335-C.37 2 Le Randolph St. Greenhause Risbara

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CITY OF PORTLAND, MAINE SITE PLAN REVIEW

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SIGNATURE OF REVIEWING STAFF/DATE

CITY OF PORTLAND, MAINE MEMORANDUM

TO: Chair O'Brien and Members of the Portland Planning Board

FROM: Craig Carrigan, Development Review Coordinator

DATE: January 11, 1994

SUBJECT: Risbara Greenhouse, Vicinity of Newton and Randolph Streets

I. Introduction

Peter L. Risbara is requesting Site Plan Review for the construction of a greenhouse at 26 Randolph Street. The applicant proposes to lease this property from Mr. Odencrantz. The proposed site is approximately 21,294 sq. ft., is zoned R-2 and is currently vacant.

The applicant proposes to construct a single 22' \times 88' greenhouse and a 25' \times 70' gravel service area. The applicant is proposing to operate the facility as a commercial greenhouse with resale of seedlings and produce grown on site. The operation will be similar to that which had occurred on site in previous years, but on a larger scale.

The operation of a commercial greenhouse in a residentially zoned area is a permitted use. This type of use exists in several other locations in Portland. Roaks Seven Acre Greenhouse operates facilities off both Washington Street and Ocean Avenue. Sketches of the facilities and tax assessors maps of the property are included in this packet. Aerial photos of the properties will also be available at the public hearing.

Randolph Street is a gravel street which, under sec.14-403 of the zoning ordinance would have to be improved to city standards to the nearest paved street which is Newton Street. The applicant would need to construct about 350 feet of street to meet this requirement. The Risbara's have indicated that the project will not support such an expense, and have filed an appeal with the Zoning Board of Appeals for relief. This item is scheduled for January 20th.

The site proposed by Mr. Risbara differs from the aforementioned property in the following manner.

- 1. Mr. Risbara's greenhouse will be located on a dead end street. The only ingress or egress will be from Newton Street.
- 2. There is limited residential development adjacent to Mr. Risbara as compared to the others. Specifically, the areas adjacent to the Ocean Avenue and Washington Street sites are substantially built out. The Randolph Street site still has considerable vacant residential property in the vicinity.
- 3. The Risbara's proposed facility will be considerably smaller than either of the Roak's sites.

Roak's Washington Street 31,782 sq. ft.
Roak's Ocean Avenue 17,018 sq. ft.
Risbara's Randolph Street 2,464 sq. ft.

II. Staff Review

This proposal has been reviewed for compliance with the Land Use Code.

1. TRAFFIC

Bill Bray has no specific concerns on traffic volumes. He does feel that Randolph Street should be improved beyond the existing gravel surface to mitigate the increased traffic loading.

2. PARKING

There is no parking required under the Land Use Code. The applicant is proposing a 25' x 70' gravel service area which could accommodate off street parking.

3. BULK/HEIGHT

A photograph of the proposed greenhouse is included as Attachment V. The final construction will be approximately 28' x 88' with a nominal height of 11'-6". There are no anticipated significant environmental impacts from construction of these improvements. The greenhouse will not have a true finished floor but will utilize the existing ground.

4. UTILITIES

The applicant is proposing to utilize water and electrical service. The services are currently available adjacent to the lot and should not result in detrimental impact to the system.

5. <u>LANDSCAPING</u>

The applicant proposes to install a single row of white pines along to southern property line. No other landscaping is proposed. The applicant is the owner of the adjacent northern parcel.

6. DRAINAGE

They do not propose to install any significant stormwater management facilities with construction of these improvements. The plans do reference installation of approximately 5' of crushed stone adjacent to the greenhouse. Given the minimal increase in impervious area this appears adequate to mitigate the anticipated increase.

7. <u>SEDIMENT/EROSION CONTROL</u>

The applicant does not propose any significant grade changes. The potential for erosion/sedimentation control is minimal.

8. LIGHTING

The applicant is not proposing installation of any additional exterior lighting.

9. FIRE

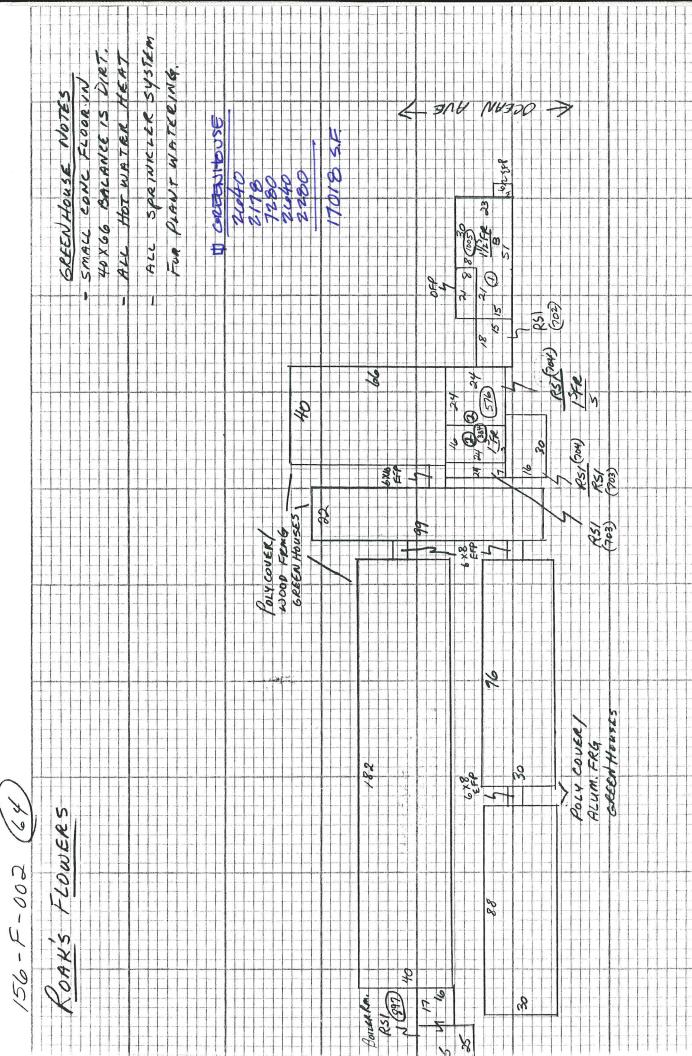
The plan has been provided for Fire Department review. No outstanding issues remain.

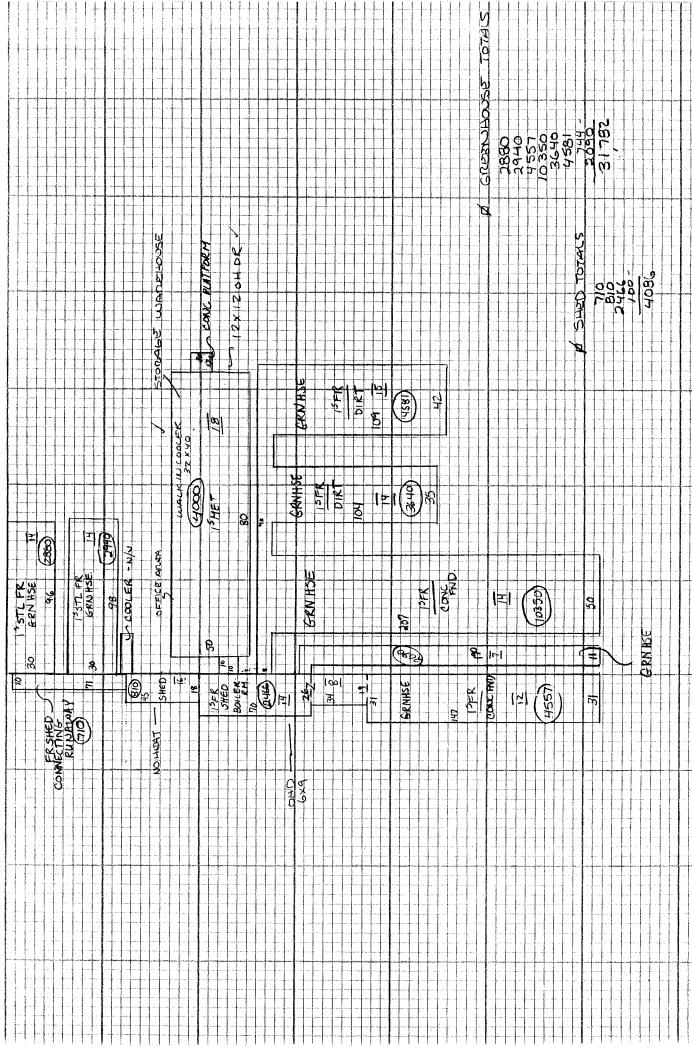
10. NATURAL RESOURCES

The proposed greenhouse is to be constructed within 100' of a state regulated wetland. Provided that the applicant conforms with the site plan and exercises good judgement in application of fertilizer and pesticides, no adverse impacts to the area are expected.

Attachments:

- I. Site Plan
- II. Randolph Street tax map
- III. Roak's Ocean Avenue map and assessors cards
- IV. Roak's Washington Street map and assessors cards
- V. Photograph of typical





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11/22/93

Just intentions, letter L. + Claudia

Q. Sistaia, is to construct a

tent type mursery greenhouse. To

raise seedlings and produce for

resale, as we have been doing for

the last three years.

The greenhouse will be 25'x 85',

staked to the ground via 2"x2'

galvanized steel pipe. The frame

work is 1"4" gal steel pipe. "

on centers. It will be sheatled

with double layers of 6 mil poly.

The pad (floor) is gravel. There

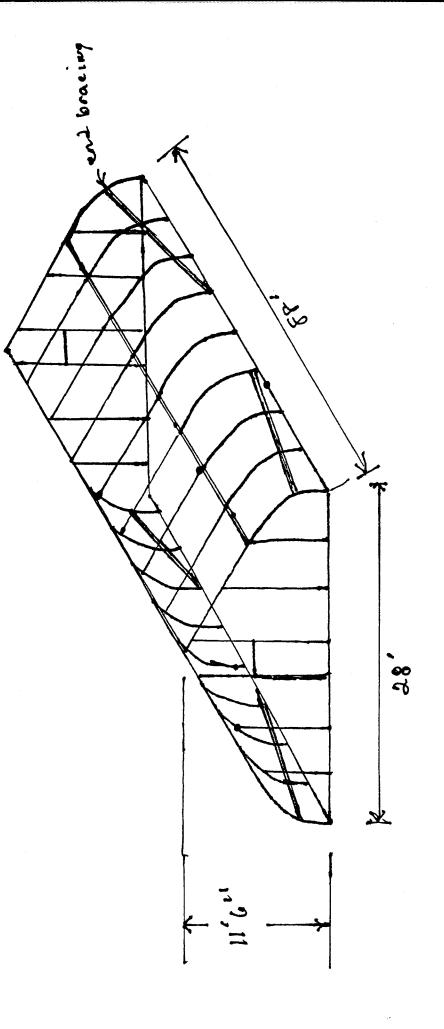
will not be sever, only electrical

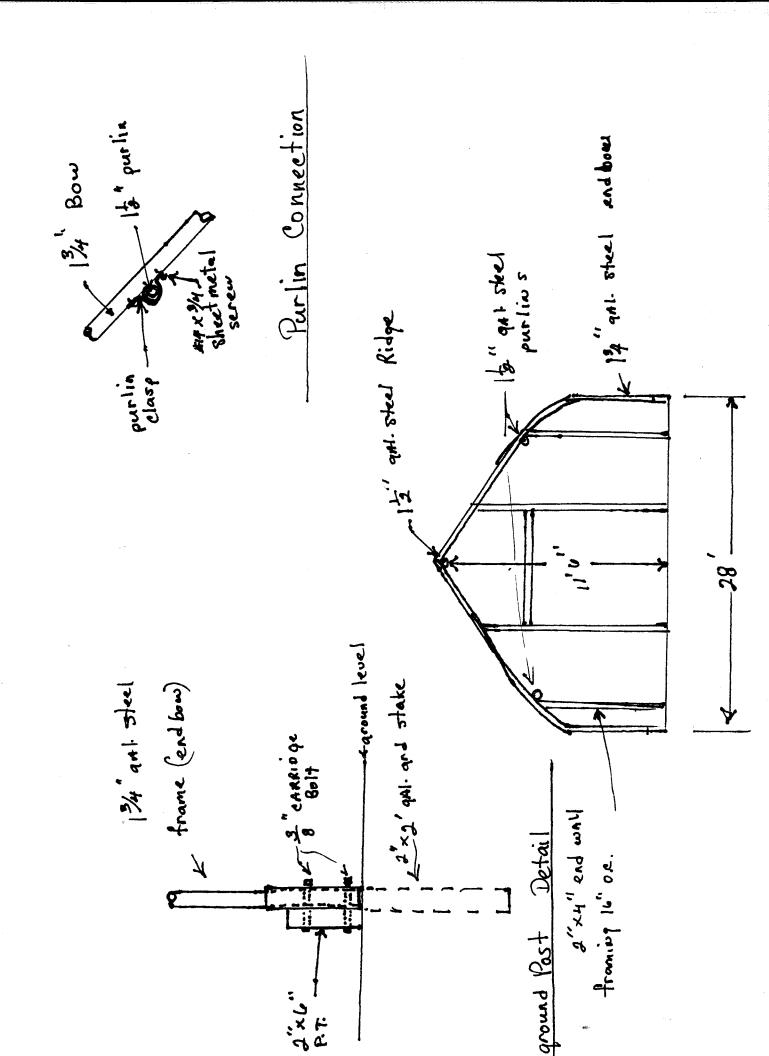
service will be supplied to site.

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134" gAl. steel Bows
2 "x2" gAl. steel Bows
2 "x4" end wall framing 160.e.
2 lAyers c mil poly.
4 layers c mil poly.
2 se fan blowers
3 - 86" habrized shutters
3 - 86" motorized shutters
4 front + rear service doors

Peter L. Risbara 28x88'greenhouse





3 skeel purlins
4 comment puly eavering
6 mil poly eavering
1/4" ply. sheatking "gAlmoured steel ARChes



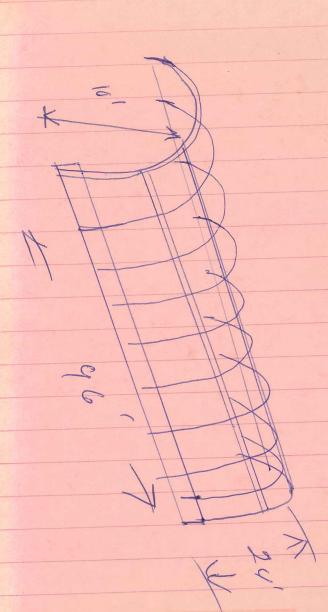
A 24' frame, just erected.



ERCIAL GROWER SERIES

Basic Frame Package
1, 40' x 100' Ultra-Clear Cover
Air Inflation Kit
2, Heater Hanger Kits
Shutter and Guard
Shutter and Guard
3, Double Stage Thermostats
Batten Tape, 500' Koll

Poly Patch Tape



December 17, 1993

Peter Risbara 426 Randolph Street Portland, ME 04103

Dear Mr. Risbara:

I have completed a review of your proposed greenhouse and have the following comments:

- You will be required to upgrade Randolph Street to City standards from its intersection with Newton through the frontage of the proposed greenhouse lot. I have attached a copy of Sec. 14-403(b) for your review.
- A Planning Board workshop has been tentatively scheduled for January 11, 1993 to allow for public notice of the proposal.
- 3. Your plans need to be revised to include the following:
 - Proposed grade changes a.
 - Limits of disturbance and erosion control plan and narrative b.
 - Location of nearest fire hydrant C.
 - d. Location of dumpster (if applicable)
 - Outdoor lighting location (if applicable) and catalog "cuts" on the proposed fixtures
- 4. We need a brief narrative describing the operation proposed on site.
- 5. We need a copy of the lease, or written authority for this use, from Mr. Odencrantz.
- Please provide brief drainage calculations and how you propose to WANT 6. mitigate any increase. 21
- Please address whether waste disposal from the facility will be public 7. or from a private contractor.

Please give me a call when you have questions.

Since rely,

Craig R. Carrigan, P.E.

Development Review Coordinator

Uhis Indenture, made the 22 m day of Other in the year of
our Lord one thousand nine hundred and runty Thru.
Mitnesseth, That George & Odencians, of Cubun, No
number 37 and 3 8 39 Kanhoff St., fortland, Maine, and construct a grunhouse and to bring publications the land. 37 that
To hold for the term of Time (5) years from the
of Cether, one thousand nine hundred and Ninty Thru yielding and
paying therefor the rent of the amount of project to and shoul he pa directly by Lesser to the City of Portland. And said Lessee do covenant to pay the said rent in no rent to he prind.
and to quit and deliver up the premises to the Lessor or attorney, peaceably and quietly, at the end of the term aforesaid, in as good order and condition, reasonable use and wear thereof or inevitable accident excepted, as the same are or may be put into by the said Lessor and to pay and which it is.
all taxes duly assessed thereon during the term, and for such further time as the Lessee may hold the same; and not make or suffer any waste thereof; and that Lessee will not assign or underlet the premises or any part thereof without consent of Lessor in writing on the back of this lease. And the Lessor may enter to view and make improvements, and, to the extent permitted by law, to expel the Lessee if Lessee shall fail to pay the rent aforesaid, whether said rent shall be demanded or not, or if Lessee shall make or suffer any strip or waste thereof, or shall fail to quit and surrender the premises to the Lessor at the end of said term, in manner aforesaid, or shall violate any of the covenants in this lease by said Lessee to be performed. And the premises shall not be occupied during the said term for any purpose usually denominated extra hazardous as to fire by insurance companies.
In Hitness Hherenf, the parties have hereunto interchangeably set their hands and seals the day and year first above written.
Signed, Sealed and Delibered in presence of
Swan & alyman George & Odening
SUSAMA WYSOM NOTARY PIBLE, BLAKE NOTARY 17, 1995 KILLL BUSCALO U



December 17, 1993

Peter Risbara 426 Randolph Street Portland, ME 04103

Dear Mr. Risbara:

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- 2. A Planning Board workshop has been tentatively scheduled for January 11, 1993 to allow for public notice of the proposal.
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- 6. Please provide brief drainage calculations and how you propose to mitigate any increase.
- 7. Please address whether waste disposal from the facility will be public or from a private contractor.

Please give me a call when you have questions.

Sincerely

Craig R. Carrigan, P.E.

Development Review Coordinator

from any and all claims for damages for the laying out and taking of such street and indemnifying the city against any and all other such claims, both such instruments to be executed and in recordable form acceptable to the corporation counsel and to encumber and run with the land.

- (b) Minimum requirements for street improvements on unimproved and improved but unpaved streets. For a lot abutting any portion of a street which is unimproved or improved but not permanently paved, that portion which abuts the lot, and any like portion between such portion and the nearest permanently paved street or portion which is the principal access to such lot, shall be improved, including sewers, storm drains, pavements, curbs and, if located on a designated school walking route, sidewalks, in accordance with the minimum technical standards promulgated by the public works authority pursuant to section 14-498(a) of article IV of this chapter. Where the nearest permanently paved street does not have granite curbing, the public works authority may waive the requirement of curbing under this section, if it determines that an acceptable alternative drainage plan will be provided. Prior to the issuance of a building permit for erection of a building on a lot abutting any portion of a street which is unimproved or improved but not permanently paved, the following shall occur: (1) A plan of the street improvements required by this section shall be submitted to the public works authority; and (2) upon determination by the public works authority that the plan meets the street improvement requirements established by this subsection, a performance guarantee and inspection fee for said improvements shall be submitted to the city as set forth in section 14-501. Also as set forth in section 14-501, a one-year defect bond shall be tendered to the city prior to release of the performance guarantee required hereby. The provisions of this subsection (b) shall not apply to the erection of any single-family dwelling on any lot where the owner of the lot establishes that he or she was the owner of that same lot on November 19, 1984, and at all times thereafter, and states his or her intention under oath to make the structure his or her personal residence.
- (c) Exceptions. The requirements of this section shall not apply to the following city streets upon their construction by the public works authority to such standards as are determined by the authority to be the most feasible:
 - (1) Dingley Court;
- (2) Morgan Court.

 Code 1968, § 602.18.B; Ord. No. 193-84, § 1, 11-19-84; Ord. No. 178-87, 11-2-87; Ord. No. 372-89, 3-20-89; Ord. No. 273-90, 3-19-90)

Sec. 14-404. Accessory use.

The term "accessory use" shall include only the following:

(1) A subordinate use of land or building which is customarily incidental to the main building or to the principal use of the land and which is located on the same lot with the principal building or use. No "garage sale," "lawn sale," "attic sale," "rummage sale," or other similar casual sale of tangible personal property which is advertised by

ZONE 1 2-2 USE IS PERMITTED

QUESTIONS:

- 1. WHERE DID NO DISTURBANCE COME FROM.
- 2. CURB & SIDONALK? (NATAUE)
- 3. NO PROPOSED GRADES any changes
- 4. NO EROSION CONTROL
- 5. NO LIMIT OF DISTURBANCE
- 6. NO SOLID WASTE SHOWN (DUMPSTUR)
- 7. NO SCREENING SHOWN ON THORE SIDE
- 8. NO OUTDOOR LIGHTING
- 9. FIRE HYDRANT LOCATION?
- 10. NO NARRATIVE
- 11. HOW FAIL DOWN DOES THE CRUSHED STONE EXTEND.
- 12. COPY OF LEASE FROM ODENCRANTZ
- B. EROSION CONTROL.
- Q: DOES THE PROPOSED USE OF COMMERCIAL GREENHUSE PERMITTED IN THE 12-2

 ZONE REQUIRE THE INSTAURTION OF CURB 9 SIDEWALK ALONG THE FRONTAGE.
 - 14. GO TO BOARD

 UPGRAPE THE 14403 & TO NEARLYST

 PAVED STREET: SELVER STORM DRAIN

 PVMT, CURB.

Inspection Services Samuel P. Hoffses Chief



Planning and Urban Development Joseph E. Gray Jr. Director

CITY OF POPTLAND

January 27, 1994

RE: 420 Randolph ST.

Peter L. Risbara 426 Randolph St. Portland, ME 04103

Dear sir:

Your application to construct a greenhouse 28' X 88' has been reviewed and a permit is herewith issued subject to the following requirements:

No Certificate of Occupancy can be issued until all requirements of this letter are met.

Site Plan Requirements
Inspection Services Approved William Giroux
Fire Department Approved LT. Gaylen McDougal
Public Works Approved Craig Carrigan
Planning Division Approved Craig Carrigan

Building Code Requirements

Your application for your proposed greenhouse doesn't have a construction plan. Please submit this plan for approval before work begins.

If you have any questions regarding these requirements, please do not hesitate to contact this office.

sincerely,

Samuel Hoffses

Chief of Inspection Services

/el

cc: William Giroux, Zoning Administrator
LT Gaylen McDougal, Fire Prevention Bureau
Craig Carrigan, PE., Development Review Coordinator

ARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PERMIT BY RULE NOTIFICATION FORM

(For use with DEP Regulation, Chapter 305)

FYPE OR PRINT IN BLACK INK ONLY



.ne of Applicant: totech, tobara	TATE OF MAN
Address: 420 RANDION ST Town/City: Port	land
State: Zip Code: Tel.No:	2
Name of Wetland, Water Body or Stream:	
Name of Nearest Road and Directions to Site: MAREST TOAS Non do	lan St. Take Newton
off Rt 302 y) to end of Newton laft on A	And ba first
sinse on left. Stream out back.	
Town/City: Portland County: Cumbers 1	and
Description of Project: Buston Hing a hope plastic	covered
greenhouse no sewer Staying approx	65 so teet
Rom Steeam	
Sec.(5)Moorings Sec.(6)Movement of Rocks or Veg. by Hand Sec.(7)Outfall Pipes Sec.(8)Riprap Sec.(9)Crossings (Utility Lines, etc.) Sec.(10)Stream Crossing	e Bureau of Public Lands. mit by Rule under DEP d in the Section(s) of State Transprt. Fac. atural Areas eation, Enhance. & Water Quality & Pilings hps he Projects edging
I authorize staff of the Departments of Environmental Protection, Inland Fisheries & sources to access the project site for the purpose of determining compliance with that this permit is not valid until 14 days after receipt by the Department. Signature of Applicant:	he rules. I also understand
Send white and yellow form with attachments via certified mail to the ME Dept. of State House Station 17 Augusta, Maine 04333	
Retain pink copy as record of permit. Permits are valid upon receipt by the DEP for zation by DEP will be issued after receipt of notice. Permits issued under this set finds any application standard has not been met. Work carried out in violating ject to enforcement action, including a fine of up to \$25,000 for each day of	ection are invalid if the DEP on of any standard is sub-

For office use only

Date

Acc. Date

Date /2/2/9 Def.

Proj. No. 100 FP

CITY OF PORTLAND, MAINE SITE PLAN REVIEW

Processing Form

Planning C. Carrigan

Peter I. Ri Applicant 426 Randðóp					E 0	4103			•		ndol		Date		2/93		
Mailing Address nursery/greenhouse Proposed Use of Site								Address of Proposed Site Site Identifier(s) from Assessors Maps									
Acreage of Site / Ground Floor Coverage							Zoning of Proposed Site										
Site Location Review of Board of Appeals Action Planning Board Action	(DEP) on Rec	Requir Juired:	red:	() ()	Yes	() No) No) No		F	Propos	ed Nu						
Other Comments:				CO	ntac	tper	son:	Pe	ter	Risb	ara	: 7	97-5	782			
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					ite		rev	iew									
				PUB	LIC W	ORKS	DEF	PARTI	VENT	REVI	EW						
	(Date Received)																
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APPROVED CONDITIONALLY							2.2 17									CONDITION SPECIFIED BELOW	
DISAPPROVED				- on												REASONS SPECIFIED BELOW	
REASONS:																	

SIGNATURE OF REVIEWING STAFF/DATE



January 21, 1994

Peter Risbara 426 Randolph Street Portland, ME 04103

Re: 26 Randolph Street

Dear Mr. Risbara:

On November 2, 1994 the Portland Planning Authority granted minor site plan approval for a commercial greenhouse with the following condition:

1. That the white pine buffer be established by June 30, 1994.

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.

Please note 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. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.

If there are any questions, please contact the Planning Staff.

Sincerely,

Joseph E. Gray, Jr.

Director of Planning and Urban Development

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief of Building Inspections
William Giroux, Zoning Administrator
George Flaherty, Director of Parks and Public Works
John Rague, Principal Engineer
Craig Carrigan, PE, Development Review Coordinator
William Bray, Deputy Director of Parks and Public Works
Jeff Tarling, City Arborist
Paul Niehoff, Materials Engineer
Natalie Burns, Associate Corporation Counsel

Natalle Burns, Associate Corporation Counsel Lt. Gaylen McDougall, Fire Prevention Louise Chase, Building Permit Secretary

Approval Letter File

January 21, 1994

Peter Risbara 426 Randolph Street Portland, ME 04103

Dear Mr. Risbara:

I wanted to drop a note to inform you of what in all likelihood will occur if an additional greenhouse is proposed for the site.

- 1. The application will be referred to the Planning Board for comment.
- 2. You will be required to either upgrade the street or return to the Board of Appeals.

This is not meant to discourage you from expansion, but to let you know up front what will happen. I can safety tell you that it's a lot easier the second time around.

If you have any questions please do not hesitate to call me at 874-8300, ext. 8722. Good luck.

Sincerely

Craig R. Carrigan, PE

Development Review Coordinator

APPLICATION LOG SHEET

Application Date	11/22/93	
Type of Application	MINOR UPGRADED TO MAJOR	
Workshop Date(s)	JAN 11,93 (TENANTE)	
	- Vonet	
Planning Board	VAN 14, 93	
Approval Date		
Performance Guarantee	WANED POR ALTO.	
Defect Guarantee		
Comments:		
CONTACTED OWN	UBR WOOTH MOND OF 12/17/93 - 1600 UP ON WHOM	No.
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