



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

November 29, 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, December 12, 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. Irving Oil Corp., c/o Perkins Thompson, Portland (James Howell, Owner), requesting a Miscellaneous Appeal to the terms of Title 16, Section 12, Subsection 110.C.3.e (Page 278) and Title 16, Section 28, Subsection 120 (Page 340) of the Kittery Land Use and Development Code Zoning Ordinance in order to relocate a nonconforming "truck stop" use from an existing building to a proposed new building with no increase in size of area used at property located at Route 1 By-Pass, Map 13, Lots 9.5-11 and 9.5-12, Kittery, zoned C-3.
2. Irving Oil Corp., c/o Perkins Thompson, Portland (James Howell, Owner), requesting an Administrative Appeal to the terms of Title 16, Section 12, Subsection 110.C.3.b (Page 277) and Title 16, Section 28, Subsection 120 (Page 340) of the Kittery Land Use and Development Code Zoning Ordinance in order to reverse the Code Enforcement Officer's determination that "gasoline sales" is a nonconforming use of the property and that the Board determine that such use is a lawful, grandfathered Special Exception at property located at Route 1 By-Pass, Map 13, Lots 9.5-11 and 9.5-12, Kittery, zoned C-3.
3. Irving Oil Corp., c/o Perkins Thompson, Portland (James Howell, Owner), requesting a Miscellaneous Appeal to the terms of Title 16, Section 12, Subsection 110.C.3.b (Page 277) and Title 16, Section 28, Subsection 120 (Page 340) of the Kittery Land Use and Development Code Zoning Ordinance in order to relocate and reconstruct existing gasoline and diesel pump islands and fuel tanks and to expand/enlarge the number of gasoline pump/dispensers from two to four at property located at Route 1 By-Pass, Map 13, Lots 9.5-11 and 9.5-12, Kittery, zoned C-3.
4. Irving Oil Corp., c/o Perkins Thompson, Portland (James Howell, Owner), requesting a Variance to the terms of Title 16, Section 12, Subsection 110.C.3.b (Page 277) and Title 16, Section 28, Subsection 120 (Page 340) of the Kittery Land Use and Development Code Zoning Ordinance in order to relocate and reconstruct existing gasoline and diesel pump islands and fuel tanks and to increase the number of gasoline pump/dispensers from two to four at property located at Route 1 By-Pass, Map 13, Lots 9.5-11 and 9.5-12, Kittery, zoned C-3.

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. – 4. Irving Oil Corp., c/o Perkins Thompson, Portland
James Howell, Owner, Route 1 By-Pass, Kittery, Maine 03904

ABUTTERS:

1. – 4. BOC Group, Inc., c/o Tax Technology Services, LLC,
1121 Situs Court, Suite 150, Raleigh, NC 27606
William M. Wyman, Jr., 21 Ranger Drive, Kittery, Maine 03904-1055
Howells, Inc., Post Office Box 344, Kittery, Maine 03904-0344
Kittery Hotels, Inc., 2 Gorges Road, Kittery, Maine 03904-1051
J. S. Pelkey Funeral Services, Inc., 125 Old Post Road, Kittery, Maine 03904-1064
Patricia A. McEachern, c/o Mary M. Keenan, 91 LaFayette Road, Portsmouth, NH 03801
Robert S. Creamer, 121 Old Post Road, Kittery, Maine 03904-1064
Patrick L. J. Veilleux, Post Office Box 5, Kittery, Maine 03904-0005
Doris H. Veilleux, Post Office Box 5, Kittery, Maine 03904-0005
Ruth E. Bowen, 19 Tippy Lane, Eliot, Maine 03903