



**Town of Kittery, Maine**  
**Post Office Box 808, Kittery, Maine 03904**  
**(207) 439-1633 - (207) 439-0452**

**November 3, 2006**

**NOTICE**  
**TOWN OF KITTERY**

Public hearings by the Kittery Zoning Board of Appeals will be held at the Kittery Town Hall on Tuesday evening, November 14, 2006, at 7:00 p.m. to hear the following appeals to the terms of the Kittery Land Use and Development Code Zoning Ordinances:

1. Charlie Case and Sherry Walworth, Art and Christine Robichaud, and Brad and Carolyn Morrison requesting an Administrative Appeal to the terms of Title 16, Section 32, Subsection 1170 (Page 434) of the Kittery Land Use and Development Code Zoning Ordinance in order to reverse the Code Enforcement Officer's approval of a Minor Home Occupation due to (1) Code requirements not being met and an incomplete application being submitted or (2) a reconsideration by the ZBA of conditions A through H, as outlined by abutters and as deemed relevant by the Board, regarding property located at 7 Keene Terrace, Map 10, Lot 13, Kittery, zoned Urban Residential and Shoreland Zones.
2. David E. Chenell requesting a Miscellaneous Appeal to the terms of Title 16, Section 12, Subsection 110.E.5 (Page 287) of the Kittery Land Use and Development Code Zoning Ordinance in order to add to and update outdated cabin at property located at 59 Old Post Road, Map 8, Lot 8, Kittery, zoned C-3.
3. W. D. Howells requesting a Special Exception to the terms of Title 16, Section 12, Subsection 050.C (Page 254) of the Kittery Land Use and Development Code Zoning Ordinance in order to construct an intra-family dwelling by adding an apartment, including a galley kitchen, to Residence #11 for his disabled son at property located at 11 Lawrence Lane, Map 18, Lot 32, Kittery Point, zoned Suburban Residential.
4. Paul R. Bacon requesting a Miscellaneous Appeal to the terms of Title 16, Section 32, Subsection 490.K.2 (Page 380) of the Kittery Land Use and Development Code Zoning Ordinance in order to renovate an illegal four story 3-plex dwelling unit into a legal 2-plex dwelling unit by eliminating fourth floor, raising third floor ceilings, and making each unit similar in size and usefulness by adding dormers at property located at 17 Water Street, Map 1, Lot 47, zoned Kittery Foreside.
5. Paul R. Bacon requesting a Miscellaneous Appeal to the terms of Title 16, Section 32, Subsection 490.N.2.a (Page 388), Title 16, Section 32, Subsection 490.N.2.b (Page 388) and Title 16, Section 32, Subsection 490.K.2 (Page 380) of the Kittery Land Use and Development Code Zoning Ordinance in order to restore original architectural features and reconstruct rotted decks at property located at 17 Water Street, Map 1, Lot 47, zoned Kittery Foreside.

**PLEASE NOTE: *In accordance with 16.04.050.B1 of the Code, applicants must submit their packet of information at least 14 days ahead of the scheduled meeting. Other persons must make any submittals, with the exception of maps and photographs, at the Town Hall at least five days prior to the hearing date, or such submittals will be excluded from being admitted into evidence.***

CC:

Chairman, Town Council  
Town Manager  
Code Enforcement Officer  
Board of Appeals  
Chairman, Conservation Commission  
Chairman, Planning Board  
Duncan McEachern, Esquire

APPLICANTS:

1. Charles A. Case and Sherry B. Walworth, 108 Whipple Road, Kittery, Maine 03904  
Arthur William and Christine E. Robichaud, 7 Rose Lane, Kittery, Maine 03904  
Bradford H. and Carolyn M. Morrison, 5 Rose Lane, Kittery, Maine 03904  
D. Scott Mangiafico, Post Office Box 232, Kittery, Maine 03904, Owner
2. David E. Chenell, 59 Old Post Road, Kittery, Maine 03904
3. W. D. Howells, 11 Lawrence Lane, Kittery Point, Maine 03905
4. Paul R. Bacon, 140 Edmond Avenue, Portsmouth, NH 03801
5. Paul R. Bacon, 140 Edmond Avenue, Portsmouth, NH 03801

ABUTTERS:

1. Robert C. Roots, 114 Whipple Road, Kittery, Maine 03904-1351  
McKeel D. McBride, 3 Keene Terrace, Kittery, Maine 03904-1302  
Roger E. and Earlean F. Wells, 104 Whipple Road, Kittery, Maine 03904-1353
2. Phillip R. Crawford, 86 High Street, Exeter, NH 03833  
Northeast Hydraulics, Inc., 63 US Route 1 By-Pass, Kittery, Maine 03904-1570  
Kittery Indian, LLC, Suite 2, 384 US Route 1, Kittery, Maine 03904-9961  
Arthur L. Anderson, Trustee and Vincent Taccetta III, Trustee, Ranger Realty Trust,  
Post Office Box 190, Kittery, Maine 03904-0190  
Trevor S. and Denise M. Silveria, 53 Old Post Road, Kittery, Maine 03904-1064  
Alton A. Miller, Jr., 521 Royal Palm Drive, Virginia Beach, VA 23452  
Sherman E. Higgins, Trustee, and Virginia C. Higgins, Trustee,  
S&V Higgins Family Revocable Trust 2003, 71 Old Post Road, Kittery, Maine 03904-1064  
William E. Scire, Trustee, and Tedesco, Trustee, Ash Street Realty Trust,  
c/o Marc and Angela Bellantone, 17 Manson Road, Kittery, Maine 03904-5537  
DC/CD Properties, Ltd., 82 Court Street, Portsmouth, NH 03801  
Robert D. and Brenda M. Erickson, Post Office Box 294, Round Pond, Maine 04564-0294  
Harold K. Stanwood, Jr. and Harold K. Stanwood III, Post Office Box 450, York, Maine 03909-0450
3. Harvard College President and Fellows, Harvard Planning & Real Estate, Holyoke Center,  
1350 Massachusetts Avenue, Cambridge, MA 02138  
William W. and Muriel Howells, 11 Lawrence Lane, Kittery Point, Maine 03905-5104  
William D. Howells, Trustee, and Metz, Trustee, Warehouse Point Qual. Pers. Res. Trust,  
c/o Welch & Forbes (Mitchell), 45 School Street, Boston, MA 02108  
Kittery Point Partners, LLC, Post Office Box 148, Brattleboro, VT 05302-0148  
James P. Austin, Trustee, and Tudor M. Austin, Trustee,  
Post Office Box 278, Kittery Point, Maine 03905-0278  
William Dean Howells and G. H. Metz, c/o T. Dabney, c/o Welch & Forbes,  
45 School Street, Boston, MA 02108
4. W.L.H. Management Corporation, c/o Scott D. Cunningham,  
23 Mendums Landing Road, Barrington, NH 03825-3000  
Cynthia H. Harvell, 19 Water Street, Kittery, Maine 03904-1630

Paul E. and Mary Jane Painchaud, 8 Water Street, Kittery, Maine 03904-1641  
Astrea II, LLC, Lynn and Nathaniel Bowditch, 6 Water Street, Kittery, Maine 03904-1641  
Holly Landgarten, 20 Newmarch Street, Kittery, Maine 03904-1619  
Carl A. Schwartz, 300 Wallis Road, Rye, NH 03870  
State of Maine, John Paul Jones Park, Department of Transportation, Augusta, Maine 04333

5. W.L.H. Management Corporation, c/o Scott D. Cunningham,  
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