



CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Joseph Zamboni, Chair
Jared Falcon, Secretary
Kent Avery
Daniel Black
William Sedlack
Benjamin McCall
Donna Katsiaficas

APPEAL AGENDA

The Zoning Board of Appeals will hold a remote Public Hearing on Thursday, July 21, 2022 at 6:00 p.m.

This meeting will take place remotely using Zoom.

This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Zoning Board of Appeals and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be available following the meeting.

For live public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

To submit written public comment on an agenda item, email zoning@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the ZoningBoard of Appeals meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

ZOOM MEETING INSTRUCTIONS:

You are invited to a Zoom webinar.

When: Jul 21, 2022 06:00 PM Eastern Time (US and Canada)

Topic: Zoning Board of Appeals

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/85242134221>

Or One tap mobile :

US: +19292056099,,85242134221# or +13017158592,,85242134221#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 646 931 3860 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171

Webinar ID: 852 4213 4221

International numbers available: <https://portlandmaine-gov.zoom.us/j/85242134221>

1. New Business

A. Miscellaneous Appeal ([ZBA-002104-2022](#))

52 Fessenden Street, Patrick Roche, owner, Tax Map 116, Block D, Lot 018, R-5 Residential Zone: The applicant is requesting that the recorded Low Rental Income Housing Agreement and Declaration of Covenants, Conditions and Restrictions (Book 35491, Page 76) be rescinded because it is no longer required for an Accessory Dwelling Unit under section 6.6.2.A, Chapter 14 of the City of Portland Code of Ordinances. Representing the appeal is the owner.

2. Old Business

A. Interpretation Appeal: ([ZBA-002053-2022](#))

110 Thames Street, owner PF One DevCo LLC, Tax Map 018, Block A, Lot 004, B-6 Mixed Use Zone: The owner is challenging the Permitting and Inspections Department's denial of building permit BLDC2022-02496 based on the fact that the applicant's computation of the occupant load does not meet the requirements of the IBC code. The owner is requesting that the Board approve the occupant load calculations of their Registered Design Professional and overturn the denial of the building permit. Representing the appeal are the owner's attorneys, Kurt Olafsen and Meredith Eilers. The Board heard the appeal at the July 7, 2022 meeting and will take a final vote on the Findings of Fact.

B. Interpretation Appeal: ([ZBA-002056-2022](#))

110 Thames Street, lessee Sun Life Financial (US) Services Company, Tax Map 018, Block A, Lot 004, B-6 Mixed Use Zone: The lessee is challenging the Permitting and Inspections Department's denial of building permit BLDC2021-02424 based on the fact that the applicant's computation of the occupant load does not meet the requirements of the IBC code. The lessee is requesting that the Board find the City's interpretation of the relevant building code sections regarding occupancy load for modern office buildings incorrect and overturn the denial of the building permit. Representing the appeal is the lessee's attorney Mary Costigan, and Donna Buck, architect at GastingerWalker. The Board heard the appeal at the July 7, 2022 meeting and will take a final vote on the Findings of Fact.

3. Adjournment

INSTRUCTIONS FOR VIEWING APPEAL APPLICATIONS:

Please find the appeal documents by following these steps:

1. Go to the following website: https://selfservice.portlandmaine.gov/EnerGov_Prod/SelfService#/home
2. Click on “Search Public Records”
3. Choose Plan in Search Box pull down
4. Type in Plan Number from agenda (Ex: ZBA-009999-2020) and click the “Search” button.
5. Click on the blue Plan Number. This will open the record.
6. Select the “Attachments” tab and all available documents will appear and can be downloaded.