maintained for a period of no more than six months be and hereby is approved in accordance with Section 102c of the Building Code.

CC: City Manager
Corporation Counsel.

Julian H. Orr, City Manager

May 31, 1957

Warren McDonald, Inspector of Buildings

Approval by Municipal Officers of temporary stand at 1494 Forest Ave.

This is a seasonal proposition which has been carried on under zoning appeal for several years.

WMcD/B

Inspector of Buildings

Attachment: Copy of order

cc: City Clerk }
Corporation Counsel } with copy of order

(COPY)

MAINE PRINTING CO., PORTLAND

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 149 1/2 Forest Avenue

Date of Issue June 6, 1957

Issued to Milton C. Walter

This is to certify that the building, ~~previously occupied as a~~ at the above location, built ~~about~~
~~cross-section~~ under Building Permit No. _____, has had final inspection, has been found to conform
substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for
occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Temporary Stand

Limiting Conditions:

To set at least 25' from Forest Ave., to be
maintained for not more than six months (May 15 to
Sept. 15) in any one calendar year and to be used
for display and sale only of vegetable and other produce
raised on the premises.

This certificate supersedes
certificate issued

Approved by Municipal Officers 5/4/56
6/3/57

Approved:

W. A. ...
Inspector of Buildings

(Date) Inspector

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



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Feb. 15, 1957

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 1494 Forest Ave. Use of Building Residence No. Stories 2 New Building Existing "
Name and address of owner of appliance Milton C. Walter, 1494 Forest Ave.,
Installer's name and address BALLARD OIL & EQUIPMENT CO. 135 Marginal Way Telephone

General Description of Work

To install Conversion oil burner in existing steam boiler.

IF HEATER, OR POWER BOILER

Location of appliance Any burnable material in floor surface or beneath?
If so, how protected? Kind of fuel?
Minimum distance to burnable 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
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?

IF OIL BURNER

Name and type of burner Ballard Gun. type Model SZ-20 Labeled by underwriters' laboratories? Yes
Will operator be always in attendance? No Does oil supply line feed from top or bottom of tank? Bottom
Type of floor beneath burner Concrete Size of vent pipe 1 1/4"
Location of oil storage Basement Number and capacity of tanks 1-275
Low water shut off Make MacDonald & Miller No. 67
Will all tanks be more than five feet from any flue? Yes. How many tanks enclosed?
Total capacity of any existing storage tanks for furnace burners None

IF COOKING APPLIANCE

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

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

...GG... Replacing and firing...
Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED: [Signature] 2-15-57

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

Ballard Oil & Equipment Co.

C17 MAINE PRINTING CO.

INSPECTION COPY

Signature of Installer [Signature]

City of Portland, Maine
Board of Appeals
—ZONING—

*Sustained
5/4/56*

April 16, 1956, 19

56/35

To the Board of Appeals:

Your appellant, Milton C. Walter, who is the owner of property at 1494 Forest Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to authorize reestablishment at 1494 Forest Ave. of a temporary stand about 15 feet long by 6 feet deep by 8 feet high with awning in front, to be used for the display and sale of vegetables and produce raised on the premises exclusively, and to be set in place at least 25 feet from the street line of Forest Ave. in the spring of each year and maintained in that location for not more than six months thereafter; and to include appropriate signs to identify the farm and the produce raised and sold there, is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, such a structure used exclusively for the sale of products raised on the premises is not allowable unless authorized by the Board of Appeals after the usual appeal procedure.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Herbert H. Sawyer
Attorney for Appellant

After public hearing held on the 4th day of May, 1956, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Ruth W. Welch
William H. O'Brien
Edward J. Colley
John W. Fife
Carlton L. Lane
BOARD OF APPEALS

DATE: May 4, 1956

HEARING ON APPEAL UNDER THE Zoning Ordinance OF Milton Walter

AT 1494 Forest Avenue

Public hearing on the above appeal was held before the Board of Appeals

<u>BOARD OF APPEALS</u>	<u>VOTE</u>		<u>MUNICIPAL OFFICERS</u>
	Yes	No	
Edward T. Colley	(S)	()	
William H. O'Brien	(S)	()	
Ruth L. Walch	(S)	()	
John W. Lake	(S)	()	
Carleton C. Lane	(S)	()	
	()	()	
	()	()	
	()	()	
	()	()	
	()	()	
	()	()	

Record of Hearing:

Herbert H. Sawyer, Esq., for appellant

NO OPPOSITION

From the desk of -
Barnett J. Shur

no objection to
Milton Walter appeal

Roc Holmes

HILLTOP HOUSE
1514 FOREST AVENUE
PORTLAND 5, MAINE

April 27, 1956

To Whom it may concern:

Recently I received a notice regarding a petition from Milton Walter to conduct his vegetable stand again.

His property is next to our land and the

stand very near our
line.

We have no objection
whatsoever.

They would never
have anything that
would annoy anybody.

Sincerely

Bernice S. True

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

May 1, 1956

Herbert H. Sawyer, Esquire
119 Exchange Street
Portland, Maine

Re: Appeal of Milton C. Walter
1494 Forest Avenue

Dear Mr. Sawyer:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, May 4, 1956, at 10:30 a. m. to hear your client's appeal under the Zoning Ordinance.

Please be present at this hearing in support of this appeal.

BOARD OF APPEALS

Ben B. Wilson

Chairman

K

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 24, 1956

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, May 4, 1956, at 10:30 a. m. to hear the appeal of Milton C. Walter requesting an exception to the Zoning Ordinance to authorize re-establishment at 1494 Forest Avenue of a temporary stand about 15 feet long by 6 feet deep by 8 feet high with awning in front to be used for the display and sale of vegetables and produce raised on the premises exclusively, and to be set in place at least 25 feet from the street line of Forest Avenue in the spring of each year and maintained in that location for not more than six months thereafter; and to include appropriate signs to identify the farm and the produce raised and sold there.

This permit is presently not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, such a structure used exclusively for the sale of products raised on the premises is not allowable unless authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 18E 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 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

Ben B. Wilson

Chairman

Appeal at
1494 FOREST AVE
Scale: 1"=100'

N

ST.

GREEN

HOUSES

WICKS

Dwg

Dwg

Dwg

Garage
Dwg

Dwg

Shed

Dwg

APPROX
Location
of STAND

at least 25 feet

1484

1494

WMD
9/4/13

FOREST

AVE

1491

Dwg

Dwg

Hornstead

Dwg

Dwg

Dwg

Dwg

Library

Dwg

April 6, 1956

AP 1494 Forest Ave.—Proposed temporary stand for sale of produce and zoning appeal relating thereto

Mr. Milton C. Walter
1494 Forest Ave.

Copy to Corporation Counsel

Dear Mr. Walter:

Building permit to authorize reestablishment at 1494 Forest Ave. of a temporary stand about 15 feet long by 6 feet deep by 8 feet high with awning in front, to be used for the display and sale of vegetables and produce raised on the premises exclusively, and to be set in place at least 25 feet from the street line of Forest Ave. in the spring of each year and maintained in that location for not more than six months thereafter; and to include appropriate signs to identify the farm and the produce raised and sold there, is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, such a structure used exclusively for the sale of products raised on the premises is not allowable unless authorized by the Board of Appeals after the usual appeal procedure.

You have indicated your desire to seek an exception from the Zoning Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD/B

Enc: Outline of appeal procedure

Milton:

When we talked about this matter a week or so ago I may have told you wrong about the date of your hearing. While it would be well to get the appeal filed as soon as possible, the hearing will not be two weeks from April 13, as I may have told you, but will be a week after that. If you get your appeal filed at the office of Corporation Counsel by April 17 there should be plenty of time.

WMCD

P. S. If the Board should grant your zoning appeal without limitation (2 year limit before) it would still be necessary to get a building permit each year.

PA



(RC) RESIDENCE ZONE - C

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, April 4, 1956

PERMIT ISSUED

00584

MAY 4 1956

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter or demolish 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 149 1/2 Forest Ave. Within Fire Limits? no Dist. No.
Owner's name and address Milton C. Walter, 149 1/2 Forest Ave. Telephone
Lessee's name and address Telephone
Contractor's name and address transferred from former Telephone
Architect Specifications Plans No. of sheets
Proposed use of building Display and sale only of vegetable and other products raised on the premises No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ Fee \$ 10.25

General Description of New Work

To erect a temporary stand about 15' long by 6' deep by 8' high with awning to set at least 25' from street line of Forest Ave. to be maintained for not more than six months (May 15 to Sept. 15) in any one calendar year and to be used for display and sale only of vegetable and other produce raised on the premises. (Building to be the same as permit 54/702)

APPROVAL SUSTAINED 5/4/56

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

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

If a Garage

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

APPROVED: [Signature]

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

INSPECTION COPY

Signature of owner Milton C. Walter

9/16/50 - 05/11/51

NOTES

FOR PERMIT

Walden
288

Permit No. 561564
 Location 1494
 Owner Mr. W. C. ...
 Date of permit 5/14/56
 Notif. closing-in
 Inspn. closing-in
 Final Notif.
 Final Inspn. 9/18/56
 Cert. of Occupancy issued
 Starting Occupancy Notice
 Form Check Notice

9/18 9/18

(Area reserved for New Work)
 No families
 (Area reserved for New Work)

(Area reserved for New Work)
 (Area reserved for New Work)

(Area reserved for New Work)
 (Area reserved for New Work)

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(Area reserved for New Work)
 (Area reserved for New Work)

INSPECTION COPY



(RC) RESERVANCE ZONE - C

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, April 8, 1955

PERMIT ISSUED

00595

MAY 3 1955

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~alter or repair~~ the following building structure 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 1494 Forest Ave. Within Fire Limits? no Dist. No. _____
 Owner's name and address Milton C. Walter, 1494 Forest Ave. Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address _____ Telephone _____
 Architect _____ Specifications _____ Plans 1 No. of sheets 1
 Proposed use of building Display and sale only of vegetable and other products No. families _____
raised on the premises No. families _____
 Last use _____ No. families _____
 Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 10.25

General Description of New Work

To erect a temporary stand about 15' long by 6' deep by 8' high with awning to set at least 25' from street line of Forest Ave. to be maintained for not more than six months (May 15 to Sept. 15) in any one ~~year~~ calendar year and to be used for display and sale only of vegetable and other produce raised on the premises. (Building to be the same as permit 54/702)

Sketch & photos with GM 4/11/55

Approved by the City Officers 4/18/55

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

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber—Kind _____ Dressed or full size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
 Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
 If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

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

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

Milton C. Walter

INSPECTION COPY

WMcD 4/1/56

May 3, 1955

AP 1494 Forest Ave.—Temporary produce stand

Mr. Milton C. Walter
1494 Forest Ave.

Dear Mr. Walter:

Enclosed is the building permit for your temporary produce stand for the period from May 15 to September 15, 1955.

This season represents the end of the limited period during which the Zoning Board of Appeals decided that your stand should be allowed. When the period allowed by the permit now issued has expired—after September 15, the temporary stand should be removed to the rear of the property or at some other location consistent with the zoning law. If the stand is to be used for no purpose during the time that it is idle, or if it is to be within one of your buildings, no permit to move the stand will be necessary.

If you desire the stand for another year, under the present Zoning Ordinance (there is another Zoning Ordinance in preparation which may affect the situation differently) it will again be necessary to file an appeal with the Board of Appeals. This should be done early enough in the season so that you will not be delayed, if the Board of Appeals see fit to grant your appeal again.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B

April 11, 1955

Julian H. Orr, City Manager

Copy to Corporation Counsel
with copy of order

Warren McDonald, Inspector of Buildings

Approval of Municipal Officers upon building permit for temporary produce stand at 1494 Forest Ave.

Attached is a proposed order for the Municipal Officers approving the above temporary produce stand for Milton C. Walter; also a sketch showing the location of the stand and a photo taken to illustrate a zoning appeal in 1953.

The Zoning Board of Appeals granted the right for this stand but for a period of two years only, and the two year period will expire next fall.

Irrespective of any zoning question, Section 102c of the Building Code requires the approval of the Municipal Officers upon such a permit for a temporary stand before the permit is issued.

When they have served the purpose, will you be good enough to return the sketch and the photo for our files?

WMCD/B

Inspector of Buildings

Attachments: Proposed MO order, photo and sketch

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

April 18, 1955

ORDERED:

That, zoning appeal therefor having been granted on September 4, 1953, building permit for the erection of a temporary stand about 15 feet long, 6 feet deep and 8 feet high at 1494 Forest Ave., for display and sale of vegetables and other produce raised on the place, be and hereby is approved for the period of May 15 to September 15, 1955, as provided by Section 102c of the Building Code.



(RC) RESIDENCE ZONE - C

APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, August 20, 1953

PERMIT ISSUED
01570
SEP 14 1953
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~at the corner of Forest Ave. and~~ the following building ~~structure~~ ^{development} 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: 149A Forest Ave. Within Fire Limits? No. Dist. No.

Owner's name and address: Milton C. Walter, 149A Forest Ave. Telephone

Lessee's name and address Telephone

Contractor's name and address Telephone

Architect: Specifications Plans No. of sheets

Proposed use of building: Display and sale only of vegetable and other produce raised on the place No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated cost \$ Fee \$ 10.25

General Description of New Work

To erect a temporary stand about 15' long by 6' deep by 10' high with awning to set at least 25' from street line of Forest Ave. to be maintained for not more than six months in any one calendar year and to be used ~~used~~ for display and sale only of vegetables and other ~~produce~~ produce raised on the place.

This application is preliminary to get settled the question of zoning appeal. If the appeal is successful, full information will be furnished as to the details of the stand to be filed with the application for the permit. It is the intention to set this stand in place from year to year in spring, to maintain it during the growing season and to remove it within six months of the time it is set up, it being realized that a new permit of this type will be required each year.

Location sketch transferred to similar sheet of Appeal Permit Issued with Letter
 Appeal sustained conditionally 9/4/53
 It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owner

Details of New Work

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

Is connection to be made to public sewer? If not, what is proposed for sewage?

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

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

Material of foundation Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimneys of lining Kind of heat fuel

Framing lumber—Kind Dressed or full size?

Corner posts Sills Girt or ledger board? Size

Girders Size Columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

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

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

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

If a Garage

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

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

APPROVED:

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

INSPECTION COPY

Signature of owner

Milton C. Walter

AP 1494 Forest Ave.

WMcD 4/15/54

September 14, 1953

Mr. Milton C. Walter
1494 Forest Ave.

Copy to: Herbert H. Sawyer Esq.
119 Exchange St.

Dear Mr. Walter:-

Since the Zoning Board of Appeals granted, on September 4th, 1953, your appeal conditionally, relating to erection and use of a temporary stand for the sale of vegetables and other produce at 1494 Forest Ave., the building permit for the temporary stand is issued to you, herewith, subject to the following.

You are no doubt aware that the conditions attached to granting the appeal provide that the allowance is made for a period of two years for the sale of products raised on the premises only, said use to be confined to the May 15th to September 15th period of each year.

Because of the provisions of the Building Code relating to temporary stands, it will be necessary for you to apply for a building permit for locating the stand and using it each year well in advance of the date which you intend to begin use, presumably May 15th.

With the application for the permit of 1954, please furnish a plan showing the precise location proposed for the stand and also a description of the stand showing its true size and how it will be built, also the details and location of the proposed signs.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/C



(RC) RESIDENCE ZONE, C

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, May 14, 1954

PERMIT

MAY 2 1954

CITY of

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~the above described~~ the following building ~~structure~~ 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 1494 Forest Ave. Within Fire Limits? no. Dist. No.
Owner's name and address Milton C. Walter, 1494 Forest Ave. Telephone
Lessee's name and address Telephone
Contractor's name and address Telephone
Architect Specifications Plans No. of sheets
Proposed use of building Display and sale only of vegetable and other produce raised on the place No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other building on same lot
Estimated cost \$ Fee \$ 10.25

General Description of New Work

To erect a temporary stand about 15' long by 6' deep by 8' high with awning to set at least 25' from street line of Forest Ave. to be maintained for not more than six months (May 15 to Sept. 15) in any one calendar year and to be used for display and sale only of vegetable and other produce raised on the place.

Location sketch transferred to similar application of 4/8/54

Appeal sustained 9/4/54 and approved by M.O. 5/27/54

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

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

If a Garage

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

Miscellaneous

APPROVED:

Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

INSPECTION COPY

Signature of owner

Milton C. Walter

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

[Handwritten initials]

May 20, 1954

Zoning appeal having been granted on September 4, 1953, building permit for the erection of a temporary stand 15 feet long, 6 feet deep and 8 feet high at 1494 Forest Ave., for the display and sale of vegetables and other produce raised on the place, is hereby approved for the period of May 15 to September 15, 1954, as provided by Section 102c of the Building Code.

Edward J. Colley
Edward J. Ciprono
W. Merrill Lusk
Helen E. Frost
Ben B. Wilson

File copy

HERBERT H. SAWYER
ATTORNEY AND COUNSELLOR AT LAW
119 EXCHANGE STREET
PORTLAND, MAINE

May 14, 1954

Mr. Warren MacDonald
Office of The Building Inspector
City Hall
Portland, Maine

Re:
Milton C. Walter

Dear Warren:

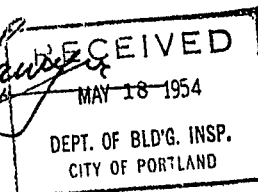
I am enclosing herewith a plan of the location of the temporary stand which Mr. Walter has constructed and which shall be erected on his premises at 1494 Forest Avenue in Portland, and also a letter from him indicating the construction and dimensions of the said stand and also the number and types of signs he intends to erect on the premises. If there is any other information which you might like, either Mr. Walter or I would be very pleased to furnish same.

Thank you very much for your courteous and helpful suggestions in this matter.

Very truly yours,

Herbert H. Sawyer
Herbert H. Sawyer

HHS:am
Enc. (2)



Mr. Warren MacDonald
Office of the Building Inspector
City Hall
Portland, Maine

Forest Farms
Portland, Maine

May 14, 1954

Dear Mr. MacDonald:

Please find attached a Plan of the location of the temporary stand which is to be erected at 1494 Forest Avenue, Portland, Maine.

CONSTRUCTION:

The stand in question is constructed of wood with 2"x3" studding, 1" sheathing and siding. It rests upon three (3) wooden skids to facilitate its removal spring and fall, and has a cable tow on either end. The roofing material is heavy roll roofing. This stand has a door on the left side and a window on the right side. The front of the stand has three (3) folding, sectional panels. The dimension of said stand is as follows:

Width	6 feet
Overall length	15 "
Height (front)	8 "
Height (back)	7 "

LOCATION:

Said stand will be located, as is indicated on the Plan attached hereto, approximately twenty-five (25) feet from the street line of Forest Avenue, considering the inside of the sidewalk as the street line.

SIGNS:

Since the stand is located on a circular driveway, it is planned to erect a small sign, approximately 20"x5" in size, marked "ENTER" at the westerly end of the said drive-way. There will be also a main sign located approximately eight (8) feet from said street line hereinbefore mentioned. Said sign shall be approximately 3'x3' and shall contain the words, "FOREST FARMS". It shall be mounted on posts so that the top

RECEIVED

MAY 18 1954

DEPT. OF BLD'G. INSP.
CITY OF PORTLAND

of said sign shall be approximately five (5) feet off the ground. There shall also be individual signs approximately 3'x6" in size which shall be hung from the main sign indicating the produce available at a particular given time.

Very truly yours,

Milton C. Walter

Milton C. Walter

MCW:am
Enc.

C. 10

City of Portland, Maine
Board of Appeals
—ZONING—

Sustained
9/4/53

53/77

August 20, 1953, 19

To the Board of Appeals:

Your appellant, Milton C. Walter, who is the owner of property at 1494 Forest Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to authorize erection and maintenance at 1494 Forest Avenue of a temporary stand, about 15 feet long by 6 feet deep by 10 feet high with an awning in front, to be used for the display and sale of vegetables and produce raised on the premises exclusively, and to be set in place at least 25 feet from the street line of Forest Avenue in the spring of each year and maintained in that location for not more than 6 months thereafter, and then to be removed; and to include appropriate signs to identify the farm and the produce raised and sold there, is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where according to Section 10A of the Zoning Ordinance such a structure used exclusively for the sale of products raised on the premises is not allowable unless authorized by the Board of Appeals after the usual appeal procedure.

The facts and conditions which make this exception legally permissible are as follows:
An exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

OK
9/15/53
B.M. 7/11/53

Herbert H. Sawyer
attorney for Milton C. Walter
Appellant

After public hearing held on the 4th day of September, 1953, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance, for a period of two years for the sale of products raised on the premises only, said use to be confined to the May 15th to September 15th period of each year.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case, for a period of two years for the sale of products raised on the premises only, said use to be confined to the May 15th to September 15th period of each year.

Sen. B. Belmont
William H. O'Brien
Helen C. J. J. J.
Edward J. Kelley
BOARD OF APPEALS

DATE: SEPTEMBER 4, 1953

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MILTON C. WALTER
AT 1494 FOREST AVENUE

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

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
EDWARD T. COLLEY	(X)	()	FOR A PERIOD OF TWO YEARS FOR THE SALE OF PRODUCTS RAISED ON THE PREMISES ONLY, SAID <u>USE</u> TO BE CON- FINED TO THE MAY 15 TO SEPTEMBER 15 PERIOD OF EACH YEAR.
ROBERT L. GETCHELL	(X)	()	
HELEN C. FROST	(X)	()	
WILLIAM H. O'BRIEN	(X)	()	
BEN B. WILSON	(X)	()	
	()	()	
	()	()	

Record of Hearing:

Atty Herbert H. Sawyer representing Mr. Walter

OPPOSED: Charles A. Bartlett, Exq. representing Roland F. McConnell,
1501 Forest Avenue

Mr. St. Peter, 1460 Forest Avenue

Petitions in file

16

TO: Hon. Edward Colley, Chairman, Board of Appeals.

Re: Appeal of Milton C. Walter to construct a temporary stand at 1494 Forest Avenue, Portland.

The undersigned residents of the Riverton area, being informed of the pending appeal of Milton C. Walter of 1494 Forest Avenue, Portland, Maine, whereby the said Milton C. Walter would construct and maintain a temporary stand on his said property where produce grown thereon would be sold, do hereby record ourselves in favor of the granting of the said appeal.

<u>NAME</u>	<u>ADDRESS</u>
Herbert H. Sanyie	1563 Forest Avenue
Richard L. Sawyer	"
Tom E. MacDonald	60 Rivington Avenue
Leslie E. Libby	1565 Forest Avenue
Mrs Leslie Libby	1565 Forest Ave
Roman L. Douglass	1513 Forest Ave
Rita M. Douglass	" " "
Mrs Rodney H. Gray	17 Eighth St
Mrs Kenneth Miller	56 Wall St.
Kenneth M. A. Miller	56 Wall St.
Reginald K. Page	1484 Forest Ave
Phyllis A. Page	" "
J. Blanchard	1491 Forest Ave.
Jessie M. Blanchard	" " "

(11)

THE FOLLOWING UNDERSIGNED RIVERTON RESIDENTS OBJECT TO A VEGETABLE STAND BEING ERECTED AT 1494 FOREST AVE.

- Dr. Thomas A. Martin 1 1415 Forest Ave
- Leon B. Hawkes 2 1435 Forest Ave
- Mrs C. R. Chase 3 1445 Forest Ave
- Mr. Johnson 4 11 Homestead Ave.
- Harold S. Elder 5 16 Homestead Ave
- John Mc Donough 11 Libby St
- Wm. A. Grant 15 Libby St
- Frederick P. Cook 6 1545 Forest Ave # not listed
- George B. MacPherson 7 1553 Forest Ave # not listed
- Quinn A. McFadden 8 1458 Forest Ave
- Roland A. McFadden 9 1501 Forest Ave
- Don'ty A. Cook 10 1519 Forest Ave
- Francena V. Greeley 11 18 Libby St
- J. Stanley Smith 12 2 Forest Circle
- Gladys St. Peter 1460 Forest Ave.
- William H. Chandler 13 46. Hicks St. # not listed
- Dorothy E. Moran 14 43 Libby St.
- Alfred E. Ross 15. 5 Homestead Ave. # not listed
- Louise A. Ross 5 Homestead Ave.

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

Paul J. Fensley
1431 Forest
August 25, 1953 *Annex*

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, September 4, 1953 at 10:30 a. m. Daylight Saving Time to hear the appeal of Milton C. Walter requesting exception to the Zoning Ordinance to authorize erection and maintenance at 1494 Forest Avenue of a temporary stand, about 15 feet long by 6 feet deep by 10 feet high with an awning in front, to be used for the display and sale of vegetables and produce raised on the premises exclusively, and to be set in place at least 25 feet from the street line of Forest Avenue in the spring of each year and maintained in that location for not more than 6 months thereafter, and then to be removed, and to include appropriate signs to identify the farm and the produce raised and sold there.

This permit is presently not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where according to Section 10A of the Zoning Ordinance such a structure used exclusively for the sale of products raised on the premises is not allowable unless authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 15E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases where necessary to grant reasonable use of property 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.

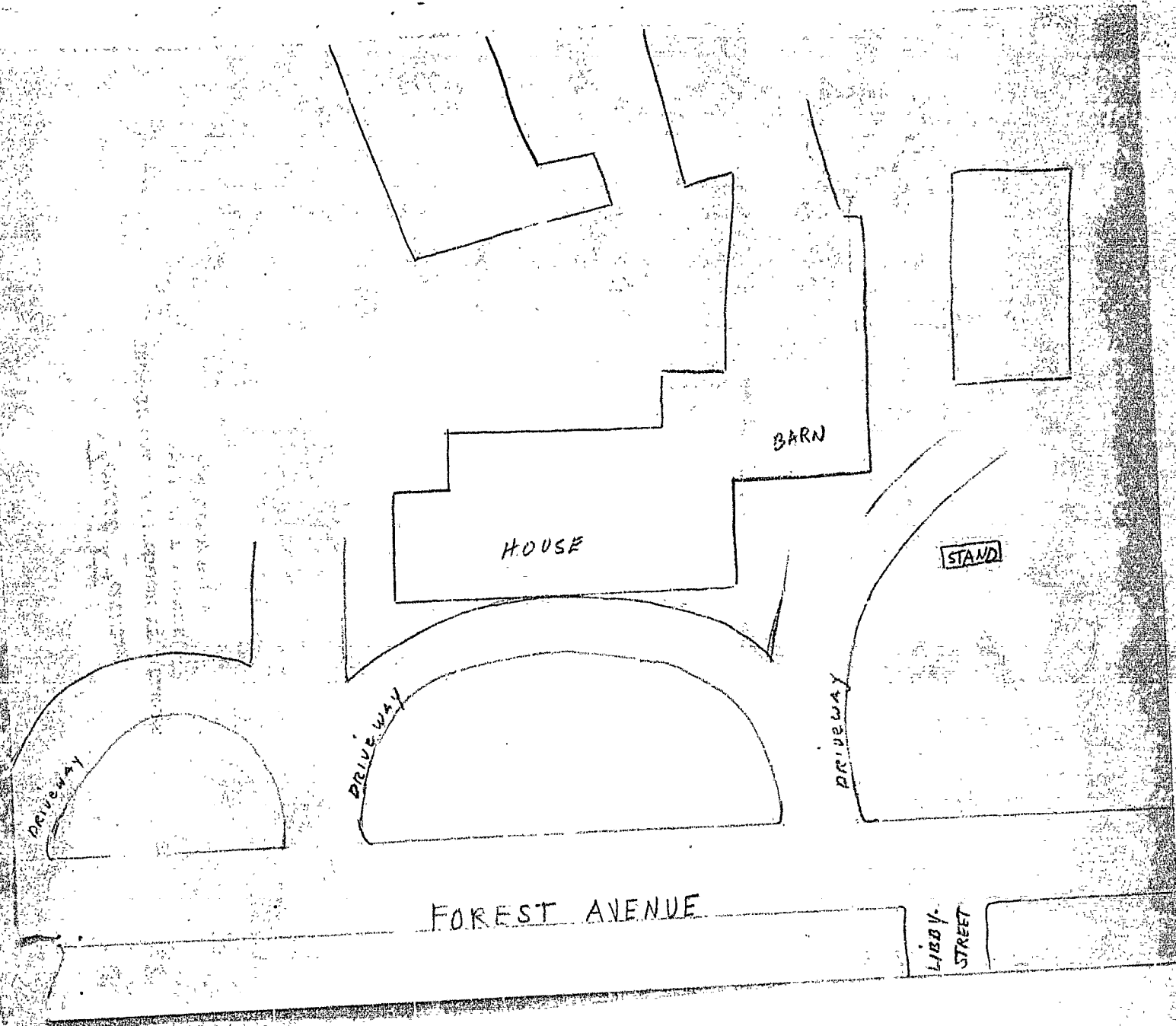
All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman

K



HOUSE

BARN

STAND

FOREST AVENUE

LIBBY STREET

DRIVEWAY

DRIVEWAY

DRIVEWAY

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 1, 1953

Herbert H. Sawyer, Esq.
119 Exchange Street
Portland, Maine

Re: Appeal of Milton C. Walter
1494 Forest Avenue

Dear Herbie:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, September 4, 1953 at 10:30 a. m. Daylight Saving Time to hear the appeal of Milton C. Walter under the Zoning Ordinance.

Please be present at this hearing in support of your client's appeal.

BOARD OF APPEALS

Edward T. Colley

Chairman

K

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

August 25, 1953

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, September 4, 1953 at 10:30 a. m. Daylight Saving Time to hear the appeal of Milton C. Walter requesting exception to the Zoning Ordinance to authorize erection and maintenance at 1494 Forest Avenue of a temporary stand, about 15 feet long by 6 feet deep by 10 feet high with an awning in front, to be used for the display and sale of vegetables and produce raised on the premises exclusively, and to be set in place at least 25 feet from the street line of Forest Avenue in the spring of each year and maintained in that location for not more than 6 months thereafter, and then to be removed, and to include appropriate signs to identify the farm and the produce raised and sold there.

This permit is presently not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where according to Section 10A of the Zoning Ordinance such a structure used exclusively for the sale of products raised on the premises is not allowable unless authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 13E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases where necessary to grant reasonable use of property 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 the 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

Edward T. Colley

Chairman

5/20/39

Appeal Papers

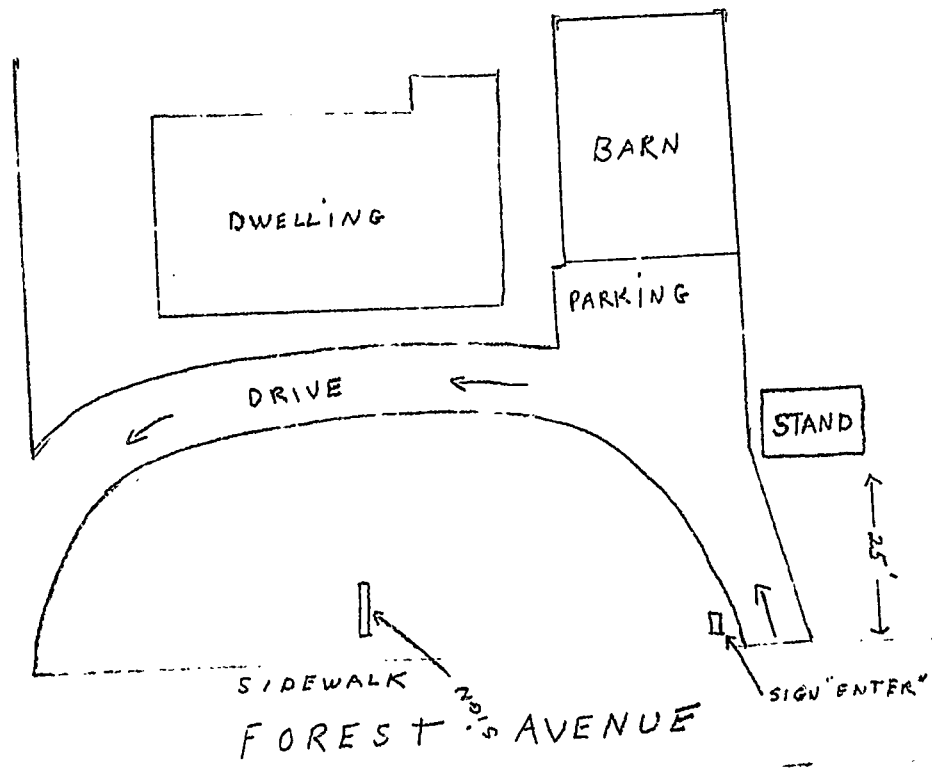
Picture sent

to you with dup. copy of
Application & correspondence

Wm. D. H.

PLAN OF STAND AT FOREST FARMS - 1494 FOREST AVE.

N



*transferred to
B. Pappas
w/m*

RECEIVED
MAY 10 1954
DEPT. OF BLDG. INSP.
CITY OF PORTLAND



J.B.

(RC) RESIDENCE ZONE - C
CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

COMPLAINT

Location
1494 Forest Ave.

INSPECTION COPY

Raw → (RA) RESIDENCE ZONE - A
*1500 1st Ave
Forest Ave*

COMPLAINT NO. 53/102

Date Received 7/29/53

Location 1494 Forest Ave.

Use of Building _____

Owner's name and address Milton C. Walter, 1494 Forest Ave.
(Forest Farms)

Telephone _____

Tenant's name and address _____

Telephone _____

Complainant's name and address Mrs. Manning, 1501 Forest Ave.

Telephone 3-3319

Description: A vegetable stand in front of ~~their~~ ^{Forest Farms} property close to the road where they sell vegetables (raised in their greenhouse on same property) during the afternoon, which interferes with traffic. Question as to whether it is in violation of the Zoning Ordinance.

NOTES: 7/30/53 - No stand in evidence today

at 11:45 AM - WNW

Inquiry 8/8/95 - Ans. 8/8/95

8/3/53 - Butler - WNW

PG

C 53/102 1494 Forest Ave.,

August 3, 1953

Mr. Milton C. Walter
1494 Forest Ave.,

Dear Mr. Walter:

It appears that a portable stand has been constructed at 1494 Forest Ave., and on occasion the stand is placed out near the front of the lot and used for the sale of produce produced on the place. Such a stand or structure or a particular building intended for the sale of produce is in violation of the Zoning Ordinance, although you are permitted to sell produce raised on the place from one of the existing buildings.

Our records show that you filed inquiry about these matters in August, 1951 and that you were told of your right to sell only produce raised on the place, but only from an existing building --no special stands or buildings to be erected or located for that purpose.

It is assumed that this information relating to the application of the Zoning Law may have slipped your mind. When violation of the Zoning Law is found, we are directed to notify the Corporation Counsel of the City, who is authorized and directed to compel compliance. I feel sure, that no such steps are necessary in your case and that you will immediately see to it that the property is placed in compliance with the Zoning Law, bearing in mind, of course, that the stand is in violation of the Ordinance if it is used anywhere on the place for the sale of goods.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B.

7-23-57

(RC) RESIDENCE ZONE - C

CITY OF PORTLAND, MAINE

Office of the City Clerk

TO THE CITY COUNCIL:

The undersigned respectfully petitions for a license to store
300 gallons of gasoline on the premises
No. 1494 Forest Ave Street, such premises
being in (RC) RESIDENCE ZONE - C
No. of pumps: 1 Make: ?

Gasoline stored under this license is to be put to the following
use or uses: Private Use

Milton C. Watten
1494 Forest Ave.
Portland, Maine