



DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND BUILDING PERMIT



This is to certify that Jubal Kessler

Located At 250 BRACKETT AVE, PI

Job ID: 2011-04-840-DRG

CBL: 088 - - K - 001 - - - -

has permission to build a 12' x 7'3" Shed for community Garden

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

N/A

Fire Prevention Officer

A B M

4/28/11

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY.
PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2011-04-840-DRG	Date Applied: 4/19/2011	CBL: 088 - - K - 001 - 001 - - - -	
Location of Construction: 250 BRACKETT AVE, P.I.	Owner Name: CITY OF PORTLAND	Owner Address: 389 Congress St. PORTLAND, ME 04101	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name: Jubal Kessler	Phone: 766-5845	Permit Type: SHED - Shed	Zone: ROS
Past Use: Trott-Littlejohn Park – Community Garden	Proposed Use: Trott-Littlejohn Park – Community Garden – construct 12' 7'3" shed at the corner of the community garden	Cost of Work: 1000.000000	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input checked="" type="checkbox"/> N/A	Inspection: Use Group: Type: N/A Signature:
Proposed Project Description: ROS Trott-Little John Park Community Garden, P.I. – install shed		Pedestrian Activities District (P.A.D.)	

Permit Taken By:	Zoning Approval		
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building Permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: 4/20/11 <i>APM</i> <i>ok w/ card. hox</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input checked="" type="checkbox"/> Not in Dist or Landmark <input type="checkbox"/> Does not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>APM</i>
	CERTIFICATION		

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHON



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-04-840-DRG

Located At: 250 BRACKETT
AVE, PI

CBL: 088 - - K - 001 - 001 - - - -

Conditions of Approval:

Zoning

1. The Community Garden with a storage shed was approved on December 21, 2009 by the Planning Division under site plan #09-79900016.
2. As part of the Planning Division approval the shed must have gutters and a rain barrel.
3. Because the proposed shed is less than 200 square feet in size, the current building code exempts this type of structure from review. This shed has not been reviewed for building codes.

4/19/11

Job Summary Report

Job ID: 2011-04-840-DRG

Report generated on Apr 21, 2011 8:09:14 AM

Page 1

Job Type:	Detached Residential Garages/Sheds	Job Description:	ROS Trott-Little John Park Community Garden	Job Year:	2011
Building Job Status Code:	Initiate Plan Review	Pin Value:	1181	Tenant Name:	
Job Application Date:		Public Building Flag:	Y	Tenant Number:	
Estimated Value:	1,000	Square Footage:			
Related Parties:		OF CITY		Property Owner	

Job Charges

Fee Code Description	Charge Amount	Permit Charge Adjustment	Net Charge Amount	Payment Date	Receipt Number	Payment Amount	Payment Adjustment Amount	Net Payment Amount	Outstanding Balance
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Location ID: 14220

Location Details

Alternate Id	Parcel Number	Census Tract	GIS X	GIS Y	GIS Z	GIS Reference	Longitude	Latitude
922860	088 K 001 001		U				-70.185869	43.660328
Location Type		Subdivision Code	Subdivision Sub Code	Related Persons	Address(es)			
1					250 BRACKETT AVENUE NORTH			
Location Use Code	Variance Code	Use Zone Code	Fire Zone Code	Inside Outside Code	District Code	General Location Code	Inspection Area Code	Jurisdiction Code
GOVERNMENTAL		NOT APPLICABLE	ROS				DISTRICT 1	PEAKS ISLAND

Structure Details

Structure: ROS Trott-Littlejohn Park

Occupancy Type Code:

Structure Type Code			Structure Status Type			Square Footage	Estimated Value	Address			
Structures Other Than Buildings			0					250 BRACKETT AVENUE NORTH			
Longitude	Latitude	GIS X	GIS Y	GIS Z	GIS Reference			User Defined Property			Value

Permit #: 20112875

Permit Data

Location Id	Structure Description	Permit Status	Permit Description	Issue Date	Reissue Date	Expiration Date
14220	ROS Trott-Littlejohn Park	Initialized	12' x 7'3" Shed for community Garden			

Job Summary Report
Job ID: 2011-04-840-DRG

Report generated on Apr 21, 2011 8:09:14 AM

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Inspection Details

Inspection Id	Inspection Type	Inspection Result Status	Inspection Status Date	Scheduled Start Timestamp	Result Status Date	Final Inspection Flag
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Fees Details

Fee Code Description	Charge Amount	Permit Charge Adjustment	Permit Charge Adj Remark	Payment Date	Receipt Number	Payment Amount	Payment Adjustment Amount	Payment Adj Comment
Job Valuation Fees	\$30.00							



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>Peaks Island - Trott - Littlejohn Park (Upper A & Florida)</u>			
Total Square Footage of Proposed Structure/Area <u>87'</u>		Square Footage of Lot <u>Park = 5 acres</u>	Number of Stories <u>1</u>
Tax Assessor's Chart, Block & Lot Chart# <u>88</u> Block# <u>K</u> Lot# <u>1</u>	Applicant ^{must be owner, Lessee or Buyer} Name <u>JUBAL KESSLER</u> Address <u>20 LOWER A ST.</u> City, State & Zip <u>PEAKS ISL. 04108</u>		Telephone: <u>207</u> <u>766-5845</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>~1,000</u> C of O Fee: \$ _____ Total Fee: \$ _____	
Current legal use (i.e. single family) _____ Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>12' x 7.3" shed for community garden -</u>			
Contractor's name: _____ Address: <u>City of Portland Project PER.</u> City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: <u>Applicant</u> Telephone: <u>207 766-5845</u> Mailing address: _____			

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Jubal Kessler

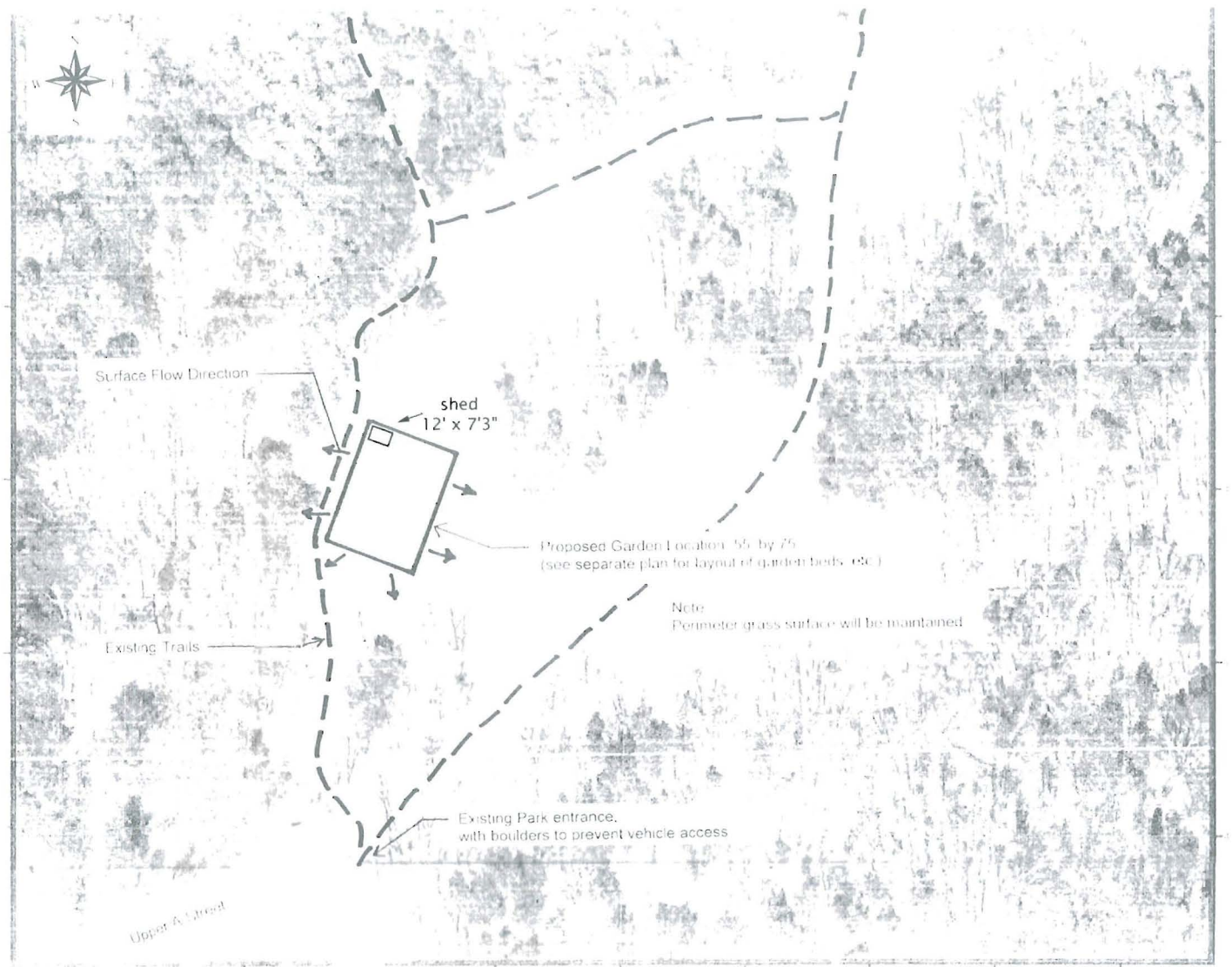
Date: 2011-04-19

This is not a permit; you may not commence ANY work until the permit is issued

Fee waived City Job



garden is located
here - shed located
well beyond 25'
required setback.

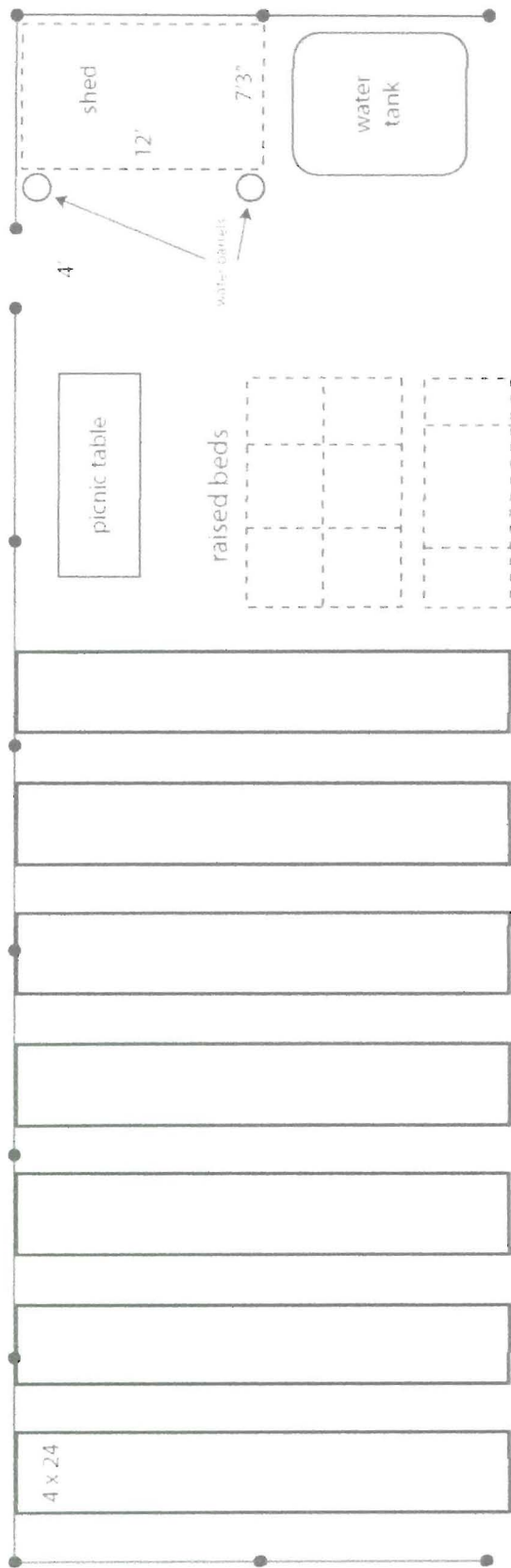


Site Plan
Peaks Island Community Garden
Trott-Littlejohn Park

Prepared by Albert Pirogowski, November 23, 2009

0 25 50 100 150 200 Feet
Scale 1" = 60'

76

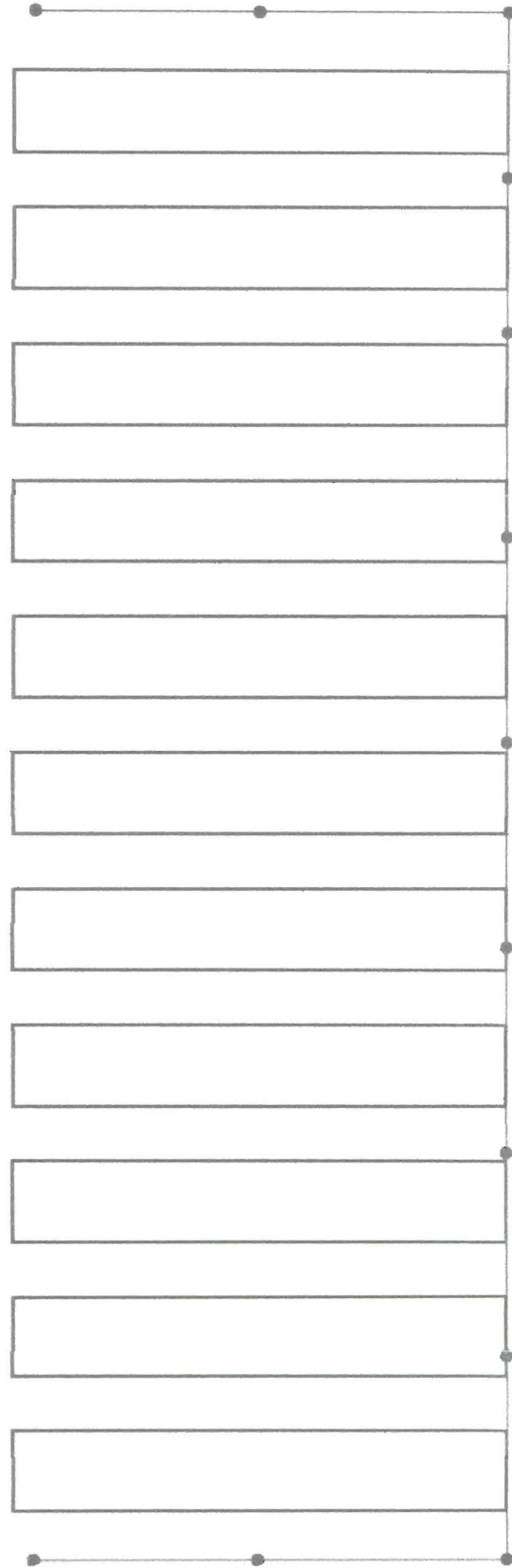


NORTH

11'

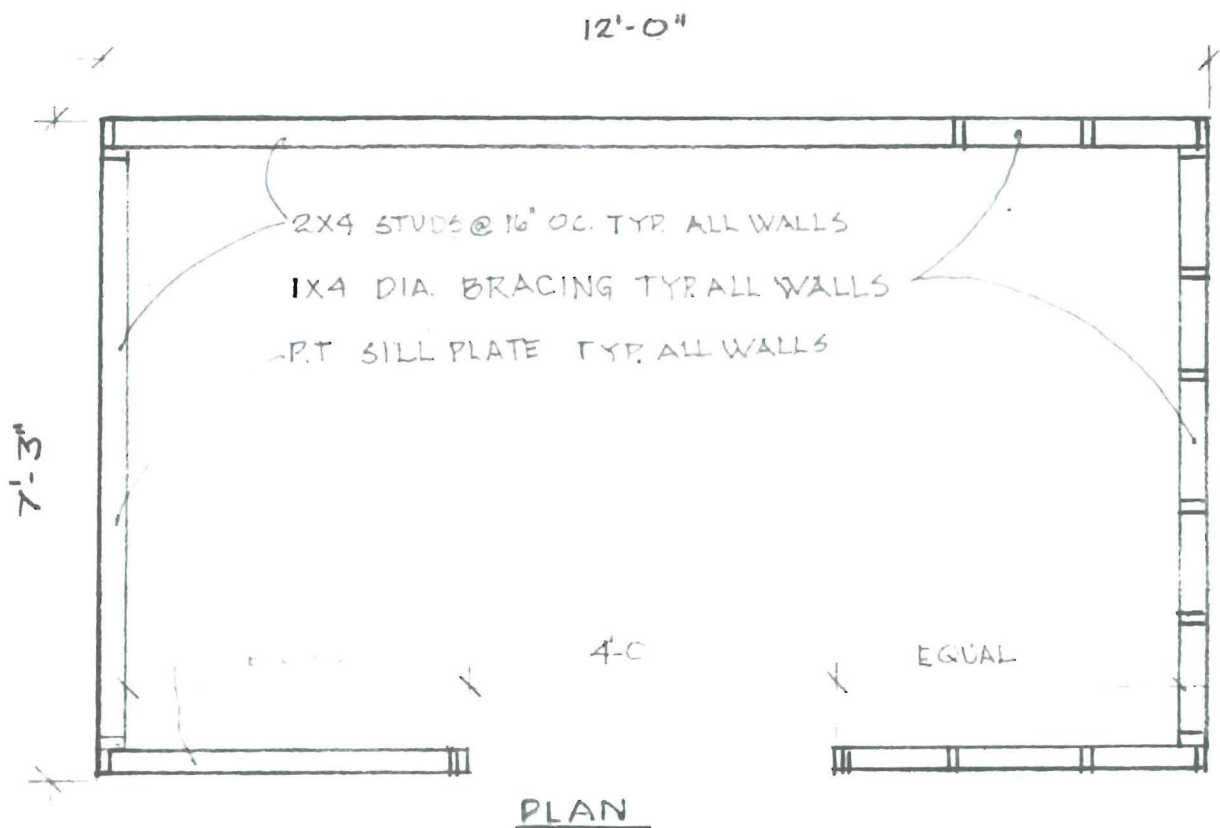
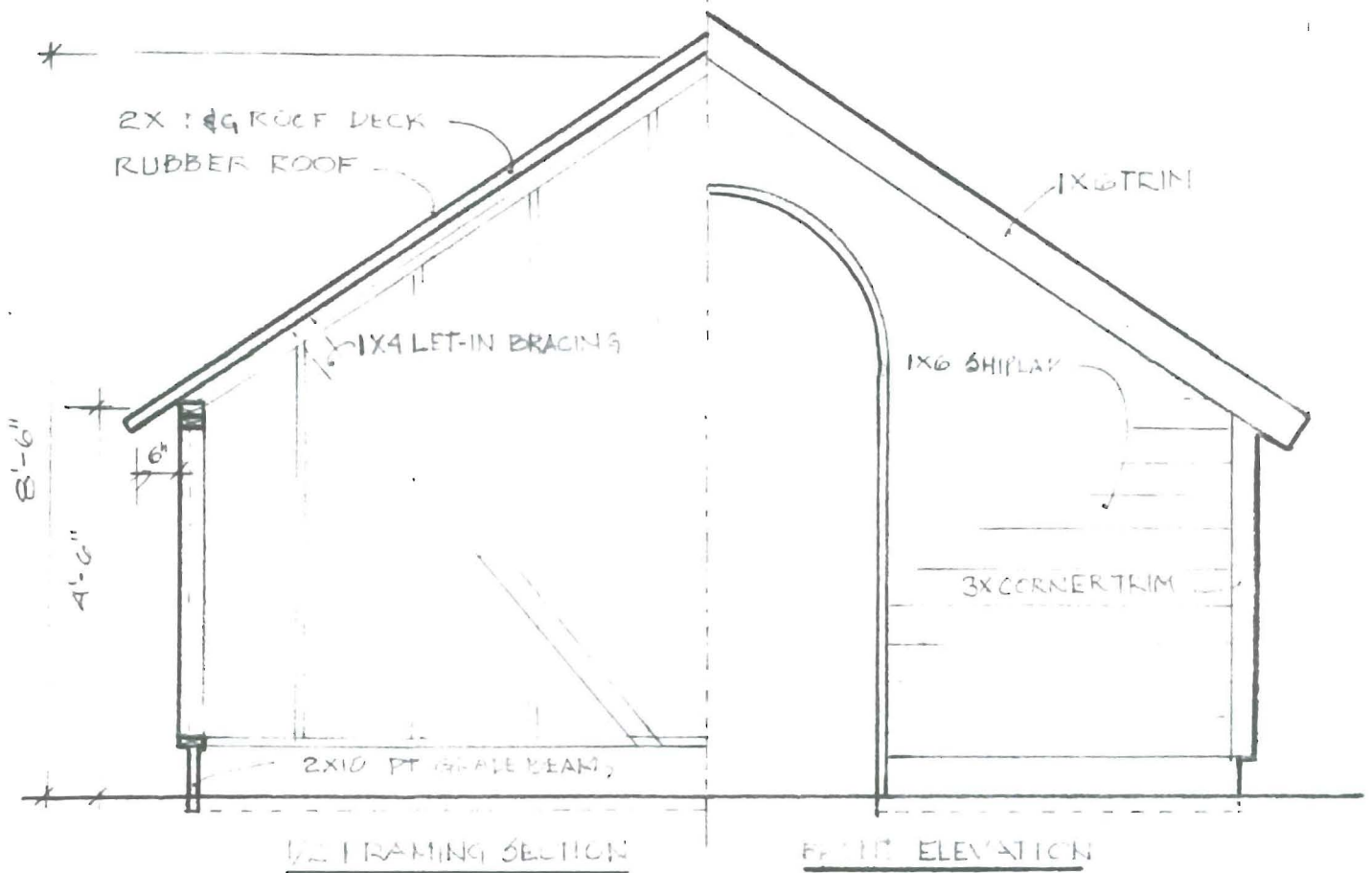
56'

SOUTH



COMMUNITY GARDEN SHED

1/2"=1'-0"



"Barbara Barhydt" <BAB@portlandmaine.gov>

Re: Shed plan for Peaks community garden - question

April 13, 2011 1:21:45 PM EDT

"Jubal Kessler" <jubal@cheeze.org>

"Shukria Wiar" <SHUKRIAW@portlandmaine.gov>

Hi Jubal:

Shed was approved in letter of approval for site plan.

I have added Shukria to the e-mail. I do not remember if your site plan showed the shed or not. I recommend that you submit the building plan to the Inspection Division for a building permit. If it was not on the plan or you are moving it, I recommend that you apply for an Administrative Authorization. If it was on the previous site plan, we may not need a new application.

Shukria, please check the approved plan and let us know what you find.

Thank you.

Barbara ..

>>> Jubal Kessler <jubal@cheeze.org> Wednesday, April 13, 2011 12:50 PM >>>

Hi Barbara,

proposed size 12' x 7'3"

The Peaks garden is set to begin planning and constructing the little garden shed (6' x 8') on a corner of the site. Per the site-plan approval letter, it will redirect runoff to a rain barrel. I was wondering if you can clarify the procedure -- shall we submit the shed plans directly to the inspections division for review (like any other building project), and go from there? Anything else I should be aware of? I'll probably come to the 3rd floor on Friday to submit the plans.

Given the small size and scope of the shed, we are hoping the fees for permitting won't be too onerous.

best,

Jubal

**Peaks Island Community Garden
Trott-Littlejohn Park
November 23, 2009**

Site Plan Narrative

The proposed garden site is located on filled land that had been used by the City for numerous construction projects over the years. The garden is located at least 150 feet from the closest property boundary, within the 5.5 acre portion of the City-owned land (90+ acres) that is not protected by a conservation easement.

The disturbed portions of the site were graded and stabilized with grass in 2005 or 2006, and the grass surface is now well established. The garden is located along a slight ridge with slopes that do not exceed 4%. These relatively flat slopes continue for a distance of at least 10 feet from the perimeter of the garden. About half of the garden slopes to the east, and half to the west. Beyond the grass portions of the site, the site is wooded. There are no public utilities or culverts near the site. There are no signs of concentrated flows or erosion within 100 feet of the proposed garden.

There are existing trails in the Park that are shown on the attached Site Plan, and these will not be impacted by the garden. No vehicular access or parking is proposed. Parking is available on-street along Upper A Street.

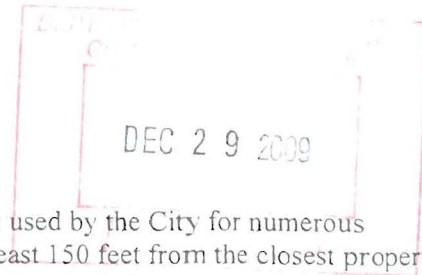
No new landscaping is proposed, other than the annual garden plantings. The surrounding grass surface will be preserved. A temporary fence will be constructed to protect the garden from deer and other wildlife. The fence will be made of either coated steel wire or black plastic, no higher than 8 feet.

The garden will be used for gardening. Because the underlying soil is fill material, the general plan for the garden is to build soil with compost, wood chips, and other organic materials above the existing surface grade. Within the proposed garden area, the individual garden beds will be surrounded by paths of wood chip mulch.

Erosion and Sedimentation Control Plan

In the initial submittal for this project, it was stated that a sediment barrier of erosion-control mix mulch would likely be used. This will not be necessary because the entire garden surface is being covered in wood chip mulch that will be maintained around the individual garden plots. No grading of the existing soils is proposed. Although some individual garden plots may be tilled mechanically, the surrounding mulch paths will be maintained. Essentially, there will be no disturbed soil created by the gardens, and if some individual gardens have disturbed soil, runoff will be filtered first by the surrounding wood chip mulch, and then secondly by the surrounding grass surface. No additional surface runoff controls are necessary for the proposed use as a community garden.

**CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 11-23-09**

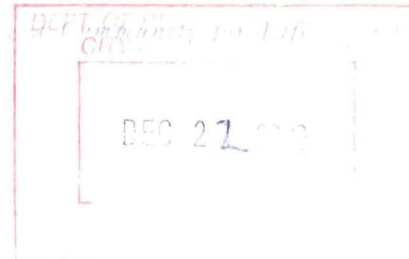




Strengthening a Remarkable City

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

Planning Division
Alexander Jaegerman, Director



DECEMBER 21, 2009

Project Name: Peaks Island Community Garden at Trott-Littlejohn Park: Jubal Kessler
Project ID: 09-79900016
Project Address: Florida Ave (At Upper A St.).
Planner: Shukria Wiar

Dear Applicant:

On December 21, 2009, the Portland Planning Authority approved a minor site plan for the Peaks Island Community Garden at Florida Ave (At Upper A St.), Trott-Little John Park on Peaks Island as submitted by the Applicant and shown on the approved plan prepared by Albert Presgraves and dated November 23, 2009 with the following conditions:

1. The applicant must obtain all applicable building permits for the proposed shed on the above approved site plans.
2. The applicant shall incorporate gutters and rain barrel for the future shed for the community gardens.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the planning authority pursuant to the terms of this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If you have any questions, please contact Shukria Wiar at 756-8083 or shukriaw@portlandmaine.gov

Sincerely,



Alexander Jaegerman
Planning Division Director

Electronic Distribution

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director
Gayle Guertin, Inspections Division
Lisa Danforth, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services

Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Todd Merkle, Public Services
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File

DECEMBER 17, 2009

Albert M. Presgraves
179 Central Avenue
Peaks Island, ME 04108

RE: Review Comments for Final Plan – Administrative Review

Project Name: Florida Ave (At Upper A St.), Trott-Littlejohn Park; Peaks Island
Community Garden; Jubal Kessler

Project ID: 09-79900016

Project Address: 250 Brackett Ave **CBL:** 088 - K-001-001

Planner: Shukria Wiar

Dear Applicant:

Thank you for submitting an application for a community gardens on Peaks Island at Florida Ave (At Upper A St.). This proposal is being reviewed as a final site plan subject to the Site Plan Ordinance, Article V of Zoning Ordinance. Staff review of your final plan has generated the following review comments.

Staff Review Comments:

A. Planning Shukria Wiar

December 4, 2009

1. What is proposed for watering the gardens? Will rain barrels be used?
2. Please submit a copy of the lease agreement with the City.

B. Deputy City Engineer David Margolis-Pineo

December 10, 2009

1. The site currently has a totally pervious surface. It is my understanding that once the garden is installed the site will remain the same except for a small tool shed. I would recommend that shed have rain gutters discharging to a rain barrel to keep the stormwater runoff to an absolute minimum.

2. As a condition of approval it should be understood that there will be no ground disturbance of any sort and that all planting areas shall be raised beds. Under these conditions, no erosion control measures will be necessary.
3. It is also understood that if the applicants wish to increase the size of the planting area, that the applicant will need to return to the Planning Dept. for additional approvals.

C. Zoning Comments – Marge Schmuckal
December 4, 2009

1. This project for a Community Garden is located in a Recreation and Open Space (ROS) Zone. Community garden is listed as a permitted use within the zone. No specific setbacks are attributed to the gardens. The setbacks are only for structures. If there is a plan to construct a gardening shed or similar structure, it should be shown on the plans. Such a structure would need to meet the setback requirements of the ROS zone.
2. There are no parking requirements for the community garden use. This project complies with the ROS Zone requirements

The Planning Authority may request additional information during the continued review of the proposal according to applicable laws, ordinances and regulations.

Please submit a narrative addressing the above staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. If you have any questions, feel free to contact me at 756-8083 or by email at shulriaw@portlandmaine.gov

Sincerely,

Shukria Wiar
Planner

Electronic Distribution:

Barbara Barhydt, Development Review Services Manager
Jubal Kessler

From: Marge Schmuckal
To: Shukria Wiar
Date: 12/17/2009 2:29:56 PM
Subject: Fwd: Re: Staff comments letter (Peaks Island Community Garden)

Shukria,
ROS Zone:
Minimum Front yard: principal & accessory structures - - - 25'
Minimum Rear yard: principal & accessory structures - - - 25'
Minimum Side yard: principal & accessory structures - - - 12'

Marge

>>> Shukria Wiar 12/17/2009 1:49:13 PM >>>
Please see below email, he has a question about the setbacks.

Thanks.

Shukria

>>> Jubal Kessler <jubal@cheeze.org> 12/17 1:42 PM >>>
Hi Shukria,

Thanks much for the copy of the staff comments. Per your request, I've asked for a copy of the signed lease agreement from Corp Counsel, 2nd floor of City Hall, and will come by their front desk to pick it up today about 3:30 p.m. I will then bring it upstairs to the 4th floor.

Per your other request about irrigation for the garden -- Jeff Tarling of Parks & Rec has said that we can use a 500-gallon steel water tank, which would be situated next to the future shed. The water tank sits on top of skids and can be moved relatively easily. The tank would be filled as needed by the Peaks Island Fire Department. We would provide some hoses and possibly factor in drip irrigation.

Per David Margolis-Pineo, we would certainly incorporate gutters and a rain barrel for the future shed.

For Jeff, whom I've cc'd, I've attached a PDF copy of the staff comments.

I do have one question regarding Marge Schmuckal's comments. She mentions a setback requirement for the ROS zone, which we will need to factor in when we design the plot layouts of the garden and have to situate the shed and tank. Do you know what the setback requirements are?

Thanks,

Jubal

ZONING COMMENTS – MARGE SCHMUCKAL

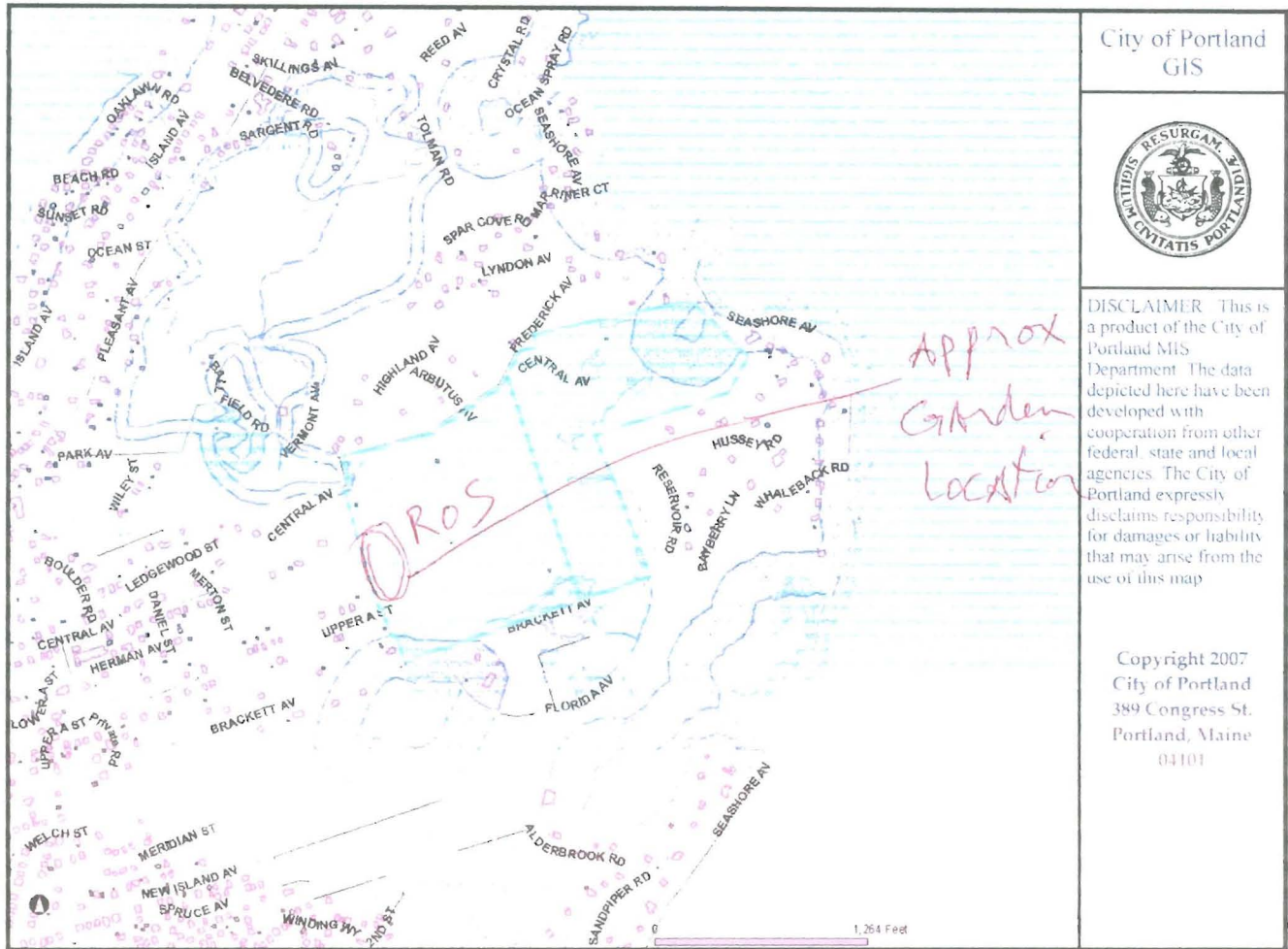
December 4, 2009

This project for a Community Garden is located in a Recreation and Open Space (ROS) Zone. Community gardens is listed as a permitted use within the zone. No specific setbacks are attributed to the gardens. The setbacks are only for structures.

If there is a plan to construct a gardening shed or similar structure, it should be shown on the plans. Such a structure would need to meet the setback requirements of the ROS zone.

There are no parking requirements for the community garden use.

This project complies with the ROS Zone requirements



ROS - allows "community gardens"