

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



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Ninth Street Road Plans

May 21, 1991

Mr. James M. Wolf
Ninth Street Associates
P. O. Box 10127
Portland, Maine 04104

Dear Mr. Wolf.

Receipt of your application for an interpretation appeal and a variance are acknowledged. Your firm is seeking an interpretation of Section 14-403(b) and contends that Public Works may waive the granite curbing requirement and approve an acceptable alternative drainage plan, i.e. bituminous curbing.

These two appeals will be scheduled for review before the Board of Appeals on Thursday evening, June 13, 1991, at 7 P.M. in Room 209, City Hall, Portland, Maine. We hope that you will plan to attend to answer any questions which the Board members may have concerning your road plans.

We will send you a copy of the June 13th agenda as soon as copies become available for distribution.

Sincerely,

Warren J. Turner
Administrative Assistant

cc: Thomas F. Jewell, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
William D. Giroux, Zoning Administrator
Merlin Leary, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

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Ninth Street Road Plans

June 14, 1991

Mr. James Wolf
Ninth Street Associates
P. O. Box 10127
Portland, Maine 04101

Dear Mr. Wolf:

At the meeting of the Board of Appeals on Thursday evening, June 13, 1991, the Board voted by a unanimous vote of six members present and voting to deny your interpretation appeal because the Board found that the appeal had not been made in a timely fashion.

Following the vote for denial, the Board held a public hearing on the application for a variance for a waiver of granite curbing requirement for Ninth Street road improvements. On the question of whether the Board has the authority to hear the appeal, the Board voted three votes in favor to three votes opposed, and a quorum of four votes is required in order to approve or deny an issue before the Board for consideration. As a result, the Board voted to postpone this variance request to a special meeting of the Board of Appeals on Thursday evening, July 11, 1991, in Room 209, City Hall, Portland, Maine, at 7 P.M.

As soon as copies of the agenda become available for distribution, a copy of the agenda for the special meeting on July 11th will be sent to you.

Sincerely,

Warren J. Turner
Warren J. Turner
Administrative Assistant

Enclosure: Copy of the Board's Decision

cc: Thomas F. Jewell, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
William D. Giroux, Zoning Administrator
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