



TOWN OF KITTERY, MAINE
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0459 Fax: (207) 439-6806
Code Enforcement OFFICE

August 28, 2007

NOTICE
TOWN OF KITTERY

Public hearings by the Kittery Zoning Board of Appeals will be held at the Kittery Town Hall on Tuesday evening, August 28, 2007, at 7:00 p.m. to hear the following appeals to the terms of the Kittery Land Use and Development Code Zoning Ordinances:

1. Steve Leonard for Jonathan Shafmaster requesting a Miscellaneous Appeal to the terms of Title 16, Section 28, Subsection 130 (Page 274), Title 16, Section 32, Subsection 490K2 (Page 310), and Title 16, Section 32, Subsection 490N2A (Page 316), of the Kittery Land Use and Development Code Zoning Ordinance in order to obtain approval where the ZBA is authorized to grant permission for vertical enlargement within the existing footprint (16.28.130 A&B) and footprint is closer than 100' from the normal high water line (16.32.490(N)(2)). Located at 284 U.S. Route #1, Kittery, Map 31 Lot 6, in the Commercial Zone. 31-6-07-34.
2. Mark Della Pasqua requesting a Miscellaneous Appeal to the terms of Title 16, Section 32, Subsection 490K2 (Page 310), and Title 16, Section 32, Subsection 490N2A (Page 316) of the Kittery Land Use and Development Code Zoning Ordinance in order to add a small meeting area for guests and their families. Located at 380 U.S. Route 1, Kittery, Map 47 Lot 23, in the Commercial Zone. 47-23-07-36.
3. B & F Land Development for Rowell LLC requesting a Miscellaneous Appeal to the standards of Table 16.12 (Page 256-1 and 256-P), of the Kittery Land Use and Development Code Zoning Ordinance in order to demolish existing buildings and construct new buildings with 5,990 sq' manufacturing, 5,990 sq' warehouse, and 4,000 sq' retail with 5,890 sq' office (3). Reduction of wetland setback to 25' from 50'. Located at 240 U.S. Route 1, Kittery, Map 22 Lot 13, in the Commercial Zone. 22-13-07-37.
4. B & F Land Development for Rowell LLC requesting a Special Exception to the terms of Title 16, Section 12, Subsection 110 (Page 253), of the Kittery Land Use and Development Code Zoning Ordinance in order to demolish existing buildings and construct new buildings with 5,990 sq' manufacturing, 5,990 sq' warehouse, and 4,000 sq' retail with 5,890 sq' office (3). Reduction of wetland setback to 25' from 50'. Located at 240 U.S. Route 1, Kittery, Map 22 Lot 13, in the Commercial Zone. 22-13-07-38.

5. Teresa Tibbetts for Steven Tibbetts requesting a Miscellaneous Appeal to appeal to the standards of Table 16.12 (Page 256-1) of the Kittery Land Use and Development Code Zoning Ordinance in order to replace an existing mobile home (current residence) with a 26'x36' modular Cape. Located at 76 Wilson Road, Kittery, Map 59 Lot 3, in the Commercial Zone. 59-3-07-39.

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 Members
Chairman, Conservation Commission
Chairman, Planning Board
Duncan McEachern, Esquire

APPLICANTS:

1. Steve Leonard, 25 Great Bay Road, Greenland, NH 03847
Jonathan Shafmaster, 158 Shattuck Way, Newington, NH 03801
2. Mark Della Pasqua, 384 U.S. Route 1, Kittery, ME 03904-9961
- 3.&4. B&F Land Development, P.O. Box 1027, Smithtown, NY 11787
Rowell LLC, P.O. Box 704, Springvale, ME 04083
5. Teresa Tibbetts, 76 Wilson Road, Kittery, ME 03904-5550
Steven Tibbetts, 119 Beech Ridge Road, York, ME 03909

ABUTTERS:

1.
30/41 Kittery Trading Post Shops LLC, P.O. Box 904, Kittery, ME 03904-0904
30/44 Tanger Properties LTD Partnership, P.O. Box 10889, Greensboro, NC 27404-0889
- 31/2 AMG Investments LLC, 929 Augusta Road, Bowdoin, ME 04287
- 31/3 Rita L. White, 6 Ripley Road, Kittery, ME 03904-5522
- 31/4 Latium Management Corp., c/o Alliance Energy Corp., 36 East Industrial Road, Branford, CT 06405
- 31/4 Latium Management Corp., P.O. Box 2242, Bonita Springs, FL 32133-2242
- 31/8 Ann Peters, 1 Ox Point Drive, Kittery, ME 03904-5523
- 31/9 Richard M. & Kimberly A. Balano, 3 Ox Point Drive, Kittery, ME 03904-5523
- 31/10 Bruce H. & Gay K. Lakin, 5 Ox Point Drive, Kittery, ME 03904-5523
- 31/11 Castellano Family Revocable Trust 2002, 7 Ox Point Drive, Kittery, ME 03904-5523
- 31/12 Richard W. & Karen A. Lambert, 9 Ox Point Drive, Kittery, ME 03904-5523

31/13 Marilyn M. Ecker, 11 Ox Point Drive, Kittery, ME 03904-5523
31/21 Onil A. & Nancy J. Roy, 2 Ox Point Drive, Kittery, ME 03904-5523
38/14 Ripley Road Associates LLC, John Auzo Manager, c/o CPG Partners LP, P.O.
Box 6120, Indianapolis, IN 46206
-- Owners Construction Representatives, 25 Great Bay Drive East, Greenland, NH
03840
-- Carex Ecosystem Sciences, 538 Central Avenue Suite B, Dover, NH 03820
-- Doucet Survey Inc., 102 Kent Place, Newmarket, NH 03857
-- Civil Works Inc., P.O. Box 1166, Dover, NH 03820

2.

47/4 F/C Kittery Development LLC, John Auzo Manager, c/o CPG Partners LP, P.O.
Box 6120, Indianapolis, IN 46206
47/18-1-1 Thad J. Ackerman & Kristi M. Mathieson, 26 Haley Road, Kittery, ME 03904-
5402
47/18-1-2 John T. & Marsha R. Shaw, 28 Haley Road, Kittery, ME 03904-5402
47/19 Robert S. Marston, P.O. Box 208, Kittery, ME 03904-0208
47/20 Arrigo C. Della Pasqua, Dell-Co Realty Trust, 384 U.S. Route 1, Kittery, ME
03904-9961
47/23A Arrigo C. Della Pasqua, Dell-Co Realty Trust, 75 U.S. Route 1 By-Pass, Kittery,
ME 03904-1570
47/24A Tanger Properties LP, P.O. Box 10889, Greensboro, NC 27404-0889
50/1 Parker-Hannifin Corporation, 6035 Parkland Boulevard, Cleveland, OH 44124-
4141

3. & 4.

22/10 William & Eileen McCarthy, 27 Adams Drive, Kittery, ME 03904
22/11 Richard E. Rossiter, P.O. Box 176, Kittery, ME 03904-0176
22/12 David A. & Barbara A. Durling, 29 Adams Drive, Kittery, ME 03904
22/13 Rowell LLC, c/o H A Mapes, 288 River Street, P.O. Box 157, Springvale, ME
04083-0157
22/14 Megan Paine, 9 Goodwin Road, Kittery Point, ME 03905-5224
66/28 State of Maine, Department of Transportation, 16 State House Station, Augusta,
ME 04333-0016

5.

54/16 Dana R. & Barbara A. Newcomb, 207 Towle Farm Road, Box 541, Hampton, NH
03842
54/19 Chester M. Johnson, 110 Wilson Road, Kittery, ME 03904-5550
54/19-1 Chester M. Johnson
59/2 Corona M. Sandford, c/o Calvin Sandford, 83 Old Milford Road, Brookline, NH
03033
59/2A Kathleen Burge & Patricia C. Finney, 70 Wilson Road, Kittery, ME 03904-5550
59/5 Daniel M. Remick, 60 Brixham Road, York, ME 03909
59/16-1 Marilyn R. Johnson Trustee, Marilyn R. Johnson Rev Trust, 1 Pickernell Lane,
Kittery, ME 03904-5500