

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Donna Katsiaficas, Chair
Joseph Zamboni, Secretary
Kent Avery
Robert Bartels
Jared Falcon
Eric Larsson
Benjamin McCall

APPEAL AGENDA

The Board of Appeals will hold a remote Public Hearing on Thursday, January 7, 2021 at 6:00 p.m. Virtual Meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online. This meeting will be conducted using Zoom. Allow your computer to install the free Zoom app to get the best meeting experience.

You are invited to a Zoom webinar.

When: Jan 7, 2021 06:00 PM Eastern Time (US and Canada)

Topic: Zoning Board of Appeals

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81591797373>

Or iPhone one-tap :

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Webinar ID: 815 9179 7373

International numbers available: <https://us02web.zoom.us/j/krawVBV0x>

1. New Business

A. Conditional Use Appeal ([CU-001397-2020](#)):

36 Luther Street, Peaks Island, Jose Morales, owner, Tax Map 087, Block Z, Lots 012, 013, 014, and 029, IR-2 Island Zone: The applicant is seeking a Conditional Use approval under Section 6.6.2.F of Chapter 14, to operate a landscaping business as a home occupation. The home occupation would be located in an addition that would be constructed onto the existing single-family dwelling. Representing the appeal is Brenda Buchanan of Buchanan Currier, on behalf of the owner.

B. Conditional Use Appeal ([CU-001413-2020](#)):

178 Washington Avenue, Evergreen Cannabis Company, LLC, lessee, No Place LLC, owner, Tax Map 010, Block F, Lots 004 and 005, B-2b Community Business Zone: The applicant is seeking a Conditional Use approval to operate a marijuana retail store within a leased unit in this existing building, as authorized in Table 6-C of Chapter 14. The approved use of the unit is currently offices. Representing the appeal is Kristin and Andrew Pettingill, principals of Evergreen Cannabis Company, LLC, and Sergio Hernandez, the general manager.

C. Interpretation Appeal ([ZBA-001439-2020](#)):

135 Walton Street, Pamolab, LLC, lessee, 135 Walton Street LLC, owner, Tax Map 142, Block I, Lot 001; I-M Industrial Zone: The applicant is appealing the Building Authority's denial of a permit to establish a marijuana manufacturing facility in Unit J. The current legal use of the unit is storage. The permit was denied on the basis that the property does not meet the required minimum distance from a public school under Section 14-411(a)(1). The applicant believes that the Building Authority's interpretation of this section was incorrect and requests that the board overturn the permit denial. Representing the appeal is Jill Polster of Cohen Law Maine as well as Randy Rhodes, COO and Joseph Albert, CEO of Pamolab, LLC.

2. Adjournment

INSTRUCTIONS FOR VIEWING APPEAL APPLICATIONS

Please find the appeal documents by following these steps:

1. Go to the following website: <https://egweb.portlandmaine.gov/EnerGovProd/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 "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.

