



**Town of Kittery
200 Rogers Road, Kittery, ME 03904**

**Board of Appeals
Meeting Agenda, Council Chambers
Tuesday, October 8, 2019
Regular Meeting - 6:30 P.M.**

1. Call to Order; Introductory; Roll Call

2. Pledge of Allegiance

3. Agenda Amendment and Adoption

4. Executive session (if required)

5. Public Hearings

a. Mitchell Delaney, owner of 50A Wyman Avenue (Map 16 Lot 145A), request a Special Exception Use per LUDC Section 16.3.2.4.C for the approval of a major home occupation in the Residential – Urban (R-U) zoning district to operate as a medical marijuana primary caregiver.

6. Unfinished Business

7. New Business

8. Acceptance of Previous Minutes

a. September 24, 2019

9. Board Member or CEO Issues or Comment

10. Adjournment



TOWN OF KITTERY
CODE ENFORCEMENT OFFICE

200 ROGERS ROAD, KITTERY, MAINE 03904

PHONE: (207) 475-1305

FAX: (207) 439-6806

Application to the
BOARD OF APPEALS

DATE SUBMITTED	7-23-19
MAP & LOT	16/145A
ASA FEE	
DATE PAID	
DATE COMPLETE	
HEARING DATE	9/24/19

Reschedule
to 10/18

SPECIAL EXCEPTION USE REQUEST

I have reviewed Town Code Title 16, Board of Appeals By-Laws, and the Ordinance(s) pertinent to this application. My request is based on the following:

TITLE	16	CHAPTER	3	SECTION	2.5.C					PAGE	
TITLE		CHAPTER		SECTION						PAGE	

Special exception means a use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions, if specific provision for such special exceptions is made in Chapter 16.3.

**IN ORDER FOR AN APPLICATION TO BE DETERMINED COMPLETE AND SCHEDULED FOR A PUBLIC HEARING:
APPLICATIONS FORMS MUST BE COMPLETE; 10 SETS OF DOCUMENTATION PROVIDED; & ALL FEE(S) PAID**

PROPERTY INFORMATION

ADDRESS	50 A Wyman Avenue				
MAP	16	LOT #	145A	LOT SIZE	.42 acres
BASE ZONE(S):	R-U		OVERLAY ZONE(S):		
The subject property: [is / is not] in a Shoreland overlay or Resource Protection zone; [is / is not] in a floodplain; AND [does / does not] have outstanding code violations; and, if so, granting this appeal provides resolution .					
PROPERTY OWNER: I have right, title or interest in the affected property, or issue, as shown by:					
NAME(S)	Mitchell Delaney				
MAILING ADDRESS	50 A Wyman Avenue				
CITY	Kittery	STATE	Maine	ZIP CODE	03904
PHONE No			e-MAIL:		

NOTE: You may have an attorney represent you, but such representation is not necessary. You may also be represented by a designated agent (e.g. family member, neighbor, engineer, contractor) as you so desire.

APPLICANT (if different) I am an agent of the applicant with standing, as shown by:

Lawyer for Mitchell Delaney					
NAME(S)	Tammie Snow, Esq.				
MAILING ADDRESS	136 Commercial Street, Mezzanine				
CITY	Portland	STATE	Maine	ZIP CODE	04101
PHONE No	207-558-4300		e-MAIL: tammie@tsnowlegal.com		

To the best of my knowledge, all information submitted on and with this application is true and correct.

Date: August 26, 2019

By:

(Signature)
Tammie Snow

(Print Name)

AFFIRMATIONS*(Please read and check all the boxes to confirm)***I understand that the:**

- ☒ Use requested must:
- ☒ 1. Not have an unreasonably adverse effect on the health, safety or general welfare of the residents of the area or the general public.
 - ☒ 2. Not significantly devalue abutting property or property across a public or private way.
 - ☒ 3. Not prevent the orderly and reasonable use of permitted or legally established uses in the zone wherein the proposed use is to be located, or of permitted or legally established uses in adjacent use zones.
 - ☒ 4. Not have an adverse impact on spawning grounds, fish, aquatic life, or bird or other wildlife habitats.
 - ☒ 5. Be in harmony with and promote the general purposes and intent of this Code.
 - ☒ 6. Adequately provide for the disposal of all wastewater.
 - ☒ 7. Conserve shore cover and visual, as well as actual, points of access to inland waters.
 - ☒ 8. Protect archaeological and historic resources as designated in the Comprehensive Plan.
 - ☒ 9. Avoid problems associated with floodplain development and use.
- ☒ Board may establish additional conditions, including, but not limited to, the following:
- ☒ 1. Front, side or rear yards in excess of minimum requirements;
 - ☒ 2. Modifications of the exterior features of buildings or other structures;
 - ☒ 3. Limitations on the size of buildings and other structures more stringent than the minimum or maximum requirements;
 - ☒ 4. Regulation of design of access drives, sidewalks and other traffic features;
 - ☒ 5. Off-street parking and loading spaces in excess of the minimum requirements; or
 - ☒ 6. Restrictions on hours of operation.
- ☒ Proposed use may:
- ☒ 1. Not have an adverse effect. In making this determination, the Board shall take into consideration the potential effect of the development on the environment from air, water or soil pollution; noise; traffic congestion; soil erosion; the burden on sewage disposal or water supply systems or other municipal facilities, services or public ways; and any other relevant factors.
 - ☒ 2. Not significantly devalue abutting properties. In making its determination, the Board shall take into consideration the type of structure proposed; the topography of the area; the market value of the surrounding real estate; the availability of utilities and transportation; the availability of schools and hospitals; traffic conditions; and any other relevant factors.
 - ☒ 3. Not give rise to any grave concern regarding the expectations as listed above.
 - ☒ 4. Be subject to such additional conditions as the Board deems necessary.

I also understand that the Board of Appeals:

- ☒ May hear and decide a special exception use request within the limitations set forth in Title 16 Section(s) identified on Page 1.
- ☒ Appears to have jurisdiction to hear this request; hearing must be held within 30 days of this request filing; application must be complete; and, public and abutter notice must be made no less than seven days prior to the scheduled hearing.
- ☒ Will conduct this hearing De Novo (meaning the Board acts if it were considering the question for the first time, affording no deference to the preceding agency decisions; may receive new evidence and testimony consistent with this Town Code Title 16 and the Board rules; and, conduct additional hearings and receive additional evidence and testimony).
- ☒ Will determine my Burden of Proof:
- 1) What does the ordinance/statute require the applicant to prove?
 - 2) Does the ordinance/statute prohibit or limit the type of use being proposed?
 - 3) What factors must be considered under ordinance/statutes to decide whether to grant the request?
 - 4) Is the evidence presented substantial? Is it credible? Is it outweighed by conflicting evidence?
- ☒ Requires substantial evidence as the Standard of Review for this request, meaning:
- "More than a mere scintilla". It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. The preponderance of evidence standard is met if the proposition is more likely to be true than not true. The standard is satisfied if there is greater than fifty percent chance that the proposition is true.*
- ☒ May hear, decide, and approve variations in accordance with the criteria listed in Town Code Title 16, Sections 6.6.1, Factors, and 6.6.2, Considerations; and may consider other Title 16 standards.

- ☒ Approval may not be granted for an application involving a structure if the structure would be located in an unapproved subdivision or would violate any other local ordinance or regulation or any state law which the municipality is responsible for enforcing.
- ☒ Is only legally authorized to deal with issues arising from the list above, and do not include such matters as constitutionality, civil rights, criminal acts, property disputes, surliness, etc.
- ☒ Will not even hear my appeal unless I can show that I have "standing" to have my complaint heard;
- ☒ Purpose of establishing my case for "standing" is to limit appeals on an issue to those who are directly involved and/or affected.
- ☒ Will try to decide my case based only on the factual information presented and what is written in the pertinent Town ordinance/regulation, State statute(s)/regulation(s) and the rulings of the State Supreme Judicial Court.
- ☒ Tries to make decisions it believes would be upheld if appealed to Superior Court.

STATEMENTS:

Describe the general nature of the request:

The home occupation will consist of cultivating and selling medical marijuana as allowed under the Maine Medical Use of Marijuana Act. Applicant holds a valid and current medical medical caregiver license. See Exhibit 1.

The cultivation will take place in the basement. The basement is 804 square feet, which is 31% of the residence's total square footage of 2,583.

Sales will take place in a 12' x 18' foot shed that will be retrofitted into an office. Including the shed, the home occupation use will amount to 39% of the residence's total square footage. See Exhibit 2 for location of the shed.

No product will be stored or kept in the shed.

Odor abatement in the basement cultivation area includes three Q Max 8" Pro Series fans with attached charcoal filters. The fans run 24 hours a day, pulling the air through the filters, where the air is scrubbed of all odor. No odor will be detectable outside the basement.

Off-street parking is available for up 8 vehicles.

The business will not store any equipment, vehicles, or other items outdoors.

The home occupation is expected to generate no more than five visitors per day. Most sales will take place through delivery.

The home occupation will employ a maximum of five people, including the resident.

Business hours will be 9:00 a.m. to 5:00 p.m.

Exhibit 2 is an aerial photo of the property with the property dimensions, location of the residence, location of the shed to be built, and distances to nearest structures. There are no encumbrances on the property.

Exhibit 3 is diagrams of the residence with square footages.

Although the property is deeded as a condominium, it is a single family structure with no walls or other attachments to other dwelling units.

Additional Information

1. Please complete this application in its entirety. You may add other information as may be needed to adequately describe the purpose of seeking relief from the Board of Appeals.
2. A detailed plot plan or diagram must be provided showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic features (wetlands, streams, etc) of the lot in question. This plot plan should also include the distances to the nearest structures on abutting properties and show the detail of any rights-of-way, easements, or other encumbrances.
3. Blueprints, surveys, photos and other documents may be helpful in explaining your request and should be included.

Exhibit 1

Maine Medical Marijuana Caregiver License

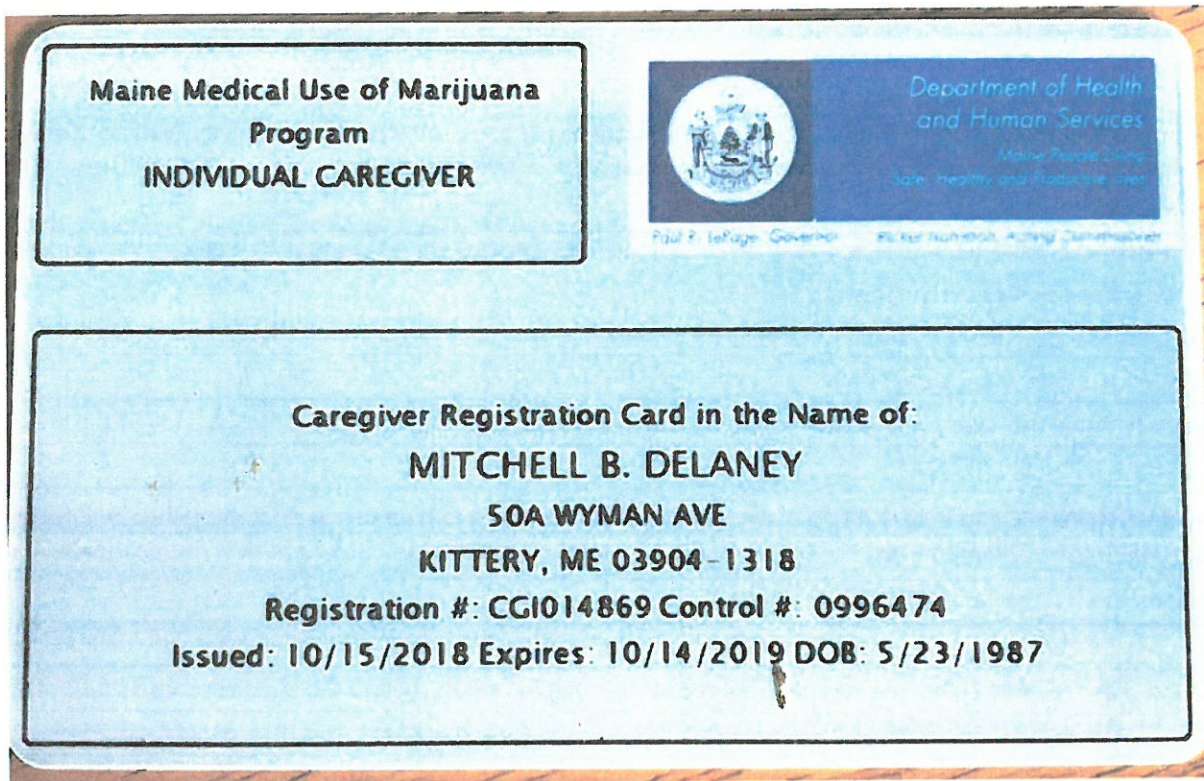
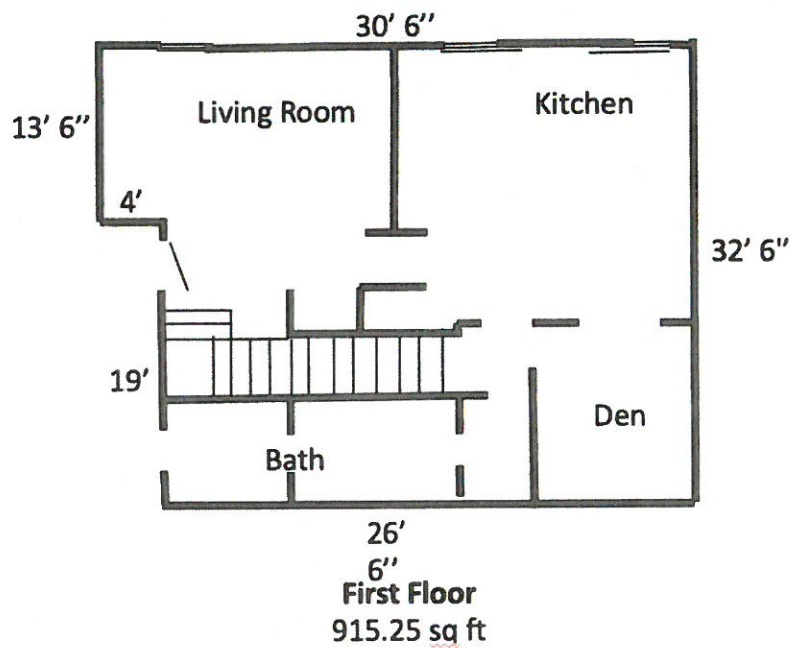
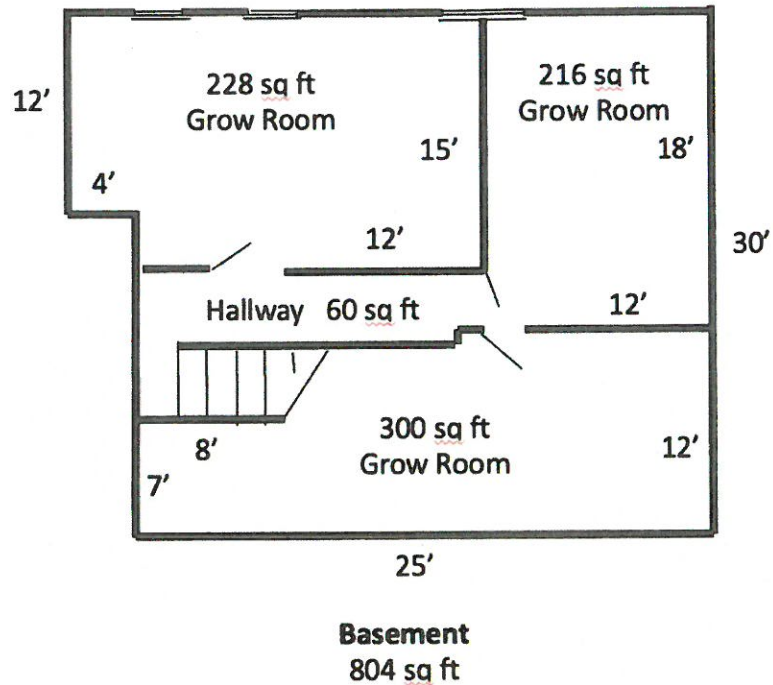


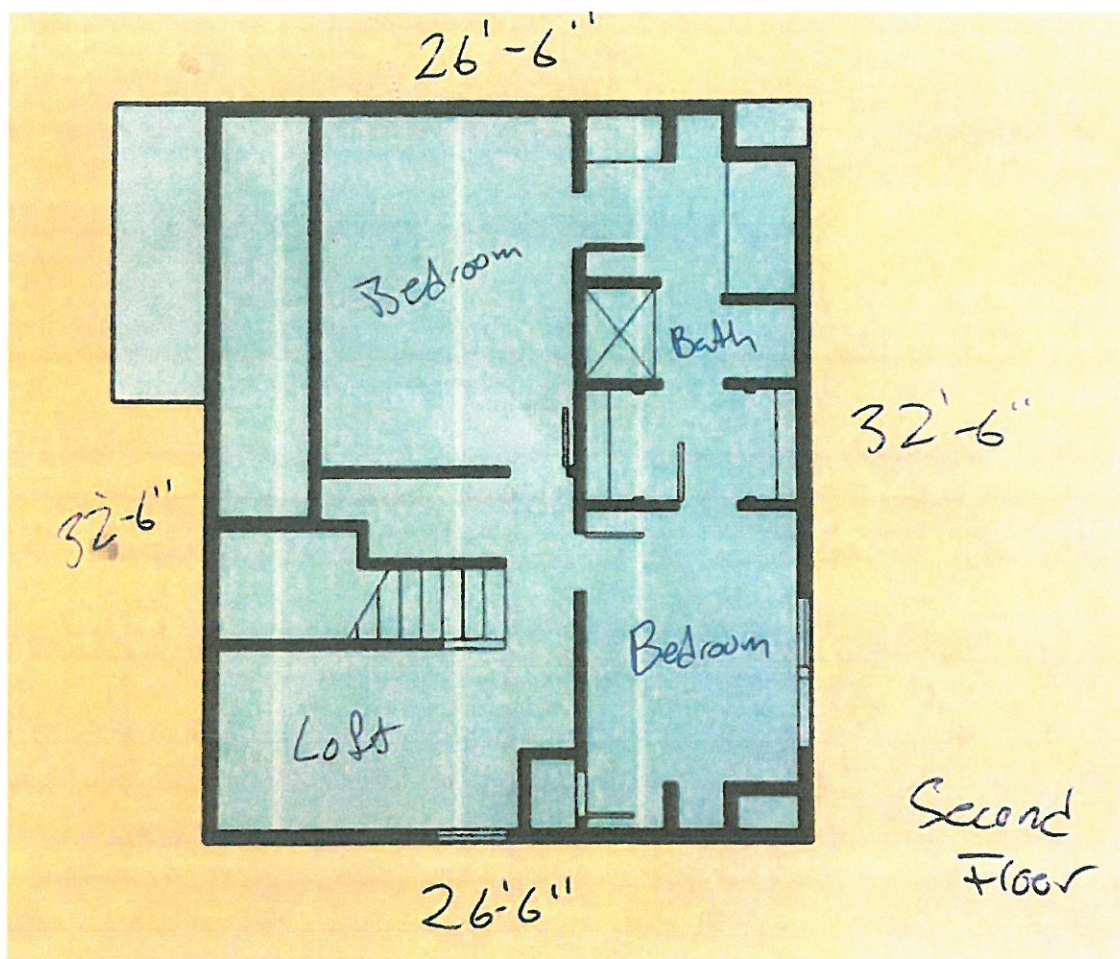
Exhibit 2

Aerial photo of the property with the property dimensions, location of the residence, location of the shed to be built, and distances to nearest structures



Exhibit 3
Residence diagrams







**PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT**

BOA Meeting Date: October 8, 2019

Item #: SE2019-03

**STAFF REPORT – 50A WYMAN AVENUE – SPECIAL EXCEPTION USE REQUEST /
MAJOR HOME OCCUPATION**

Project Name: 50A Wyman Avenue

Applicant: Tammie Snow, Esq

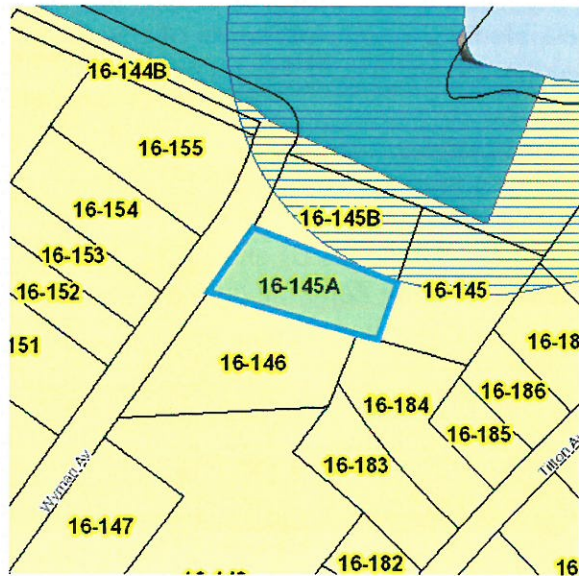
Owner: Mitchell Delaney

Proposed Development: Major home occupation: Medical marijuana primary caregiver

Requests: Special Exception Use per LUDC Section 16.3.2.4C.(9), seeking approval for a major home occupation as a medical marijuana primary caregiver

Site Addresses: 50A Wyman Avenue

Map & Lot Numbers: 16-145A



Current Zoning:

Residential – Urban (R-U) - The purpose of the Residential – Urban is to preserve the physical,

aesthetic and social quality of Kittery's urban area and, consistent with this goal, to provide therein for the location of a variety of residential uses in accordance with the standards of this title.

The existing dwelling use is permitted by right in the zone. The following uses are permitted as a Special Exception Use in the R-U Zone: (9) Major home occupations as an accessory use.

Staff Recommendation: APPROVAL WITH CONDITIONS of Special Exception Use request.

District Standards:

Residential – Urban (R-U) Zoning District Standards			
Land Area per DU	20,000 sf	Front Yard Setback (min.)	30 feet
Building Coverage (max.)	20%	Rear Yard Setback (min.)	15 feet
Lot Size	20,000 sf	Side Yard Setback (min.)	15 feet

Current Use: One dwelling unit.

Surrounding Land Uses:

West: Residential – Urban (R-U) and Shoreland Overlay Zone (OZ-SL), dwelling unit

East: Residential – Urban (R-U), dwelling unit

North: Residential – Urban (R-U) and Shoreland Overlay Zone (OZ-SL), dwelling unit

South: Residential – Urban (R-U), dwelling unit

Future Land Use:

The subject property is located within a Growth Area in the Future Land Use Map, defined in the Comprehensive Plan as “areas where the Town would like to encourage future development to occur.” Growth Area include parts of Town where 75% or more of future non-residential growth is expected, areas that are or can relatively easily be served by public facilities and services, are accessible by a variety of modes of transportation, promote more compact and denser pattern of development, and where there is existing development.

Site Description:

The subject property consists of approximately 18,134 square feet (.4163 acres) located along the western right-of-way of Wyman Avenue, a public road off of Whipple Road. The property is zoned Residential – Urban (R-U) and is a legal non-conforming lot. The property is not located in the Shoreland Overlay Zone, though their neighbors to the North and West are. The lot contains one single-family dwelling of approximately 1,762 square feet of living area.

History of the Property:

Prior to 2008 this property was part of the M16 L145. In 2008 a condominium agreement was entered to create Lot A and Lot B. In 2009 a single-family dwelling unit constructed on the subject property. Tax records show the dwelling consists of approximately 2,968 gross square feet area over three floors including 858 square feet of basement. The house is on public sewer. The existing primary structure is conforming as to the required front, side, and rear setbacks.

Description of the Issue:

The owner/applicant wishes to operate a licensed medical marijuana caregiver per Maine state law (22 M.R.S. § 2425) out of his home. The owner is proposing to use 744 square feet of the existing basement for a grow room. The application also includes a proposed 12'x18' shed be built and retrofitted into an office, where sales would take place. The owner further states that he has been granted an Individual Caregiver License from the Maine Medical Marijuana Program and provides a copy of the license.

Town Code provides certain standards for a major home occupation in Section 16.8.22.3 of the LUDC. The medical marijuana use is allowed with a registered primary caregiver in a dwelling unit. The Town has not opted in to any other provisions of state law to allow retail sales of marijuana.

Applicant's Special Exception Use Request:

Section 16.6.6 requires the Board of Appeals to use the following process when hearing requests:

§ 16.6.6 Basis for decision.

A. Conditions.

- (1) In hearing appeals/requests under this section, the Board of Appeals must first establish that it has a basis in law to conduct the hearing and decide the question.*

LUDC Section 16.6.4.D.(1) allows the Board of Appeals to “hear, decide and may grant an applicant's special exception use request where authorized in Chapter 16.3 for any application excluded from Planning Board review as stated in § 16.10.3.2, if the proposed use meets the criteria set forth in § 16.6.6, Basis for decision.” Since this property is not in the Shoreland Overlay or Resource Protection Overlay Zones, the special exception use request falls to the Board of Appeals.

The requested activity is a major home occupation, defined in the code as “a type of home occupation that fails to meet all of the standards for a minor home occupation established in § 16.8.22.2, but is found by the Board of Appeals to satisfy the standards established in § 16.8.22.3 to ensure that a business results in no more than a minor intrusion in the quality of life of residents in the surrounding neighborhood.” Home occupations as an accessory use are allowed only as a Special Exception Use in the Residential – Urban (R-U) zone.

- (2) In hearing appeals/requests under this section, the Board of Appeals must use the following criteria as the basis of a decision, that:*

- (a) The proposed use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use zones;*

The use can be granted only as an accessory use by the Board of Appeals, and will not prevent the orderly and reasonable use of adjacent properties. All adjacent properties are zoned Residential – Urban containing the same single dwelling use as the subject property

and have the same opportunity to apply for home occupations per the code.

- (b) *The use will not prevent the orderly and reasonable use of permitted or legally established uses in the zone wherein the proposed use is to be located or of permitted or legally established uses in adjacent use zones;*

The use will not prevent the orderly and reasonable use of legally established uses in the zone since the use is the same as adjoining properties and there are no use restrictions between adjacent dwelling units in the zone.

- (c) *The safety, the health and the welfare of the Town will not be adversely affected by the proposed use or its location; and*

The use will not adversely affect the health and welfare of the Town, as long as conditions are met to ensure safe and legal operations.

- (d) *The use will be in harmony with and promote the general purposes and intent of this title.*

The use is in harmony with Title 16 and promotes its general purposes.

Factors for consideration. In making such determination, the Board of Appeals must also give consideration, among other things, to:

- (1) *The character of the existing and probable development of uses in the zone and the peculiar suitability of such zone for the location of any of such uses;*

The use involved is legally permitted in the zone, per review by Board of Appeals.

- (2) *The conservation of property values and the encouragement of the most appropriate uses of land;*

The proposed home occupation will occur within the existing dwelling unit, which is an appropriate and compatible use of the land.

- (3) *The effect that the location of the proposed use may have upon the congestion or undue increase of vehicular traffic congestion on public streets or highways;*

There is no proposed change in the underlying use of the property nor increase in density of the existing dwelling unit. The applicant will presumably accept clients arriving via cars. Client vehicular traffic should conform to the hours of operation restrictions in the code or imposed by the Board. Off-street parking for the home occupation shall be provided in the driveway.

- (4) *The availability of adequate and proper public or private facilities for the treatment, removal or discharge of sewage, refuse or other effluent (whether liquid, solid, gaseous or otherwise) that may be caused or created by or as a result of the use;*

The property is connected to adequate sewer systems.

- (5) *Whether the use, or materials incidental thereto, or produced thereby, may give off obnoxious gases, odors, smoke or soot;*

The proposed use has the potential for odors and the applicant has proposed the installation of 3 Q Max 8" Pro Series fans with attached charcoal filters to abate any odors.

- (6) *Whether the use will cause disturbing emission of electrical discharges, dust, light, vibration or noise;*

The use causes no disturbing emission of electrical discharges, dust, light, vibration or noise.

- (7) *Whether the operations in pursuance of the use will cause undue interference with the orderly enjoyment by the public of parking or of recreational facilities, if existing, or if proposed by the Town or by other competent governmental agency;*

No undue interference should result from this use.

- (8) *The necessity for paved off-street parking;*

The property has non-paved existing space for off-street parking.

- (9) *Whether a hazard to life, limb or property because of fire, flood, erosion or panic may be created by reason or as a result of the use, or by the structures to be used, or by the inaccessibility of the property or structures thereon for the convenient entry and operation of fire and other emergency apparatus, or by the undue concentration or assemblage of persons upon such plot;*

The applicant proposes to create a grow room, which typically require large lighting systems which could put significant strain on the typical residential electrical system. The applicant must verify the electrical system can handle the additional load from such lights. Any fire hazards can be mitigated with proper construction and inspection.

- (10) *Whether the use, or the structures to be used, will cause an overcrowding of land or undue concentration of population or unsightly storage of equipment, vehicles or other materials;*

No overcrowding should result from this use.

- (11) *Whether the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof;*

The existing lot is a conforming lot of record.

- (12) *Whether the proposed use will be adequately screened and buffered from contiguous properties;*

Adequate existing vegetation exists.

- (13) *The assurance of adequate landscaping, grading and provision for natural drainage;*

No changes are proposed to the land.

- (14) *Whether the proposed use will provide for adequate pedestrian circulation;*

No existing pedestrian facilities currently existing.

- (15) *Whether the proposed use anticipates and eliminates potential nuisances created by its location; and*

The applicant must take care to avoid any public nuisances, abate any odors emanating from the use, and abide by restrictions on hours of operation.

- (16) *The satisfactory compliance with all applicable performance standard criteria contained in Chapters 16.8 and 16.9.*

Other than the request applied by the applicant here, the property conforms to Title 16.8 and 16.9 in its existing state. The applicant must abide by specific conditions outlined in section 16.8.22.3 and any conditions placed on the use by the Board of Appeals.

16.6.6.C. Additional special exception conditions. Special exception approvals may be subject to additional conditions as determined by the BOA, including the following:

- (1) Front, side or rear yards in excess of minimum requirements*
- (2) Modifications of the exterior features of buildings or other structures;*
- (3) Limitations on the size of buildings and other structures more stringent than the minimum or maximum requirements;*
- (4) Regulation of design of access drives, sidewalks and other traffic features;*
- (5) Off-street parking and loading spaces in excess of the minimum requirements; or*
- (6) Restrictions on hours of operation.*

Using the standards and criteria found in the LUDC, Staff recommends APPROVAL WITH

CONDITIONS of the Special Exception Use request for a major home occupation as a medical marijuana licensed primary caregiver in an existing dwelling unit located in the R-U zone, with the following conditions:

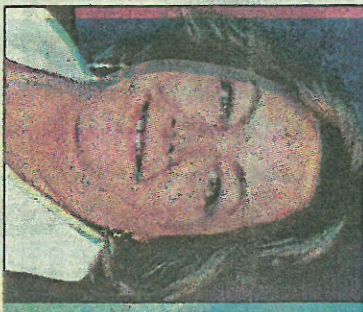
1. The owner must abide by all provisions of Maine State Law on medical marijuana licensed caregivers, 22 M.R.S. § 2425.
2. The applicant must be a resident of the dwelling on the premises where the home occupation will occur. An applicant who is not the owner of the property, but is residing on the premises, must submit written permission of the property owner for the proposed home occupation.
3. The maximum total amount of square footage attributed to the home occupation use must not exceed 1,480 square feet.
4. There must be no more than five adults, inclusive of residents of the premises, working in the home occupation at the site at any one time.
5. No other major home occupations may be conducted on the premises while operating as a licensed medical marijuana caregiver.
6. Business activities involving clients or customers on the premises or vehicular traffic to and from the premises must not be conducted between the hours of 7:00 p.m. and 7:00 a.m. The applicant must submit a plan that provides safe and sufficient off-street parking to meet the needs of the business and prevent parking from overflowing off the site.
7. All outdoor storage of equipment, vehicles or items associated with the home occupation must be screened from view of abutting properties and from all streets except for one (1) vehicle used in conjunction with the home occupation and vehicles owned by residents of the premises with valid license plates.
8. All business activities on the site must take place within an enclosed building.
9. All refuse and recyclables must be stored in containers that are screened from view of abutting properties and from streets.
10. Prior to the installation of any lighting systems for the home occupation, an electrical load test of the dwelling's electrical system must be performed by a licensed electrician. The results of the load test must be shared with the Code Enforcement Officer.
11. A suitable ventilation system must be installed to abate any odors, subject to the review and inspection by the Code Enforcement Officer.
12. The proposed home occupation will not be allowed to operate until all proposed

interior improvements for the grow room and work area have been completed and inspected to the satisfaction of the Code Enforcement Officer, the Fire Chief, and the Police Chief.

- 13. Upon approval of a major home occupation by the Board of Appeals and compliance with the above conditions, the Code Enforcement Officer is authorized to issue a certificate of occupancy permit for not more than a one-year time period. Such permit may be renewed annually upon application to the Code Enforcement Officer. The annual permit may be renewed only if the Code Enforcement Officer finds the major home occupation complies with all applicable standards of this Code and any conditions required by the Board of Appeals in the original approval.**

OBITUARIES & NEWS

Jane Catherine Murphy



ELIOT, Maine — Jane Catherine (Kotsonis) Murphy, 61, passed away Saturday, September 21, 2019 surrounded by her family, at Wentworth-Douglass Hospital following a sudden decline in her health from lung cancer. She was born March 2, 1958 to L. Ruth (Chisholm) and Harry Kotsonis.

Upon graduating from Portsmouth High school, Jane met and married the especially her dogs, Tippy and Smudge and her cat, Shadow.

Survivors include her husband of 41 years, Gerard Murphy of Eliot, Maine; two children, Christina Wadleigh (Joe) of Rochester and Daniel Murphy (Cori) of Somersworth, N.H.; three siblings, David Kotsonis (Nancy) of Greenland, Robert Kotsonis (Nancy) of Greenland, John Kotsonis (Marianne) of Kennebunk; as well as five grandchildren.

James L. Colbert



PORTS-MOUTH — James L. Colbert, 84, TSgt USAF (Ret), passed away Friday, September 20, 2019.

SERVICES: Wake Services will be held on Sunday, September 29 from 2-4 p.m. at Farrell's Funeral Home, 684 State St., Portsmouth, followed by a funeral Mass on Monday, September 30, 10:30 a.m., at Immaculate Conception Church, Summer Street. Graveside services immediately following at the Calvary Cemetery, Middle Road.

In lieu of flowers, donations in Memory of Jim can be made to the Pease Greeters Organization, at peasegreeters.org, mailing address: Pease Greeters, P.O. Box 22311, Portsmouth, NH 03802-2311.

Stocks fall, bonds rise as caution takes over

Information about the proposed demolition is available from the Inspection Department, City Hall, 1 Jenkins Avenue, Portsmouth, NH 03801 (tel 610-7243). You may object to the demolition by filing a written objection with the Inspection Department at the above address.

(Demolition to include garage only)

If no written objection is received in the Inspection Department within 30 days from the date of this notice, the Demolition Permit will be issued. If a written objection is received within said period, the Inspector may order an additional delay in issuing the Demolition Permit, up to a maximum of 90 days from the date of this notice.

Date of this Notice: September 27, 2019

PH0405331

James and Patricia Dowey
134 Richards Avenue
Portsmouth, NH 03801

Legal Notice

NOTICE OF PUBLIC HEARING TOWN OF KITTERY - BOARD OF APPEALS

200 Rogers Road, Kittery, Maine 03904
Tuesday, October 8, 2019 - 6:30 p.m.

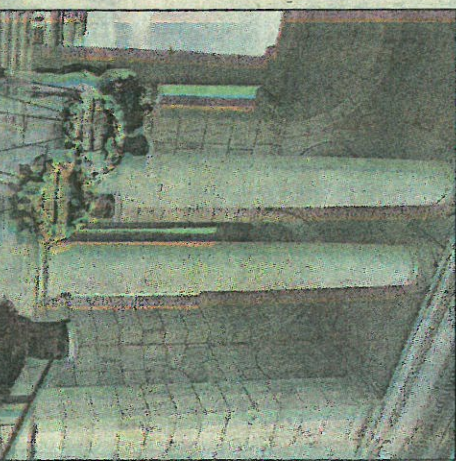
Mitchell Delaney, Owner, 50A Wyman Avenue, requesting a Special Exception Use for a Major Home Occupation to operate as a medical marijuana primary caregiver in the Residential - Urban (R-U) zone, per Section 16.3.2.4 and Section 16.8.22.3 of the Town Code.

Application information is available for public inspection between 8:00 am to 6:00 pm, Monday through Thursday, at the Development Department located in Kittery Town Hall. To request a reasonable accommodation for this meeting please contact staff.

PH0405332

MARKET WATCH COMMODITIES REVIEW

Dow	26,891.12	▼	79.89
Nasdaq	8,030.56	▼	46.72
S&P	2,977.62	▼	7.25
Russell	1,533.33	▼	17.33
NYSE	13,028.74	▼	8.87
Gold	1,507.50	▲	2.90
Silver	17.962	▼	.161
Platinum	936.10	▲	8.20
Copper	2.56	▼	.0350
Oil	56.41	▼	0.08



U.S. Navy personnel carry wreaths during a ceremony Thursday to celebrate the installation of a USS Thresher monument at Arlington National Cemetery.

FIRST UNITED METHODIST CHURCH

129 Miller Avenue
Portsmouth, NH
(603) 436-6038
fumportsmouth.com
office@fumportsmouth.net
Sundays 10am
"Reconciling Congregation."

CHRISTIAN LIFE CHURCH

775 Harold L. Dow Highway, Eliot, ME
(207) 449-3824
clchurches.org
Sundays 9am & 11am
Dowpour Service 7pm
2nd Friday of the month
Come as you are. Discover all you can be.

Included in your listing should be Name, Address, Phone, Web Address, Worship Hours and A Short One-Liner.
For directory information, or to list your church, call
TINA RITTER at (603) 570-2122 • or tritter@seacoastonline.com