



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

September 12, 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, September 25, 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. Continuation of: 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. Beth Winbourne for CPG Kittery Holdings, LLC requesting a Miscellaneous Appeal to the terms of Title 16, Section 32, Subsection 595B (Page 338) of the Kittery Land Use and Development Code Zoning Ordinance in order to build a reasonable replacement of an existing non-conforming sign with a new, smaller and code compliant sign. Located at 345 U.S. Route #1, Kittery, Map 47 Lot 1, in the Commercial Zone. 47-1-07-29.
3. Andrew English requesting a Miscellaneous Appeal to the standards of Table 16, Section 12, Subsection 060D (Page 238-5), of the Kittery Land Use and Development Code Zoning Ordinance in order to tear down the existing porch connection between the house and garage and rebuild. Located at 55 Love Lane, Kittery, Map 4 Lot 199, in the Local Business Zone. 4-199-07-40.
4. Judith Kehl requesting an Administrative Appeal to the standards of Table 16, Section 20, Subsection 020D (Page 262), of the Kittery Land Use and Development Code Zoning Ordinance in order to complete the construction of the duplex, now 80% finished under Foreside Zoning that existed when permitted September 2, 2005, Section 16.12.150, Paragraph A, B-1, 0.2. Located at 95 Government Street, Kittery, Map 3 Lot 14, in the Kittery Foreside Zone. 3-14-07-41
5. David Linscott requesting a Special Exception to appeal to the standards of Table 16, Section 12, Subsection 040C (Page 237) of the Kittery Land Use and Development Code Zoning Ordinance in order to create an intra-family dwelling above the garage for sibling. Located at 24 Manson Road, Kittery, Map 30 Lot 17, in the Rural Residential Zone. 30-17-07-42.

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. Beth Winbourne, 375 U.S. Route #1 Box 6, Kittery, ME 03904-5582
CPG Kittery Holdings LLC, 105 Eisenhower Parkway, Roseland, NJ 07068
3. Andrew English, 55 Love Lane, Kittery, ME 03904-1704
4. Judith Kehl, 95 Government Street, Kittery, ME 03904-1647
5. David Linscott, 24 Manson Road, Kittery, ME 03904-5535

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.

- 38/1 CPG Kittery Holdings LLC, c/o Chelsea Property Group, 105 Eisenhower Parkway, Roseland, NJ 07068
- 38/7 CPG Finance II LLC, c/o CPG Partners LP, P.O. Box 6120, Indianapolis, IN 46206
- 38/11 Spruce Bend LLC, c/o George Stern, 17 Park Ridge Road, Haverhill, MA 01835
- 38/12 DS & DS Enterprises Inc., P.O. Box 630, Kittery, ME 03904-0630
- 47/3 Kathleen Baldwin TR, Bradford Realty Trust, 529 U.S. Route #1 Suite 101, York, ME 03909
- 47/3A OCSAP LTD, P.O. Box 239, Cumberland, MD 21502-0239
- 47/4 F/C Kittery Development LLC, John Auzo Manager, c/o Kittery Premium Outlets, 375 U.S. Route #1 Suite 220, Box 6, Kittery, ME 03904-5582
- 47/24 Tanger Properties LP, P.O. Box 10889, Greensboro, NC 27404-0889
- 47/25 Spruce Creek Retail Outlet LLC, c/o Neal Shalom, 145 Rosemary Street Suite E, Needham, MA 02494
- 47/25A Spruce Creek Retail Outlet LLC

3.

- 3/5 Gary H. Reiner, P.O. Box 159, Kittery, ME 03904-0159
- 3/7 Bonnie L. Reiner, P.O. Box 159, Kittery, ME 03904-0159
- 4/160 Loco Cocos Tacos Corporation, 2 Blue Heron Drive, Portsmouth, NH 03801
- 4/168 York Hospital, 15 Hospital Drive, York, ME 03909
- 4/189 Church of Christ, 48 Love Lane, Kittery, ME 03904-1733
- 4/189A Sean C. & Tracey H. Donaghue, 46 Love Lane, Kittery, ME 03904-1733
- 4/197 Patricia A. Lee, 49 Love Lane, Kittery, ME 03904-1704
- 4/198 David A. Greer & Rex W. Richards, 53 Love Lane, Kittery, ME 03904-1704
- 4/200 Peoples Heritage Savings Bank, Facilities Management Services, c/o Property Management, One Canal Plaza, Portland, ME 04101

4.

- 3/9 NLA LLC, 37 Chauncey Creek Road, Kittery Point, ME 03905-5202
- 3/10 Larry E. & Frances F. Warner, c/o Larry E. & Tracie L. Warner, 4 Newmarch Street, Kittery, ME 03904-1619
- 3/11 William M. Dinan, Jr., 2 Newmarch Street, Kittery, ME 03904-1619
- 3/12 William M. Dinan, Jr.
- 3/15 Randi L. & Gregory M. Cyr, 5 Stimson Street, Kittery, ME 03904-1627
- 3/16 Steven R. Webber & Gary P. Webber, 3 Pine Crest Drive, Eliot, ME 03903
- 3/17 William J. Stella, Jr. & Eleanor Majewski, 11 Stimson Street, Kittery, ME 03904-1627
- 3/22 Maureen Prouty, 536 State Street, Portsmouth, NH 03801
- 3/23 Lawrence & Mary Buckman, 4 Stimson Street, Kittery, ME 03904-1628
- 3/24 Emmett & Kathleen Nealon, P.O. Box 462, Captiva, FL 33924-0462
- 3/25 Melanie I. Wilson, 3 Rice Avenue, Kittery, ME 03904-1625
- 3/26 Karen L. Plantec, 5 Rice Avenue, Kittery, ME 03904-1625
- 3/27 Lawrence L. & Barbara T. Estes, 7 Rice Avenue, Kittery, ME 03904-1625
- 3/144 Granite State Pioneer Group LLC, P.O. Box 4201, Portsmouth, NH 03802-4201
- 4/175 York County Community Act Corp., 6 Spruce Street, P.O. Box 72, Sanford, ME 04073-0072

5.

29/25 Stuart O. Merrill, 38 Stevenson Road, Kittery, ME 03904-5541
29/26 Veronica M. Bragdon, 13783 61st Lane North, West Palm Beach, FL 33412
29/27 Robert Mason, 161 Beech Ridge Road, Eliot, ME 03903
29/31 Flower Company Properties Inc., 483 Harold L. Dow Highway, Eliot, ME 03903
30/15 Alfred S. & Lynn A. Young, 32 Manson Road, Kittery, ME 03904-5535
30/16 Adam J. Gordon, 148 Beech Ridge Road, York, ME 03909
30/18 Nelson E. & Nancy L. Linscott, c/o David Linscott, 24 Manson Road, Kittery,
ME 03904-5535
30/19 James C. & Carol A. McNally, 21 Manson Road, Kittery, ME 03904-5537
30/20 Megan T. & George Waldron, 23 Manson Road, Kittery, ME 03904-5537
30/21 Thelma J. LaClair, 25 Manson Road, Kittery, ME 03904-5538
30/22 Alan W. & Nancy Estes, 29 Manson Road, Kittery, ME 03904-5538
30/22A Nathan C. & Heidi L. Amsden, 799 Main Street, Eliot, ME 03903-1824
30/23 Alfred J. & Jane Wenck, 33 Manson Road, Kittery, ME 03904-5538
37/3 Inhabitants of Kittery