

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

Peter Coyne  
Philip Saucier-chair  
Sara Moppin  
Jill E. Hunter  
Gordan Smith-secretary  
Trish McAllister  
William Getz

March 15, 2010

Tod Dana  
Dana Fisher LLC  
PO Box 169  
Portland, ME 04112

RE: 231 York Street  
CBL: 044 E003  
ZONE: B-1

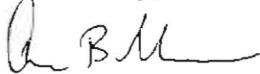
Dear Mr. Dana:

Here is the receipt for the fees owed for the legal advertisement, notices and processing fee for the Variance Appeal for 231 York Street. All the fees have been received for the appeal, so it is now paid in full.

Our office still needs a copy of the recorded Certificate of Variance for the appeal with the book and page on it.

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,



Ann B. Machado  
Zoning Specialist

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

Peter Coyne  
Philip Saucier-chair  
Sara Moppin  
Jill E. Hunter  
Gordan Smith-secretary  
Trish McAllister  
William Getz

February 19, 2010

Tod Dana  
Dana Fisher LLC  
PO Box 169  
Portland, ME 04112

RE: 231 York Street  
CBL: 044 E003  
ZONE: B-1

Dear Mr. Dana:

At the February 18, 2010 meeting, the Zoning Board of Appeals voted 4-0 to grant a six month extension for the variance appeal that was granted on May 21, 2009. I have enclosed a copy of the Board's decision and the billing for the legal advertisement, notices and processing fee for the appeal.

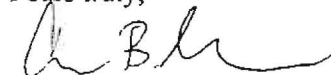
I have also enclosed your Certificate of Variance Approval. **The original must be recorded in the Cumberland County Registry of Deeds within 90 days of February 18, 2010, when it was signed.** Failure to record the Certificate will result in it being voided. You must provide this office with a copy of the recorded certificate of Variance showing the recorded book and page.

Now that your variance appeal has been granted, you need to apply for a building permit/change of use to build the restaurant. The six month extension is good through August 7, 2010. You need to apply for your building permit by August 7, 2010, or your Zoning Board approval will expire. Please contact our office for the building permit/change of use application.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,



Ann B. Machado  
Zoning Specialist




## CITY OF PORTLAND

### CERTIFICATE OF VARIANCE APPROVAL 2<sup>ND</sup> UPDATE

I, Philip Saucier, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 18th day of February, 2010, the following variance extension was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

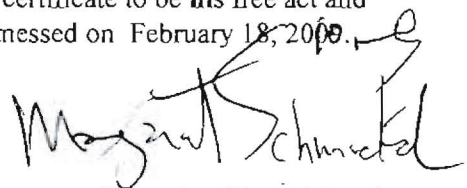
1. **Current Property Owner: Dana Fisher LLC**
2. **Property: 231 York Street, Portland, ME CBL: 044-E-3**  
Cumberland County Registry of Deeds, Book 26271 Page 194  
Last recorded deed in chain of Title: 08/13/2008
3. **Variance and Conditions of Variance:**  
To grant relief from section 14-166(c) and 14-332(i) of the Zoning Ordinance to allow no off-street parking spaces for a proposed restaurant instead of the seven (7) off-street parking required.  
To grant a six month extension of the original variance which was originally approved for one year on August 7, 2008 with another six month extension granted on May 21, 2009. This extension will expire on August 7, 2010 which results in a full two year variance approval from the Zoning Board.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 18th day of February, 2010

  
Chair of  
City of Portland Zoning Board  
Philip Saucier  
(Printed or Typed Name)

STATE OF MAINE  
Cumberland, ss.

Then personally appeared the above-named Philip Saucier and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on February 18, 2010.

  
(Printed or Typed Name)  
Notary Public  
Margaret Schmuckal  
My term expires June 28, 2012

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

### ZONING BOARD APPEAL DECISION

To: City Clerk

From: Marge Schmuckal, Zoning Administrator

Date: February 19, 2010

RE: Action taken by the Zoning Board of Appeals on February 18, 2010.

**Members Present:** Phil Saucier (chair), Gordon Smith (secretary), Sara Moppin, Jill Hunter and William Getz

**Members Absent:** Peter Coyne and Trish McAllister

#### 1. New Business:

##### A. Variance Appeal:

231 York Street, Dana Fisher, LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Zone:

On August 7, 2008, the Zoning Board of Appeals granted a Variance Appeal to Dana Fishman, LLC to waive the required off street parking requirements for their restaurant [section 14-332(i)]. On May 21, 2009, the Board granted a six month extension (from August 21, 2009 to February 7, 2010) for the Variance Appeal to waive the required off street parking requirement. The appellant is requesting a six month extension of the Variance Appeal Approval that was granted on May 21, 2009 to finalize the construction plans and secure a building permit. Representing the appeal is Cheryl Lewis.

**The Board voted 4-0 (Gordon Smith recused himself) to grant a six month extension for the variance appeal that was granted on May 21, 2009.**

##### B. Conditional Use Appeal:

18-20 Thomas Street, James Ohannes and Elizabeth McGrady, buyers, Tax Map 062, Block E, Lot 013, R-4 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-103(a)(2) to alter an existing structure to accommodate two dwelling units. Representing the appeal are the applicants James Ohannes and Elizabeth McGrady and their agent Thomas Blackburn. **The Board voted 5-0 to grant the conditional use appeal.**

##### C. Conditional Use Appeal:

250 Brackett Avenue (Trott Littlejohn Park), Peaks Island, Samuel S. Saltonstall, Peaks Environmental Action Team, lessee, Tax Map 088, Block K, Lot 001 & Tax Map 089, Block E, Lot 004, ROS Zone:

On September 3, 2009, the Zoning Board of Appeals granted a Conditional Use Appeal to Sam S. Saltonstall and Peaks Environmental Action Team to install a temporary wind anemometer tower at Trott Littlejohn Park, Peaks Island [section 14-155(d)]. The appellant is requesting a year extension of the Conditional Use Appeal approval that was granted on September 3, 2009 in order to have time to get the tower installed. Representing the appeal is Samuel S. Saltonstall from Peaks Environmental Action Team. **The Board voted 5-0 to grant a one year extension of the original conditional use appeal.**



**Enclosure:**

Decision for Agenda from February 18, 2010

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

Penny St. Louis Littell, Director, Planning & Urban Development

Alex Jaegerman, Planning Division

T.J. Martzial, Housing & Neighborhood Services Division

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

### Variance Extension

### DECISION

Date of public hearing: February 18, 2010

Name and address of applicant: Dana/Fisher LLC  
PO Box 169  
Portland, ME 04112

Location of property under appeal: 231 York Street

### For the Record:

Names and addresses of witnesses (proponents, opponents and others):

*Dana Fisher*

*Cheryl Lewis, Representative for Dana Fisher, LLC*

Exhibits admitted (e.g. renderings, reports, etc.):

*None*

Findings of Fact and Conclusions of Law:

The applicant, Dana/Fisher LLC, is requesting a six month extension of a variance that waives the off-street parking requirement for the applicant's proposed restaurant in the B-1 zone. The variance was granted on August 7, 2008 and extended through February 7, 2010. The applicant has requested another extension as they finalize their construction plans.

Standards for an extension granted pursuant to Portland City Code § 14-473(e):

1. The facts constituting the basis of the decision to grant the variance have not materially changed.

Satisfied ☒ Not Satisfied ☐

Reason and supporting facts:

Testimony supports that this is satisfied - both from Ms. Lewis and Marge Schmunkal

2. If the six month extension is granted, the total time period for the variance does not exceed two years.

Satisfied ☒ Not Satisfied ☐

Reason and supporting facts:

Testimony from Ms. Schmunkal supports that this has been satisfied


**Conclusion:** (check one)

☒ Option 1: The Board finds that all of the standards described above have been satisfied, and therefore GRANTS the six month extension.

☐ Option 2: The Board finds that the all of the standards described above have been satisfied, and that certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the six month extension SUBJECT TO THE FOLLOWING CONDITIONS:

☐ Option 3: The Board finds that the standards described above have NOT all been satisfied, and therefore DENIES the extension.

Dated: 2/18/10

  
\_\_\_\_\_  
Board Chair



## 231 York Street

### Variance Appeal for Parking

1. Original variance appeal for parking was granted on August 7, 2008 for 1 year
  - a. August 7, 2008 to August 7, 2009
2. Extension of parking variance approved for 6 months on May 21, 2009
  - a. August 7, 2009 to Feb 7, 2010
3. Extension of parking variance approved for 6 months on February 18, 2010.
  - a. February 7, 2010 to August 7, 2010.

### Conditional Use Appeal for Restaurant Use – B-1 Zone

1. Original conditional use approval for restaurant granted for 6 months on November 13, 2008
  - a. November 13, 2008 to May 13, 2009
2. Extension of the conditional use approval for 6 months granted on May 21, 2009
  - a. May 13, 2009 to November 13, 2009
3. Extension of the conditional use approval for another year (full amount allowed for a total of 2 yrs) on December 3, 2009 (application in by 11/13/09)
  - a. November 13, 2009 to November 13, 2010



City of Portland, Maine  
Department of Planning and Urban Development  
Zoning Board of Appeals  
Variance Appeal Application

Applicant Information:

Name DANA FISHER, LLC

Business Name

P.O. BOX 169

Address

PORTLAND, ME. 04112

207.671.5566

Telephone

207.775.0022

Fax

Applicant's Right, Title or Interest in Subject Property

OWNER

(e.g. owner, purchaser, etc.):

Current Zoning Designation: B-1

Existing Use of Property:

VACANT / FORMER

DRINKING ESTABLISHMENT

Subject Property Information:

231 YORK STREET

Property Address

44-E-3

Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

Name

Address

Telephone

Fax

Variance from Section 14 - 332(i)

RECEIVED

JAN 25 2010

Dept. of Building Inspections  
City of Portland Maine

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a variance as above described, and certified that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

Fr. H. M.

Signature of Applicant

1/23/10

Date

Except as specifically provided by the ordinance, a variance may be granted by the Board only where strict application of the ordinance, or a provision thereof, to the petitioner and his property would cause undue hardship. In order for the Board to find "undue hardship", the applicant must answer ALL of the following questions, and provide supporting evidence. The Board will consider this evidence in deciding whether to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

Yes \_\_\_\_\_ (deny the appeal)

No ☒ \_\_\_\_\_

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

2. Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a variance?

Yes ☒ \_\_\_\_\_

No \_\_\_\_\_ (deny the appeal)

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

3. Will the granting of the variance alter the essential character of the locality?

Yes \_\_\_\_\_ (deny the appeal)

No ☒ \_\_\_\_\_

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

4. Is the hardship a result of the action taken by the applicant or a prior owner (self-created hardship)?

Yes \_\_\_\_\_ (deny the appeal)

No ☒ \_\_\_\_\_

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

It is up to the applicant to decide whether to file an appeal after reviewing the above requirements.

## Dana/Fisher LLC

P O. Box 169 \* Portland, Maine 04112  
Phone: 207-671-5566 \* Fax: 207-775-0022

[pslawest@aol.com](mailto:pslawest@aol.com)

Portland Zoning Board of Appeals  
389 Congress Street  
Portland, Maine 04101

January 23, 2010

To The Members of The Zoning Board of Appeals:

We, Dana/Fisher LLC (a partnership between Tod Dana and Alex Fisher), appeared before your Board on August 7, 2008, with a Variance Appeal to waive the off-street parking requirement at 231 York Street. The Board voted 4-0 in favor of a one year approval of our appeal.

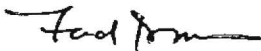
On May 21, 2009, we appeared before your Board again to request a 6 month extension of your decision while we continued to pursue our construction plans for 231 York Street.

We are now requesting an additional 6 month extension of the aforementioned variance, to finalize our construction plans and secure a building permit. We are presently in the Site Plan Approval process and hope to have our building permit application submitted in February.

Our delay in getting this project under way is a confluence of different factors which include the economy, difficulty getting engineering work done quickly, and a general naivety about the many steps involved with new construction.

Thank you for your consideration.

Sincerely,



Tod Dana  
671-5566





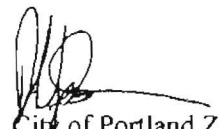
## CITY OF PORTLAND

### CERTIFICATE OF VARIANCE APPROVAL UPDATED

I, Philip Saucier, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 21st day of May, 2009, the following variance extension was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

1. **Current Property Owner: Dana Fisher LLC**
2. **Property: 231 York Street, Portland, ME CBL: 044-E-3**  
Cumberland County Registry of Deeds, Book 26271 Page 194  
Last recorded deed in chain of Title: 08/13/2008
3. **Variance and Conditions of Variance:**  
To grant relief from section 14-166(c) and 14-332(i) of the Zoning Ordinance to allow no off-street parking spaces for a proposed restaurant instead of the seven (7) off-street parking required.  
To grant a six month extension of the original variance which was originally approved for one year on August 7, 2008.


IN WITNESS WHEREOF, I have hereto set my hand and seal this 21st day of May, 2009

  
, Chair of  
City of Portland Zoning Board  
Philip Saucier  
(Printed or Typed Name)

STATE OF MAINE  
Cumberland, ss.

Then personally appeared the above-named Philip Saucier and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on May 21, 2009.

Received  
Recorded Register of Deeds  
May 22, 2009 10:12:22A  
Cumberland County  
Pamela E. Lowley

  
(Printed or Typed Name)  
Notary Public

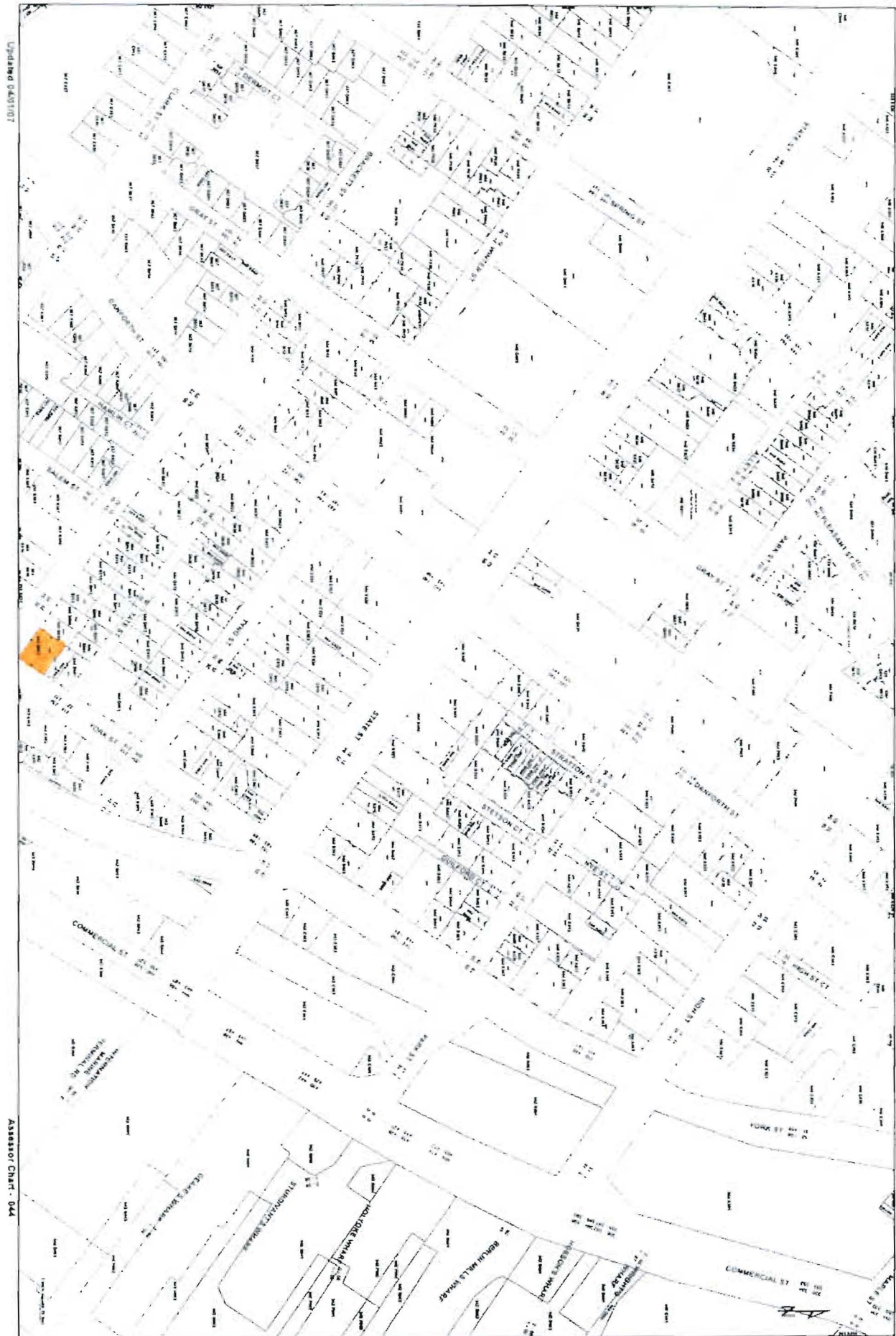
Margaret Schmuckal

my term expires June 28, 2012

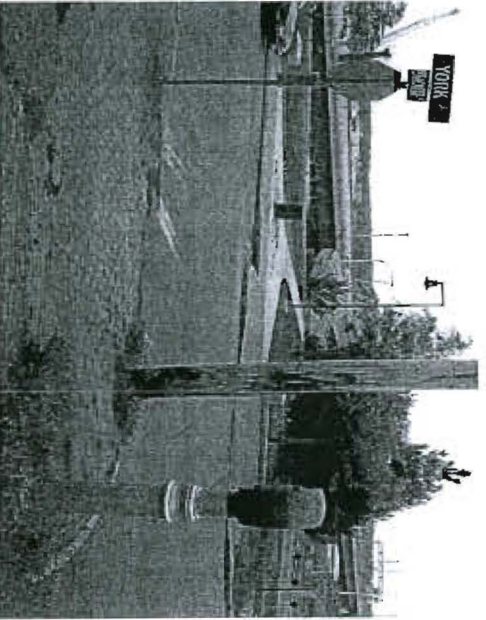
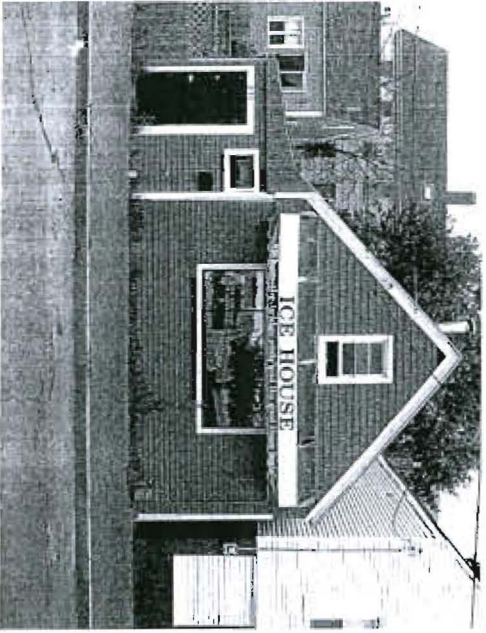
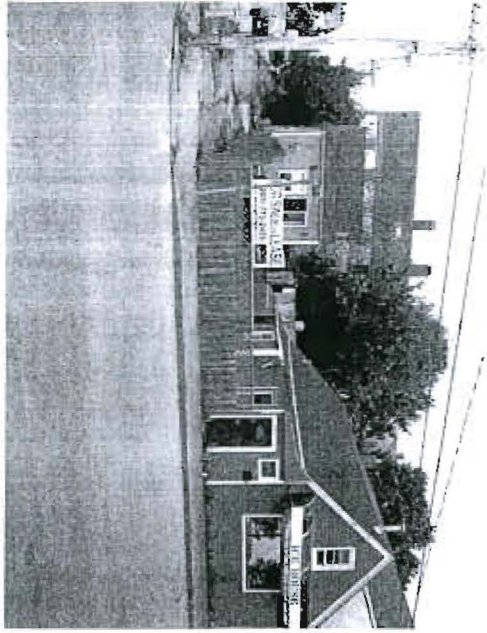
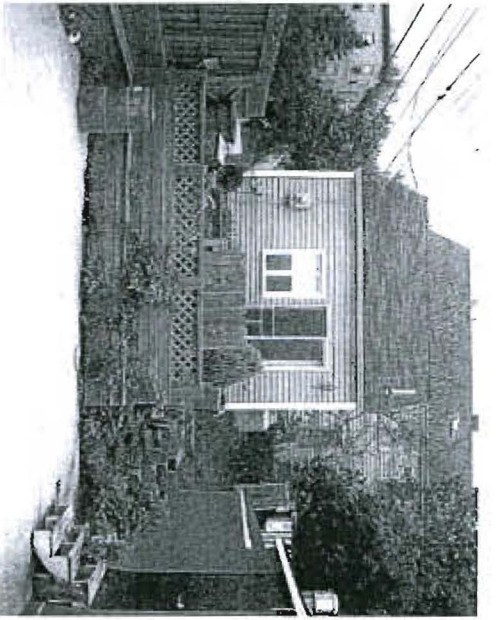
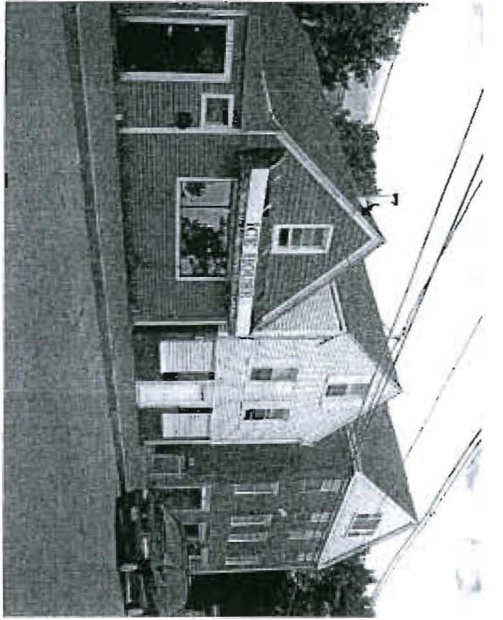
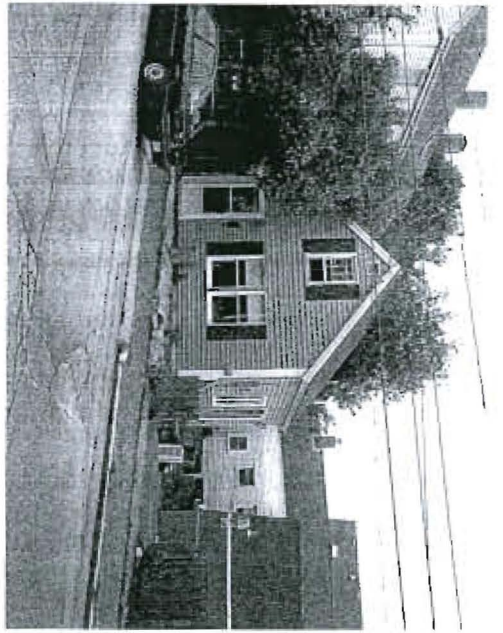
PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.

SEAL

# CITY TAX MAP









**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that I, Bernard L. Orne, now of Windham, County of Cumberland, State of Maine,

in consideration of one dollar (\$1.00) and other valuable considerations

paid by Dana Fisher, LLC, a Maine limited liability company, with principal place of business at Portland, County of Cumberland, State of Maine, whose mailing address is P.O. Box 169, Portland, Maine 04112,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the aforesaid Dana Fisher, LLC, its successors and assigns forever,

that realty located 231 York Street in Portland, County of Cumberland, State of Maine, more particularly described and set forth in Exhibit A, which is attached hereto and made a part hereof.

Being the same premises as those described in a deed recorded in the Cumberland County Registry of Deeds at Book 14547, Page 161.

And I, the aforesaid Bernard L. Orne, do covenant with the aforesaid Grantee, its successors and assigns, that I am lawfully seised in fee of the premises; that they are free of all encumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the aforesaid Grantee, its heirs and assigns forever, against the lawful claims and demands of all persons.

**To have and to hold** the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Dana Fisher, LLC, its successors and assigns, to their own use and behoof forever.

**IN WITNESS WHEREOF**, I, the aforesaid Bernard L. Orne, relinquishing and conveying all rights by descent and all other rights to the above described premises, have hereunto set my hand and seal this 13<sup>th</sup> day of August, 2008.

MAINE REAL ESTATE TAX PAID



Signed, Sealed and Delivered  
in the presence of

David S. Turley

Bernard L. Orme  
Bernard L. Orme

STATE OF MAINE  
COUNTY OF CUMBERLAND

August 13, 2008

Personally appeared before me the above-named Bernard L. Orme and acknowledged the foregoing instrument to be his free act and deed.

David S. Turley Esq  
Notary Public/Attorney at Law  
David S. Turley, Esq  
Bar Reg # 1926

EXHIBIT A

A certain lot or parcel of land together with the buildings thereon, situated at the northeasterly corner of Brackett Street and York Street in the City of Portland, County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at the corner formed by the intersection of the Northeasterly side of Brackett Street with the Northwesterly side of York Street; thence Northeasterly by said York Street fifty-nine (59) feet to land now or formerly of one Olesen; thence Northwesterly by said Olesen land seventy (70) feet to land now or formerly of the Hammond heirs; thence Southwesterly by said Hammond heirs land fifty-nine (59) feet to said Brackett Street; thence Southeasterly by said Brackett Street seventy (70) feet to the point of beginning.

Received  
Recorded Register of Deeds  
Aug 13, 2008 01:41:57P  
Cumberland County  
Pamela E. Lovley

## Dana/Fisher LLC

P.O. Box 169 \* Portland, Maine 04112  
Phone: 207-671-5566 \* Fax: 207-775-0022  
[asiaawest@aol.com](mailto:asiaawest@aol.com)

Portland Zoning Board of Appeals  
389 Congress Street  
Portland, Maine 04101  
Attn: Ann Machado

January 25, 2010

To The Members of The Zoning Board of Appeals:

Due to a scheduling conflict, I am unable to represent Dana Fisher, LLC at the February 18<sup>th</sup> meeting, where you will consider our application. Cheryl Lewis has agreed to represent us at this meeting, *she will be involved as a partner in this project.*

Cheryl can be reached at 207-239-4146.

If you have any questions, please let me know.

Sincerely,



Tod Dana  
671-5566

RECEIVED

JAN 27 2010

Dept. of Building Inspections  
City of Portland Maine




## CITY OF PORTLAND

### CERTIFICATE OF VARIANCE APPROVAL 2<sup>ND</sup> UPDATE

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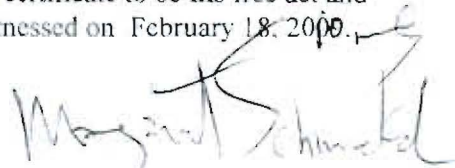
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Last recorded deed in chain of Title: 08/13/2008
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To grant a six month extension of the original variance which was originally approved for one year on August 7, 2008 with another six month extension granted on May 21, 2009. This extension will expire on August 7, 2010 which results in a full two year variance approval from the Zoning Board.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 18th day of February, 2010

  
Chair of  
City of Portland Zoning Board  
Philip Saucier  
(Printed or Typed Name)

STATE OF MAINE  
Cumberland, ss.

Then personally appeared the above-named Philip Saucier and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on February 18, 2010.

  
(Printed or Typed Name)

Notary Public

Margaret Schmuckal

My term expires June 28, 2012

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.



Members present: Phil Saucier - Gordon Smith - Jill Hunter -  
CITY OF PORTLAND, MAINE Sara Mappin -

## ZONING BOARD OF APPEALS Bill Getz

Members Absent: Trish McAllister - Peter Coyne  
APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, February 18, 2010 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals:

*called to order at 6:30 pm*

### 1. New Business:

#### A. Variance Appeal:

231 York Street, Dana Fisher, LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Zone:

*Granted 4-0*  
On August 7, 2008, the Zoning Board of Appeals granted a Variance Appeal to Dana Fishman, LLC to waive the required off street parking requirements for their restaurant [section 14-332(i)]. On May 21, 2009, the Board granted a six month extension (from August 21, 2009 to February 7, 2010) for the Variance Appeal to waive the required off street parking requirement. The appellant is requesting a six month extension of the Variance Appeal Approval that was granted on May 21, 2009 to finalize the construction plans and secure a building permit. Representing the appeal is Cheryl Lewis.

*- Gordon Smith  
recused himself (his firm rep to project)*

#### B. Conditional Use Appeal:

*Granted 5-0*  
18-20 Thomas Street, James Ohannes and Elizabeth McGrady, buyers, Tax Map 062, Block E, Lot 013, R-4 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-103(a)(2) to alter an existing structure to accommodate two dwelling units. Representing the appeal are the applicants James Ohannes and Elizabeth McGrady and their agent Thomas Blackburn.

#### C. Conditional Use Appeal:

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250 Brackett Avenue (Trott Littlejohn Park), Peaks Island, Samuel S. Saltonstall, Peaks Environmental Action Team, lessee, Tax Map 088, Block K, Lot 001 & Tax Map 089, Block E, Lot 004, ROS Zone: On September 3, 2009, the Zoning Board of Appeals granted a Conditional Use Appeal to Sam S. Saltonstall and Peaks Environmental Action Team to install a temporary wind anemometer tower at Trott Littlejohn Park, Peaks Island [section 14-155(d)]. The appellant is requesting a year extension of the Conditional Use Appeal approval that was granted on September 3, 2009 in order to have time to get the tower installed. Representing the appeal is Samuel S. Saltonstall from Peaks Environmental Action Team.

### 2. Adjournment:

*7:05 pm*



## City of Portland Zoning Board of Appeals

February 9, 2010

Tod Dana  
Dana Fisher LLC  
PO Box 169  
Portland, ME 04112

Dear Mr. Dana,

Your Variance Appeal has been scheduled to be heard before the Zoning Board of Appeals on **Thursday, February 18, 2010 at 6:30 p.m.** in Room 209, located on the second floor of City Hall.

Please remember to bring a copy of your application packet with you to the meeting to answer any questions the Board may have.

I have included an agenda with your appeal highlighted, as well as a handout outlining the meeting process for the Zoning Board of Appeals.

I have also included the bill for the legal ad, notices and processing fee for the appeal. The check should be written as follows:

MAKE CHECK OUT TO: City of Portland  
MAILING ADDRESS: Room 315  
389 Congress Street  
Portland, ME 04101

Please feel free to contact me at 207-874-8709 if you have any questions.

Sincerely,

Ann B. Machado  
Zoning Specialist

Cc: File

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

### APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, February 18, 2010 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals:

#### 1. New Business:

##### A. Variance Appeal:

231 York Street, Dana Fisher, LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Zone: On August 7, 2008, the Zoning Board of Appeals granted a Variance Appeal to Dana Fishman, LLC to waive the required off street parking requirements for their restaurant [section 14-332(i)]. On May 21, 2009, the Board granted a six month extension (from August 21, 2009 to February 7, 2010) for the Variance Appeal to waive the required off street parking requirement. The appellant is requesting a six month extension of the Variance Appeal Approval that was granted on May 21, 2009 to finalize the construction plans and secure a building permit. Representing the appeal is Cheryl Lewis.

##### B. Conditional Use Appeal:

18-20 Thomas Street, James Ohannes and Elizabeth McGrady, buyers, Tax Map 062, Block E, Lot 013, R-4 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-103(a)(2) to alter an existing structure to accommodate two dwelling units. Representing the appeal are the applicants James Ohannes and Elizabeth McGrady and their agent Thomas Blackburn.

##### C. Conditional Use Appeal:

250 Brackett Avenue (Trott Littlejohn Park), Peaks Island, Samuel S. Saltonstall, Peaks Environmental Action Team, lessee, Tax Map 088, Block K, Lot 001 & Tax Map 089, Block E, Lot 004, ROS Zone: On September 3, 2009, the Zoning Board of Appeals granted a Conditional Use Appeal to Sam S. Saltonstall and Peaks Environmental Action Team to install a temporary wind anemometer tower at Trott Littlejohn Park, Peaks Island [section 14-155(d)]. The appellant is requesting a year extension of the Conditional Use Appeal approval that was granted on September 3, 2009 in order to have time to get the tower installed. Representing the appeal is Samuel S. Saltonstall from Peaks Environmental Action Team.

#### 2. Adjournment:



S Project Master Inquiry (PZN2001001)

File Edit Commands Help

SUNGARD PUBLIC SECTOR  
NaviLine

Project 09-59400003

Bonds

Conditions

Documents

Fees

Key dates

Locations

Notice letters

Project data

Project names

Project text

Receipts

Reviews

Review steps

Active review action

Active review agent

Project General Information

Project description:

Project type:

Project Title:

Applicant:

Project status:

PIN number:

Application date:

Planner assigned:

Accounting project:

Dwelling units:

Total square footage:

Building Permits notify:

Permit process:

VARIANCE APPEAL - 231 YORK ST. - EXTENSION FOR APPEAL TO WAIVE OFF STREET PARKING

ZONING USE VARIANCE

ZUV

231 YORK STREET

DANA FISHER LLC

ACTIVE

7367

1/26/2010

ANNA MACHADO

ABM

0

0

NONE

Type	Description	Charged	Credited	Paid	Balance Due
actions					
	LEGAL AD ZONING BOARD	85.44	.00	85.44	.00
	NOTICING ZONING BOARD	114.75	.00	114.75	.00
	ZONING PROCESSING FEE	50.00	.00	50.00	.00
	ZONING BOARD OF APPEALS	100.00	.00	100.00	.00
ls		350.19	.00	350.19	.00

Print

Cancel

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CITY OF PORTLAND  
DEPARTMENT OF PLANNING & DEVELOPMENT

389 Congress Street  
Portland, Maine 04101

**INVOICE FOR FEES**

**Application No:** 09-59400003

**CBL:** 044 E003

**Location:** 231 York Street.

**Application Type:** Variance Appeal

**Applicant:** Tod Dana, Dana Fisher LLC

**Current Fees:** \$350.19 - **Current Payments:** \$100.00 = **Total Due:** \$250.19 ( due on receipt)

<u>Fee Description</u>	<u>QTY</u>	<u>Fee/Deposit Charge</u>
Legal Advertisements	1	\$85.44
Notices	153	\$144.75 <i>114.75</i>
Processing Fee	1	\$50
Zoning Conditional Use	1	\$100

Total Current Fees: \$350.19  
Total Current Payments: -\$100.00

**Amount Due Now:** **\$250.19**

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**Bill to:**

**CBL:** 044 E003

**Application No:** 09-59400003

Tod Dana

**Invoice Date:** 02/09/10

**Total Amount Due:** **\$250.19**

PO Box 169

*2nd invoice 2/19/10*

Portland, ME 04112

City of Portland

DATE: 1/26/10

TIME: 10:25:19

PZ CASH RECEIPT

PROJECT #: 09-59400003  
PROJECT DESC: VARIANCE APPEAL - 231 YORK ST. - WAIVE O  
RECEIVED FROM: Dana Fisher LLC (Tod Dana)  
RECEIPT NUMBER:

FEE	DESCRIPTION	CREDIT	PAYMENT
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Z1	ZONING BOARD OF APPEALS		100.00
		TOTAL AMOUNT:	100.00



City of Portland

DATE: 3/15/10

TIME: 11:17:03

PZ CASH RECEIPT

PROJECT #: 09-59400003

PROJECT DESC: VARIANCE APPEAL - 231 YORK ST. - EXTENSI

RECEIVED FROM: Dana Fisher LLC (Tod Dana)

RECEIPT NUMBER:

FEE	DESCRIPTION	CREDIT	PAYMENT
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L2	LEGAL AD ZONING BOARD		85.44
N1	NOTICING ZONING BOARD		114.75
ZP	ZONING PROCESSING FEE		50.00
		TOTAL AMOUNT:	250.19

DANA FISHER LLC

PO BOX 169  
PORTLAND, ME 04112

EXPLANATION	AMOUNT

1108

52-7438-2112

PAY  
AMOUNT  
OF

*Two hundred + fifty + 19/100*

DOLLARS

CHECK  
AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
3/5/10	City of Portland	Variance apprd	1108

\$ 250.19



**Bangor**  
Savings Bank  
BANGOR, MAINE 04401

*[Signature]*

MP

⑈001108⑈ ⑆211274382⑆ 2010087566⑈

DANA FISHER LLC  
PO BOX 169  
PORTLAND, ME 04112

EXPLANATION	AMOUNT

PAY  
AMOUNT  
OF

One hundred + no/100

DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
1/25/10	City of Portland	Parking variance - ZBA	1093

\$

**Bangor**  
Savings Bank  
BANGOR, MAINE 04401

*[Signature]*

⑈001093⑈ ⑆211274382⑆ 2010087566⑈

**From:** Joan Jensen <jjensen@pressherald.com>  
**To:** Ann Machado <AMACHADO@portlandmaine.gov>  
**Date:** 2/8/2010 4:11 PM  
**Subject:** Re: Zoning Board of Appeals Legal Ad  
**Attachments:** Ptlld 2:12.pdf

Hi Ann,

All set to run your ad on Friday, February 12.  
The cost is \$256.30.  
Thank you,  
Joan

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Joan Jensen  
Legal Advertising  
Portland Press Herald/Maine Sunday Telegram  
P.O. Box 1460  
Portland, ME 04104  
Tel. (207) 791-6157  
Fax (207) 791-6910  
Email jjensen@pressherald.com

Ann Machado wrote.

> Joan -  
>  
> Attached is the Zoning Board of Appeals legal ad for Friday, February  
> 12, 2010  
>  
> Thank you  
>  
> Ann Machado  
> 874-8709

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	255 YORK STREET LLC	PO BOX 25A CUMBERLAND, ME 04021	251 YORK ST	2
	ADOLPHSON LUCY C	48 STATE ST # 4 PORTLAND, ME 04101	48 STATE ST	1
	ALLEN DONALD D JR	42 CLARK ST # 3 PORTLAND, ME 04102	42 CLARK ST UNIT 3	1
	BAYE AYESHA	45 BURNHAM ST PORTLAND, ME 04102	22 STATE ST	2
	BAYE AYESHA	45 BURNHAM ST PORTLAND, ME 04102	YORK ST	0
	BEECHER KATHLEEN H & ELIZABETH A BEECHER	50 TYNG ST PORTLAND, ME 04102	50 TYNG ST	3
	BESSIRE MARK H C & AIMEE H C BESSIRE JTS	20 SALEM ST PORTLAND, ME 04102	20 SALEM ST	1
	BIGELOW GEORGE E	51 TYNG ST PORTLAND, ME 04102	51 TYNG ST	2
	BLAKE GEORGE E & PAULYNE C	26A BRACKETT ST PORTLAND, ME 04101	26 BRACKETT ST	1
	BRIDGEPORT ASSOCIATES	PO BOX 350 PORTLAND, ME 04112	531 COMMERCIAL ST	0
	BRIDGEPORT ASSOCIATES	PO BOX 350 PORTLAND, ME 04112	555 COMMERCIAL ST	1
	CARDONA MARY K	25 TATE ST #1 PORTLAND, ME 04102	25 TATE ST	1
	CARDONA MARY KATHERINE	25 TATE ST PORTLAND, ME 04102	194 YORK ST	1
	CARDONE DOROTHY T & LORRAINE L CARDONE JTS	45 TYNG ST PORTLAND, ME 04102	43 TYNG ST	1
	CARDONE LORRAINE L & DOROTHY T JTS	45 TYNG ST PORTLAND, ME 04102	45 TYNG ST	2
	CARR RANDAL L & DEBORAH MEIER CARR JTS	CMR 480 BOX 1450 APO, AE 09128	48 STATE ST	1
	CARUSO DAVID A	42 STATE ST # 3 PORTLAND, ME 04101	42 STATE ST	1
	CEKUTIS STEVEN L & LAURENCE D CEKUTIS JTS	20 SUMMER ST # 1 PORTLAND, ME 04102	20 SUMMER ST	4
	CEKUTIS STEVEN L & LAURENCE D CEKUTIS JTS	20 SUMMER ST # 1 PORTLAND, ME 04102	24 SUMMER ST	0
	CHANDLER GRETE L	194 DANFORTH ST PORTLAND, ME 04102	194 DANFORTH ST	4
	CLARK JOHN M	41 BRACKETT ST PORTLAND, ME 04102	41 BRACKETT ST	2
	CLOWES ELIZABETH DABROSKY	5 SALEM ST PORTLAND, ME 04102	5 SALEM ST	1
	COYNE JO ELLEN	36 SALEM ST PORTLAND, ME 04102	36 SALEM ST	2
	COYNE PETER M TRUSTEE	11 SALEM ST PORTLAND, ME 04102	11 SALEM ST	2
	CROSS GILBERT M WWII VET & PATRICIA A JTS	42 STATE ST #1 PORTLAND, ME 04101	42 STATE ST	1
	CUTTER MARK W	48 STATE ST # 24 PORTLAND, ME 04101	48 STATE ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	DALE ELIZABETH GIESE C/O W NORRIS DALE JR	40 SALEM ST PORTLAND, ME 04102	39 SUMMER ST	0
	DANA FISHER LLC	PO BOX 169 PORTLAND, ME 04112	231 YORK ST	2
	DAVIS KEVIN H & MARK C MICHAEL	81 LEGRAND DR CAMDEN, ME 04843	57 CLARK ST	3
	DAWSON WILLIAM H & DONNA M NAPPI JTS	34 BRACKETT ST PORTLAND, ME 04102	32 BRACKETT ST UNIT 2	1
	DUEST DAVID W JR	PO BOX 281 BAR MILLS, ME 04004	53 BRACKETT ST	1
	ELLIS STEVEN	PO BOX 201 GORHAM, ME 04038	44 CLARK ST	1
	EVANS PETER W	21 SUMMER ST PORTLAND, ME 04102	21 SUMMER ST	2
	FAY MARTHA	8 MARINE AVE CAMDEN, ME 04843	36 TYNG ST	2
	FILIPPONE MICHELLE M & ANTHONY V FILIPPONE JTS	225 YORK ST # 4 PORTLAND, ME 04102	225 YORK ST UNIT 3	1
	FINK ARTHUR J	10 NEW ISLAND AVE PEAKS ISLAND, ME 04108	190 DANFORTH ST	3
	FISKE CAROL J HEIRS	263 YORK ST PORTLAND, ME 04102	263 YORK ST	2
	FOLEY MICHAEL B	15 SALEM ST PORTLAND, ME 04102	15 SALEM ST	1
	FORESTATE MAINE ASSOCIATES	202 US ROUTE ONE FALMOUTH, ME 04105	54 STATE ST	7
	FORTIER JAMIE T	53 TYNG ST PORTLAND, ME 04102	53 TYNG ST	3
	FOX ISADORE	48 STATE ST # 23 PORTLAND, ME 04101	48 STATE ST	1
	FOX STEPHEN H	20 SCHOOL ST PORTLAND, ME 04102	60 BRACKETT ST	3
	FRESH FISH LLC	377 CUMBERLAND AVE PORTLAND, ME 04101	25 TYNG ST	0
	FRESH FISH LLC	377 CUMBERLAND AVE PORTLAND, ME 04101	25 TYNG ST	1
	FRESH FISH LLC	377 CUMBERLAND AVE PORTLAND, ME 04101	27 TYNG ST	1
	GAYDOS TIMOTHY J	PO BOX 9108 PATTERSON, NJ 07509	225 YORK ST UNIT 2	1
	GOODE MARK E & JENNIFER L GOODE JTS	28 SUMMER ST PORTLAND, ME 04102	28 SUMMER ST	2
	GRAEF ROSANNE H	30 SALEM ST PORTLAND, ME 04102	30 SALEM ST	2
	GRAHAM LANI TRUSTEE	PO BOX 10368 PORTLAND, ME 04104	32 CLARK ST	3
	GRANT JUSTIN M	2700 N HAYDEN RD # 2061 SCOTTSDALE, AZ 85257	33 CLARK ST	3
	GREEN PETER	11 SUMMER ST PORTLAND, ME 04102	11 SUMMER ST	1
	GRUBE COLLETTE C	1210 HOOKSTON RD CONCORD, CA 94518	24 STATE ST	3



CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	GUTGSELL MICHAEL S & NANETTE D GUTGSELL JTS	32 TYNG ST # 2 PORTLAND, ME 04102	32 TYNG ST	1
	GUTGSELL MICHAEL S & NANETT D GUTGSELL JTS	32 TYNG ST # 2 PORTLAND, ME 04102	34 TYNG ST	1
	HABITAT FOR HUMANITY PORTLAND INC	PO BOX 10505 PORTLAND, ME 04104	TATE ST	0
	HARDEN SUSANNAH	51 BRACKETT ST PORTLAND, ME 04102	51 BRACKETT ST	1
	HARRIS BRIAN & ALISON HAWKES JTS	39 CLARK ST PORTLAND, ME 04102	39 CLARK ST	1
	HAWKES PETER B & ELIZABETH B JTS	192 DANFORTH ST PORTLAND, ME 04102	192 DANFORTH ST	2
	HELLER NICHOLAS & JOSEPHINE CONTE JTS	47 TYNG ST PORTLAND, ME 04102	47 TYNG ST	1
	HOBLE EDWARD A & DAVID GARRITY JTS	174 DANFORTH ST PORTLAND, ME 04102	174 DANFORTH ST	2
	HOBLE EDWARD A & DAVID J GARRITY JTS	174 DANFORTH ST PORTLAND, ME 04102	176 DANFORTH ST	4
	HONAN WILLIAM E	164 DANFORTH ST PORTLAND, ME 04102	164 DANFORTH ST	4
	HULL LINDA B	31 TYNG ST # 1 PORTLAND, ME 04102	31 TYNG ST UNIT 1	1
	JACKSON FREDERICA	48 STATE ST # 32 PORTLAND, ME 04101	48 STATE ST	1
	JENKINS SARAH BULLEY	32 BRACKETT ST # 1 PORTLAND, ME 04102	32 BRACKETT ST UNIT 1	1
	KIDDER HOLLY M	56A BRACKETT ST PORTLAND, ME 04102	3 SALEM ST	3
	KOWTKO BRIAN A & JENNIFER L KOWTKO JTS	23 TATE ST # 2 PORTLAND, ME 04102	23 TATE ST	1
	LEAPING FISH LLC	377 CUMBERLAND AVE PORTLAND, ME 04101	193 YORK ST	5
	LEVANDOWSKI MICHAEL T & ANDREW A FLAKE	PO BOX 398 VINEYARD HAVEN, MA 02568	168 DANFORTH ST	3
	LOW INCOME PROPERTIES LLC & MGO PROPERTIES LLC	50 MARKET ST # 299 SOUTH PORTLAND, ME 04106	36 STATE ST	21
	MACGREGOR JENNIFER A & LEWIS ROBERT RICHARDS JTS	19 TATE ST # 3 PORTLAND, ME 04102	19 TATE ST	1
	MACLEOD ALEXANDER B	14 TATE ST PORTLAND, ME 04102	14 TATE ST	2
	MAGANA TRANSITO	16 TATE ST PORTLAND, ME 04102	16 TATE ST	2
	MAINE CENTRAL RAILROAD CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	232 COMMERCIAL ST	0
	MAINE CENTRAL RAILROAD CO % GUILFORD TRANSPORTATION	402 AMHERST ST STE 300 NASHUA, NH 03063	466 COMMERCIAL ST	0
	MARLOWE DANIEL P	13 TATE ST PORTLAND, ME 04102	13 TATE ST	2
	MARPLE KEITH B & YIN T TUNG AU JTS	7 SALEM ST PORTLAND, ME 04102	7 SALEM ST	3
	MARTELLE MATTHEW & ANDREA B MARTELLE JTS	12 SALEM ST PORTLAND, ME 04102	12 SALEM ST	3

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	MATTOZZI DOMENICO & BONNIE	PO BOX 486 NEW HARBOR , ME 04554	9 TATE ST	2
	MAUSHART DONNA M & BRADFORD S MAUSHART JTS	P.O.BOX 3042 KENNEBUNKPORT, ME 04046	48 STATE ST	1
	MCNEIL DONNA M	48 STATE ST # 2 PORTLAND , ME 04101	48 STATE ST	1
	MCPHEETERS ANNE M & MEREDITH L JOHNSON JTS	62 BRACKETT ST PORTLAND , ME 04102	14 HAMLIN CT	2
	MEUSE-HAYDEN BARBARA & ALICE M MEUSE LIFE INTEREST	12 TATE ST PORTLAND, ME 04102	12 TATE ST	2
	MILLER ROSEMARY	27 SALEM ST PORTLAND, ME 04102	27 SALEM ST	1
	MILOSE RUTH HEIRS	64 1/2 BRACKETT ST R PORTLAND, ME 04102	10 HAMLIN CT	2
	MOORE JONETHAN P & SUSAN L RIVARD JTS	265 YORK ST PORTLAND, ME 04102	265 YORK ST	4
	MORAN CATHERINE E	18 SALEM ST PORTLAND, ME 04102	16 SALEM ST	1
	MORRISON PROPERTIES LLC	PO BOX 25 A CUMBERLAND CENTER , ME 04021	156 DANFORTH ST	5
	MORRISON PROPERTIES LLC	PO BOX 25 A CUMBERLAND CENTER , ME 04021	158 DANFORTH ST	1
	MORRISON PROPERTIES LLC	PO BOX 25 A CUMBERLAND CENTER , ME 04021	56 TYNG ST	0
	MORRISON PROPERTIES LLC	PO BOX 25 A CUMBERLAND CENTER , ME 04021	58 TYNG ST	0
	MORRISON PROPERTIES LLC	PO BOX 25 A CUMBERLAND CENTER , ME 04021	62 TYNG ST	0
	MULQUEENEY DAVID	31 NEW RD SCARBOROUGH , ME 04074	19 SALEM ST	3
	MURPHY JEAN M & RICHARD W MURPHY JTS	164 N HIGH ST BRIGHTON , ME 04009	42 CLARK ST UNIT 4	1
	MUSHIAL ERIK & CAITLIN J MUSHIAL JTS	36 CLARK ST PORTLAND , ME 04102	36 CLARK ST	1
	NAPOLITANO TIMOTHY A	PO BOX 2301 SOUTH PORTLAND , ME 04116	180 DANFORTH ST	10
	NILES STEPHEN M & HOLLY J SHEEHAN JTS	231 MAINE AVE PORTLAND , ME 04103	49 BRACKETT ST	2
	NOONAN MARY RITA	31 BRACKETT ST PORTLAND, ME 04102	31 BRACKETT ST	2
	NOWAK PETER W & KATHRYN L SPIRER JTS	42 CLARK ST # 2 PORTLAND , ME 04102	42 CLARK ST UNIT 2	1
	O'DONNELL DAVID M	178 CONGRESS ST PORTLAND , ME 04101	35 TATE ST	3
	OLIVER STEPHEN	227 YORK ST PORTLAND , ME 04102	227 YORK ST	1
	ORRIS PROPERTIES LLC	7 HIGHMEADOW DR GORHAM , ME 04038	31 TATE ST	1
	ORRIS PROPERTIES LLC	7 HIGHMEADOW DR GORHAM , ME 04038	33 TATE ST UNIT 5	1
	PALEY DEBORAH C & DAVID H HULBERT JTS	48 TYNG ST PORTLAND, ME 04102	48 TYNG ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	PAREKH RAHUL	184 D ADA AVE MOUNTAIN VIEW, CA 94043	21 SALEM ST	3
	PENFIELD NICHOLAS H	48 STATE ST # 1 PORTLAND, ME 04101	48 STATE ST	1
	PEOPLES REGIONAL OPPORTUNITY PROGRAM	510 CUMBERLAND AVE PORTLAND, ME 04101	46 BRACKETT ST	5
	PHILLIPS MEGHAN & JAMES PHILLIPS JTS	24 BRACKETT ST # 4 PORTLAND, ME 04102	24 BRACKETT ST UNIT 4	1
	POHL LESLIE N & ROBERT R FISKE JTS	45 BRACKETT ST APT 2 PORTLAND, ME 04102	45 BRACKETT ST	3
	POITRAS JENNIFER	52 STATE ST # 3 PORTLAND, ME 04101	52 STATE ST UNIT 3	1
	PORTER J FREEMAN	15 BALLARD ST SOUTH PORTLAND, ME 04106	55 BRACKETT ST	6
	PORTER J FREEMAN	15 BALLARD ST SOUTH PORTLAND, ME 04106	59 BRACKETT ST	6
	PORTER J FREEMAN	15 BALLARD ST SOUTH PORTLAND, ME 04106	8 SALEM ST	9
	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	16 BRACKETT ST	0
	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	469 COMMERCIAL ST	0
	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	501 COMMERCIAL ST	0
	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	528 COMMERCIAL ST	0
	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	533 COMMERCIAL ST	0
	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	34 SUMMER ST	0
	PORTLAND TERMINAL CO LESSEE	IRON HORSE PARK NORTH BILLERICA, MA 01862	513 COMMERCIAL ST	0
	PRICE ANDREW R & MAURA M PRICE	29 JUNE ST PORTLAND, ME 04102	48 STATE ST	1
	PRICE CHRISTOPHER B & WENDY POOLE JTS	146 NEAL ST PORTLAND, ME 04102	36 BRACKETT ST	0
	PRICE CHRISTOPHER B & WENDY POOLE JTS	146 NEAL ST PORTLAND, ME 04102	40 BRACKETT ST	3
	PRICE JAMES H	5279 ISLA KEY BLVD S # 309 ST PETERSBURG, FL 33715	32 STATE ST	8
	PROMENADE PROPERTIES LLC	PMB 384 PO BOX 9715 PORTLAND, ME 04102	TYNG ST	0
	PROMENADE PROPERTIES LLC	PMB 144 PO BOX 9715 PORTLAND, ME 04104	39 TYNG ST	7
	RAMSAY JANE W	5 MAIN ST NOBLEBORO, ME 04555	39 CLARK ST UNIT 5	2
	REDFORD KENT H & PAMELA SHAW JTS	198 DANFORTH ST PORTLAND, ME 04102	198 DANFORTH ST	1
	REDLON REBECCA J	172 DANFORTH ST PORTLAND, ME 04102	172 DANFORTH ST	3
	RENWICK ROBERT R & IVAN P JENNY JTS	18 SUMMER ST PORTLAND, ME 04102	18 SUMMER ST	1



CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	RICHARD BRENDA D & DAVID M RICHARD JTS	42 CLARK ST # 1 PORTLAND, ME 04102	42 CLARK ST UNIT 1	1
	ROSENTHAL VICTORIA A	PO BOX 11 CUMBERLAND CENTER, ME 04021	196 DANFORTH ST	3
	SAWYER DANA & STEPHANI BRIGGS	31 TYNG ST # 3 PORTLAND, ME 04102	31 TYNG ST UNIT 3	1
	SAWYER RANDOLPH B	24 BRACKETT ST # 1 PORTLAND, ME 04102	24 BRACKETT ST UNIT 1	1
	SCHERTZ DAVID L & AMBER J SCHERTZ JTS	42 STATE ST # 2 PORTLAND, ME 04101	42 STATE ST	1
	SCLOVE CHAD W	259 YORK ST # 2 PORTLAND, ME 04102	259 YORK ST UNIT 2	1
	SCOTT MEREALD E & SANDRA L JTS	22 TATE ST PORTLAND, ME 04102	22 TATE ST	1
	SCOTT MEREALD E SR & SANDRA L JTS	22 TATE ST PORTLAND, ME 04102	TATE ST	0
	SCOTT MEREALD E SR & SANDRA L JTS	22 TATE ST PORTLAND, ME 04102	TATE ST	0
	SHALOM HOUSE	1 PLEASANT ST PORTLAND, ME 04101	42 BRACKETT ST	16
	SHELTON PAMELA WAKEFIELD	225 YORK ST # 1 PORTLAND, ME 04102	225 YORK ST UNIT 20	1
	SILVERS STUART J & DOROTHY SILVERS JTS	35 BRACKETT ST PORTLAND, ME 04102	35 BRACKETT ST	1
	SMALL STEPHEN R & KATHLEEN M KEANE JTS	15 SUMMER ST PORTLAND, ME 04102	15 SUMMER ST	1
	SNELL MICHAEL D	259 YORK ST # 1 PORTLAND, ME 04102	259 YORK ST UNIT 1	1
	SOBEL SHARI R	371 HIGHLAND AVE SOUTH PORTLAND, ME 04106	17 SALEM ST	1
	SOLA CHRISTOPHER L & ELIZABETH A SOLA JTS	615 7TH AVE SW ROCHESTER, MN 55902	24 BRACKETT ST UNIT 3	1
	STATE	AUGUSTA, ME 04333	523 COMMERCIAL ST	0
	STATE	AUGUSTA, ME 04333	529 COMMERCIAL ST	0
	STATE	AUGUSTA, ME 04333	14 STATE ST	0
	STATE	AUGUSTA, ME 04333	182 YORK ST	0
	STATE OF MAINE DEPT OF TRANS	2 CHILD ST AUGUSTA, ME 04333	493 COMMERCIAL ST	0
	STATE OF MAINE STATE HOUSE STATION 16	AUGUSTA, ME 04333	481 COMMERCIAL ST	0
	STATE OF MAINE STATE HOUSE STATION 16	AUGUSTA, ME 04333	192 YORK ST	0
	STOEHR KEVIN L	31 TYNG ST # 2 PORTLAND, ME 04102	31 TYNG ST UNIT 2	1
	STROHFUS PAUL	29 TYNG ST PORTLAND, ME 04102	29 TYNG ST	1
	TALSMA JOEL & STACEY PIERCE TALSMA JTS	48 STATE ST # 34 PORTLAND, ME 04101	48 STATE ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	TAMIR S SHAWN	PO BOX 15391 PORTLAND, ME 04112	52 STATE ST UNIT 1	1
	TAMIR SHAWN	PO BOX 15391 PORTLAND, ME 04112	52 STATE ST UNIT 2	1
	TARTRE ANN P	213 LEUCADIA BLVD ENCINITAS, CA 92024	48 STATE ST	1
	THOMSEN THOMAS W	188 DANFORTH ST PORTLAND, ME 04102	188 DANFORTH ST	4
	THORNTON PATRICK D	225 YORK ST # 2 PORTLAND, ME 04102	225 YORK ST UNIT 1	1
	TOWLE GEORGE F	52 CONTINENTAL DR PORTLAND, ME 04103	26 STATE ST	4
	TURGEON STEPHEN	11 SOUTH ORLEANS ST MEMPHIS, TN 38103	24 BRACKETT ST UNIT 2	1
	VALORIANI ROBERT J	57 TYNG ST PORTLAND, ME 04102	57 TYNG ST	1
	VILLANI ALLISON M	43 CLARK ST PORTLAND, ME 04102	43 CLARK ST	1
	VINEY FRANKLIN W VN VET TD	20 TATE ST PORTLAND, ME 04102	18 TATE ST	2
	VITALIUS SHANE R	42 TYNG ST PORTLAND, ME 04102	42 TYNG ST	2
	WADSWORTH ROBERT L & DONNA M JTS	17 TATE ST #4 PORTLAND, ME 04102	17 TATE ST	1
	WEYAND RACHAEL E & SETH S HARKNESS JTS	25 SUMMER ST PORTLAND, ME 04102	25 SUMMER ST	1
	WHITE SHOSHANNAH	39 BRACKETT ST PORTLAND, ME 04102	39 BRACKETT ST	2
	WILDER BETTY ANN	54 TYNG ST PORTLAND, ME 04102	54 TYNG ST	1
	WILEY PHYLLIS M	62 BRACKETT ST PORTLAND, ME 04102	64 BRACKETT ST	3
	WOLTERSTORFF ROBERT P & MARI M JONES JTS	24 SALEM ST PORTLAND, ME 04102	24 SALEM ST	1
	WOOD WENDY W	48 STATE ST # 3 PORTLAND, ME 04101	48 STATE ST	1
	YANKOWSKY RICHARD A KW VET	47 BRACKETT ST PORTLAND, ME 04102	47 BRACKETT ST	2

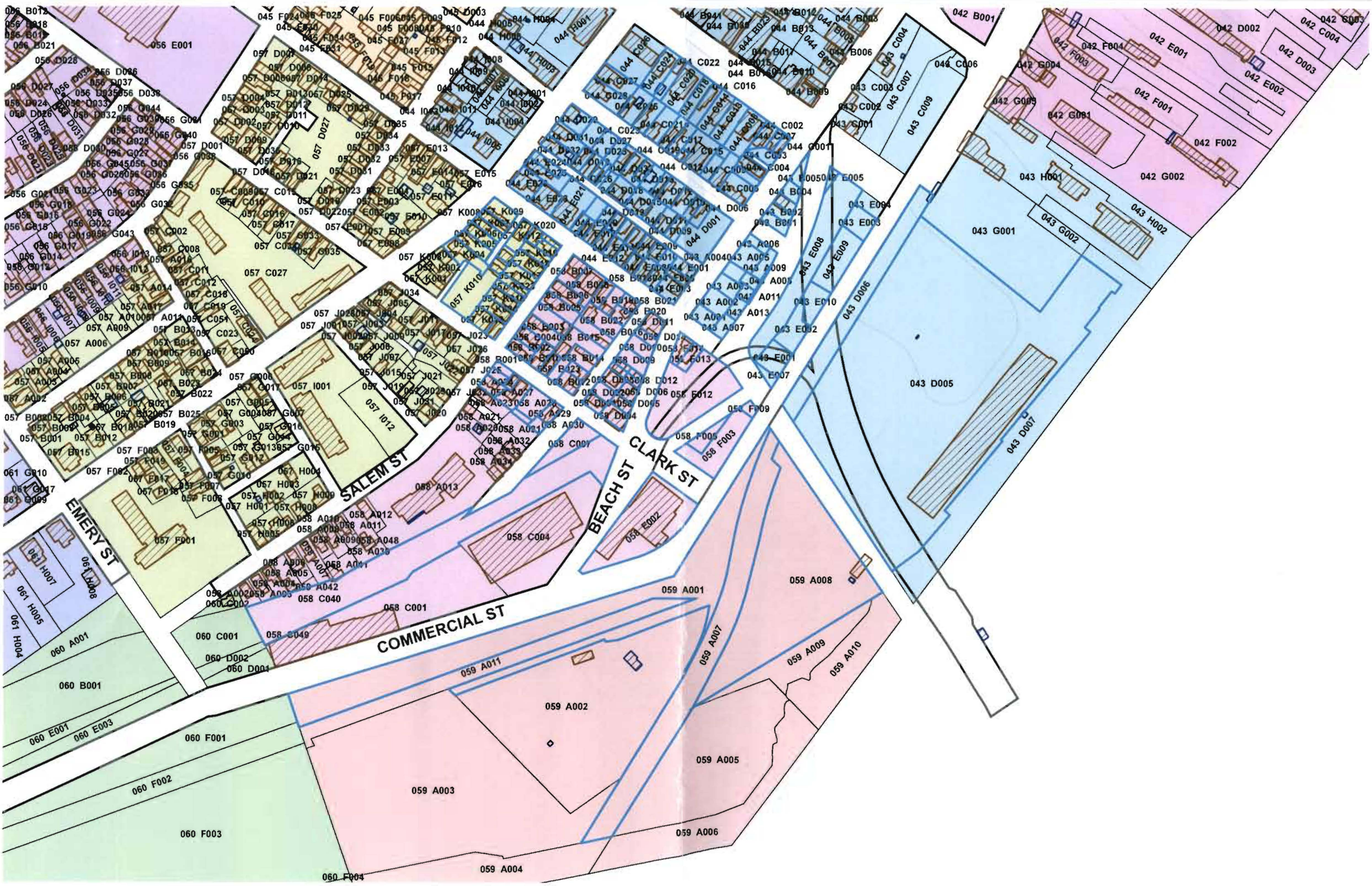
02/08/2010

044 E005

10:04 AM

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
Total Listed:	175			329







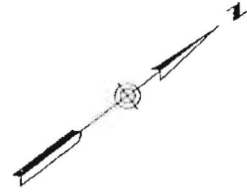


SALEM STREET

DANFORTH STREET

LEGEND	
EXISTING	PROPOSED
ROADWAY LAYOUT	ROADWAY LAYOUT
ADDITIONAL LAYOUTS	ADDITIONAL LAYOUTS
CLAY	CLAY
CONCRETE	CONCRETE
BRICK	BRICK
ASPHALT	ASPHALT
GRAVEL	GRAVEL
ROCK	ROCK
PAVEMENT	PAVEMENT
12" CONC	12" CONC
6" CONC	6" CONC
4" CONC	4" CONC
3" CONC	3" CONC
2" CONC	2" CONC
1" CONC	1" CONC
0.5" CONC	0.5" CONC
0.25" CONC	0.25" CONC
0.125" CONC	0.125" CONC
0.0625" CONC	0.0625" CONC
0.03125" CONC	0.03125" CONC
0.015625" CONC	0.015625" CONC
0.0078125" CONC	0.0078125" CONC
0.00390625" CONC	0.00390625" CONC
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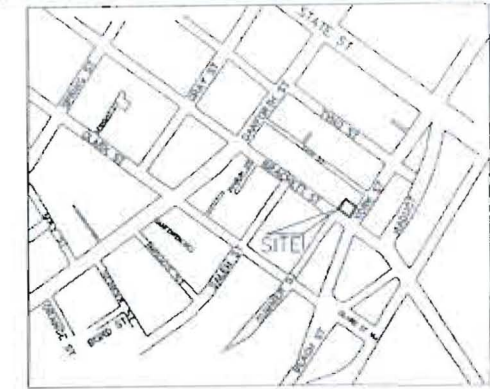


SALEM STREET

DPW GPS CONTROL POINT  
T124-27-1287  
N 297086.519  
E 2927405.725

DANFORTH STREET

TM 44 LOT E6  
N/F  
MARY RITA NOONAN  
4038/6



LOCATION MAP N.T.S.

PLAN REFERENCE

1. SURVEY FOR ELIAS THOMAS ON APRIL 1913 BY E.C. JORDAN & CO.
2. PLAN OF BRACKETT STREET SHEET NO. 1 OF 3, E.C. JORDAN FILE # 294.

BRACKETT STREET  
PAVED - PUBLIC 50' WIDE

DPW GPS CONTROL POINT  
T124-27-1284  
N 296925.498  
E 2927705.887

GRANITE VAULT

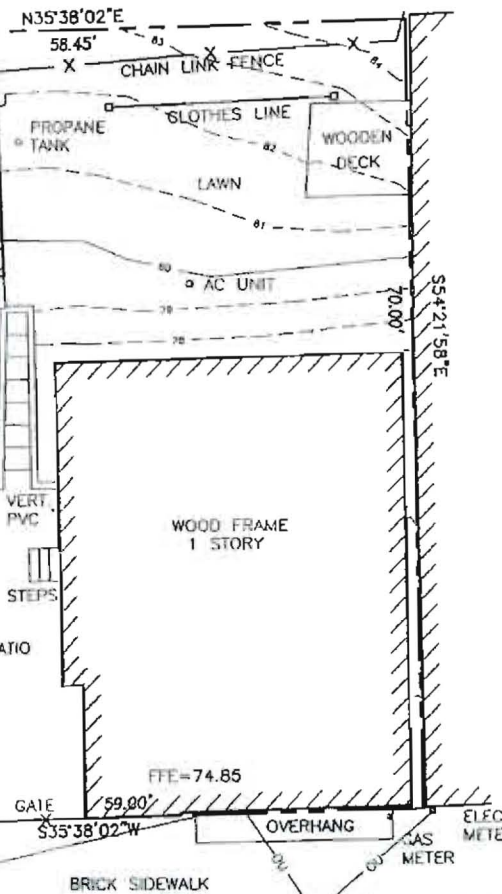
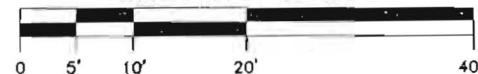
TBM  
PKS UP #27  
EL=75.27

YORK STREET  
PAVED - PUBLIC 66' WIDE

LEGEND:

- IRON PIPE OR ROD FOUND
- GAS VALVE
- WATER VALVE
- UTILITY POLE
- MANHOLE
- SIGN
- FENCE
- CURB
- OVERHEAD UTILITIES
- 1' CONTOUR

GRAPHIC SCALE



TM 44 LOT E2  
N/F  
STEPHEN OLIVER  
24553/302

NOTES

1. OWNER OF RECORD: BERNARD L. ORNE  
TM 44 LOT E3  
14547/161
2. BEARINGS ARE BASED ON MAINE STATE PLANE WEST ZONE, NAD 83.
3. ELEVATIONS ARE BASED ON NGVD 29.
4. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS SURVEY WAS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

OCTOBER 03, 2008

DATE

JOHN W. SWAN, PLS NO. 1038

BOUNDARY & TOPOGRAPHIC  
SURVEY

ON  
YORK AND BRACKETT ST. PORTLAND, MAINE

MADE FOR

DANA FISHER LLC

P.O. BOX 169 PORTLAND, MAINE 04112

OWEN HASKELL, INC.  
PROFESSIONAL LAND SURVEYORS  
260 U.S. ROUTE ONE, FALMOUTH, MAINE 04105 Phone 207-774-0424

Drawn By	RRL	Date	Job No.
Trace By	RWC	SEPTEMBER 15, 2008	2008-156 P
Check By	JWS	Scale	Drwg. No.
Book No.	1061	1" = 10'	1