

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

Steven Nilsen &
Deborah McKowen
19 Woods Road
Peaks Island, ME 04108

September 5, 2014

Re: 19 Woods Road – 092-G-010, 011, 012, 013, 019, 020 & 021 – IR-1 Island Residential Zone

Dear Mr. Nilsen & Ms. McKowen,

At the September 4, 2014 meeting, the Zoning Board of Appeals voted 5-0 to deny your Conditional Use Appeal to raise domesticated animals on your property. I am enclosing a copy of the Board's decision.

You will also find an invoice for the fees that are still owed for the processing fee, the legal ad and the notices for the appeal. Please submit your payment on receipt of this invoice. Your permit cannot be issued until your payment has been received.

Since the Conditional Use Appeal was denied, you need to bring your property into compliance. Any domesticated animals that are still on the property need to be removed and you may not raise any in the future. Section 14-476 of the Ordinance states: "Whenever any application, appeal or other request filed pursuant to this article has been fully denied on its merits, a second application, appeal or other request seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought within one (1) year of such denial unless, in the opinion of the officer or board before which it was brought, substantial new evidence is brought or a mistake of law or fact significantly affected the prior denial".

Appeals from decisions of the Board may be filed in Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure. Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

Ann B. Machado
Zoning Specialist

Cc File

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: September 5, 2014
RE: Action taken by the Zoning Board of Appeals on September 4, 2014

Members Present: Donna Katsiaficas (acting secretary), William Getz (acting chair), Chip Gavin, Eric Larsson and Kent Avery

Members Absent: Gordon Smith and Sara Moppin

1. New Business

A. Interpretation Appeal:

18-24 Marginal Way, Northern Pride Auto Wash, owner, Tax Map 113, Block A, Lot 025, B7 Mixed Development District Zone: The appellant is challenging the Zoning Administrator's determination dated June 27, 2014 that Northern Pride Auto Wash could not retain the drive-through if the use was changed from a carwash. Representing the appeal is the applicant's lawyer, Natalie A. Burns. **The Zoning Board of Appeals voted 5-0 to grant a continuance for the appeal to be heard at a later date.**

B. Conditional Use Appeal:

19 Woods Road, Peaks Island, Steven Nilsen & Deborah McKowen, owners, Tax Map 092, Block G, Lots 010, 011, 012, 013, 019, 020 & 021, IR1 Island Residential Zone: The applicants are seeking a Conditional Use Appeal under section 14-145.3(c)(4) to raise domesticated animals (horses and geese) on their property. Representing the appeal are the owners. **The Zoning Board of Appeals voted 5-0 to deny the appeal to raise horses on the property.**

C. Conditional Use Appeal:

136-140 William Street, Timothy Keiter & Kay Hamlin, owners, Tax Map 081, Block B, Lot 011, R-3 Residential Zone: The applicants are seeking to convert their existing, detached carriage house into an accessory dwelling unit. This conversion requires a Conditional Use Appeal under section 14-433 subject to the requirements of section 14-88(a)(2). Representing the appeal are the owners. **The Zoning Board of Appeals voted 5-0 to grant the appeal to allow the carriage house to be converted to an accessory dwelling unit.**

Enclosure:

Decision for Agenda from September 4, 2014
One DVD

CC: Sheila Hill-Christian, Acting City Manager
Jeff Levine, AICP, Director Planning & Urban Development
Alex Jaegerman, Planning Division
Mary Davis, Housing and Neighborhood Services Division

*City Act 2
Kathleen
Larsen
Cowan
Avery*

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

IR-1 Island Residential Zone

Conditional Use Appeal

DECISION

Date of public hearing: September 4, 2014

Name and address of applicant: Steven Nilsen/Deborah McKonen
19 Woods Road
Peaks Island, ME 04108

Location of property under appeal: 19 Woods Road, Peaks Island

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

Steven Nilsen / Deborah McKonen
Cynthia Leckness - Knickerbocker ^{lane} - concern w/ electric fence
Mary Jo Gray - Knickerbocker ^{lane} - drainage, odor ^{right of way}
Kathleen Densmore Britos, 1 Woods Road, - concern w/ electric fence, drainage, odor
- odor, flies, clear cutting
health issues - too close
to well (test more
frequently & after heavy
rain), nuisance. Has
reported to DEP

Exhibits admitted (e.g. renderings, reports, etc.):

Packet,
pictures supplied by
Kathleen Densmore
Horse Manure Management Plan
Wind Data Report - Peaks Island
Prepared by Univ of Me.

Cesar Britos - Concerned w/ odor of horse urine* - ammonia smell
Andrea Karos - Cape Elizabeth, visited P.I. Britos property - son
can't visit due to smell - neighbor Steve Nilsen, 45 years
Dan Fisher - 20 Brook Lane - neighbor Steve Nilsen, 45 years
neighbor - waste generation, increased traffic -
odor issue - it's bad - manure/urine output for
pumping in feed, removing waste (24,000 lbs. manure/urine output for
125 days for 1 horse) - water flows down to wetland + Pond Bell

Prevailing wind blows 3-6 mph towards Fisher home. Pushes odor towards his property.

Cesar Butts - even with houses gone - still smells urine in soil. Well is 30 feet from property line
Paddock is 130 feet to well.

Nilsen - paddock is hedge + seeded - not full - small trees cut. No wetland on Nilsen property - large trees left on the property.

Fisher - concerned about vermin control, poison run off.

Findings of Fact and Conclusions of Law:

The Applicant is requesting a conditional use permit for a property located within the IR-1 zone, to keep horses and geese on the property. This residential property contains a total of four acres.

A. Conditional Use Standards pursuant to Portland City Code §14-145.3(c)(4):

Raising of domesticated animals, excluding pigs and reptiles, is allowed, as long as no animals are kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, except domesticated chickens as regulated in chapter 5, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties.

Satisfied Not Satisfied

Reason and supporting facts:

*odor + nuisance to neighboring properties.
STRICT standard in ordinance, - any odor, not reasonable.
2 horses could be managed with an appropriate
management plan.*

B. Conditional Use Standards pursuant to Portland City Code §14-474(c)(2):

1. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone.

Yes No

Reason and supporting facts:

*Hay delivered once a season
Minimal vehicle traffic*

2. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.

Yes

No

Reason and supporting facts:

See prior reasons
flies, possibly unsanitary

3. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

Yes

No

3-2

Reason and supporting facts:

doesn't meet the standard
different impact from other
~~the~~ acceptable uses in the
zone.

Conclusion: (check one)

___ Option 1: The Board finds that all of the standards described in section A above have been satisfied and that all relevant standards (1 through 3) described in section B above have been satisfied and therefore GRANTS the application.

___ Option 2: The Board finds that all of the standards described in section A above have been satisfied, and that while all relevant standards (1 through 3) described in section B above have been satisfied, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Avery, second Given

Option 3: The Board finds that not all of the standards described in section A above have been satisfied and/or that not all relevant standards (1 through 3) described in section B above have been satisfied and therefore DENIES the application.

Dated: 9-4-14


Board Chair

Members present: Bill Getz, Actg. Chair - Donna K. → Actg. Sec.
Eric Larsson - Chip → Kent

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Members Absent: Gordon Smith - Sara Moppin

APPEAL AGENDA

Called to order 6:35 pm

The Board of Appeals will hold a public hearing on Thursday, September 4, 2014 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following appeals:

1. New Business

A. Interpretation Appeal:

5-0
Continuation
GRANTED

18-24 Marginal Way, Northern Pride Auto Wash, owner, Tax Map 113, Block A, Lot 025, B7 Mixed Development District Zone: The appellant is challenging the Zoning Administrator's determination dated June 27, 2014 that Northern Pride Auto Wash could not retain the drive-through if the use was changed from a carwash. Representing the appeal is the applicant's lawyer, Natalie A. Burns.

B. Conditional Use Appeal:

5-0
Denial

19 Woods Road, Peaks Island, Steven Nilsen & Deborah McKowen, owners, Tax Map 092, Block G, Lots 010, 011, 012, 013, 019, 020 & 021, IR1 Island Residential Zone: The applicants are seeking a Conditional Use Appeal under section 14-145.3(c)(4) to raise domesticated animals (horses and geese) on their property. Representing the appeal are the owners.

C. Conditional Use Appeal:

5-0
GRANTED

136-140 William Street, Timothy Keiter & Kay Hamlin, owners, Tax Map 081, Block B, Lot 011, R-3 Residential Zone: The applicants are seeking to convert their existing, detached carriage house into an accessory dwelling unit. This conversion requires a Conditional Use Appeal under section 14-433 subject to the requirements of section 14-88(a)(2). Representing the appeal are the owners.

2. Adjournment

8:00 pm

Marge Schmuckal - Re: Conditional use appeal- 19 Woods Road Peaks Island Maine

From: Kathleen Britos <kbritos@maine.rr.com>
To: Marge Schmuckal <MES@portlandmaine.gov>
Date: 9/2/2014 6:38 PM
Subject: Re: Conditional use appeal- 19 Woods Road Peaks Island Maine

Hello Ann and Marge,

I just wanted to let you know that we still have not received a mailing with notice of this meeting which is now two days away. As far as we know, our neighbors have not either. This is of concern to us, as this is a transition period between summer and fall and many residents, without appropriate notice, may not have a voice in sharing their thoughts on this public nuisance.

Thanks for also passing this along to the Board of Zoning Appeals

Sent from Kathleen Densmore Britos

On Aug 29, 2014, at 9:18 AM, "Marge Schmuckal" <MES@portlandmaine.gov> wrote:

thank you Kathleen,
This e-mail & photos will be given to the Board at the Thursday meeting since their packets have already gone out.
Marge

>>> "Kathleen Britos" <kbritos@maine.rr.com> 8/29/2014 9:02 AM >>>

Dear Ann and Marge,

I am forwarding the attached photos to share with the Board of Zoning Appeals in connection with the Sept. 4th hearing. These photos are to support our opposition to Mr. Nilsen's application for conditional use to keep horses on his abutting property.

The first photo shows the proximity to our property. Our line is directly behind the tree stump from which I took the photo. Our porch is only 37 1/2 feet from this line. This photo also shows the topography. Mr. Nilsen's property is higher than ours. You can see where he has cleared the woods and plans to move the horses. This is a potential health risk to us, as it is close to our well and also to wetlands on our property adjacent to the clearing.

The second photo shows the proximity of the horses to our property and the street. The large tree and wood pile is on our property line.

I only wish I could sent the odor along with the photos. We cannot hang clothes to dry, use our air conditioner (which brings in air from outdoors) or even use the master bedroom which has a window on the porch because of the odiferous offense of the horses.

Thank you so much for your consideration in this matter.

Kathleen Densmore Britos

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Marge Schmuckal - Conditional Use Appeal

From: "Lisette Smith" <lisette@thepartnershipresource.com>
To: <mes@portlandmaine.gov>
Date: 9/2/2014 6:16 PM
Subject: Conditional Use Appeal

To the Zoning Board of Appeals:

We are writing in support Steve Nilsen's and Deborah McKowen's Conditional Use Appeal at 19 Woods Road, Peaks Island to raise domesticated animals.

Thank you!

Andrew & Lisette Smith
83 Prince Avenue
Peaks Island, ME

From: Paul Tuttle <lesletut@icloud.com>
To: "mes@portlandmaine.gov" <mes@portlandmaine.gov>
Date: 9/2/2014 10:38 AM
Subject: 19 Woods Road

As owners of 85 Prince Ave we support Steve Nilsen and Deborah McKowen's application. As long time neighbors of Steve and Deb, we know they will continue to manage their land in a responsible and sustainable nature which is a benefit to all the neighborhood.

Thank you,

Paul and Leslie Tuttle
85 Prince Ave
Peaks Island, ME 04108

From: Anne Borkowski <gearypg@icloud.com>
To: "mes@portlandmaine.gov" <mes@portlandmaine.gov>
Date: 8/30/2014 6:13 PM
Subject: Conditional Use appeal for 19 Woods Rd.

We own the cottage directly across the road from Steve Nilsen and Debbie McGowan. We have an open deck we sit on regularly facing 19 Woods Road. We are completely in agreement with the allowance of the Conditional Use Appeal. We have had no problems with the horses nor with the fowl. Steve and Debbie are great neighbors and very respectful of others.

Anne Borkowski
Paul Geary
14 Woods Road
Peaks Island, Maine

Marge Schmuckal - Conditional use appeal- 19 Woods Road Peaks Island Maine

From: "Kathleen Britos" <kbritos@maine.rr.com>
To: <MES@portlandmaine.gov>, <amachado@portlandmaine.gov>
Date: 8/29/2014 9:03 AM
Subject: Conditional use appeal- 19 Woods Road Peaks Island Maine
CC: <cbritos@unum.com>, <kbritos@maine.rr.com>
Attachments: photo 1.JPG; photo 2.JPG

Dear Ann and Marge,

I am forwarding the attached photos to share with the Board of Zoning Appeals in connection with the Sept. 4th hearing. These photos are to support our opposition to Mr. Nilsen's application for conditional use to keep horses on his abutting property.

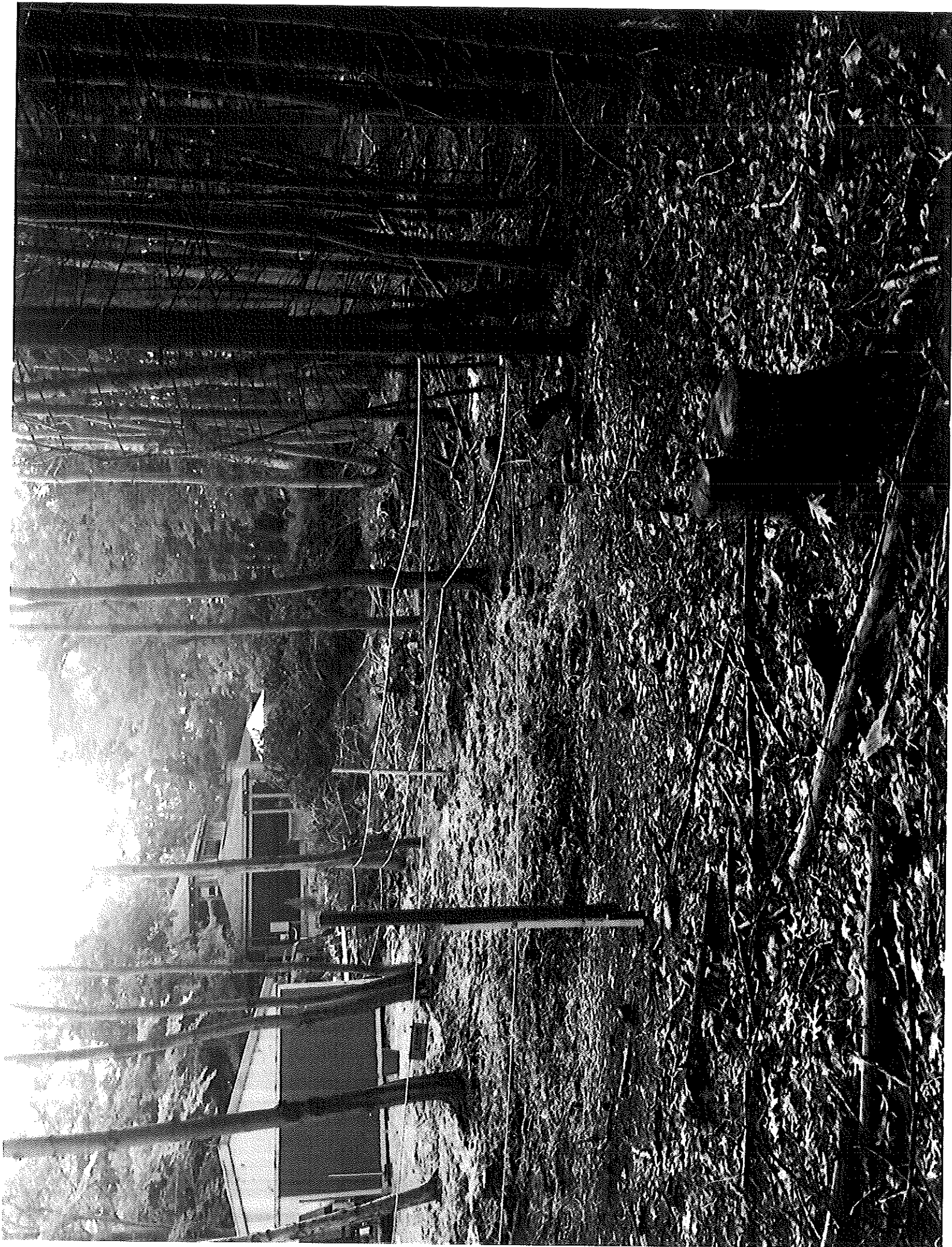
The first photo shows the proximity to our property. Our line is directly behind the tree stump from which I took the photo. Our porch is only 37 1/2 feet from this line. This photo also shows the topography. Mr. Nilsen's property is higher than ours. You can see where he has cleared the woods and plans to move the horses. This is a potential health risk to us, as it is close to our well and also to wetlands on our property adjacent to the clearing.

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I only wish I could sent the odor along with the photos. We cannot hang clothes to dry, use our air conditioner (which brings in air from outdoors) or even use the master bedroom which has a window on the porch because of the odiferous offense of the horses.

Thank you so much for your consideration in this matter.

Kathleen Densmore Britos





Marge Schmuckal - Conditional Use Appeal - 19 Woods Rd., Peaks Island

From: "Britos, Cesar R" <CBritos@UNUM.COM>
To: "mes@portlandmaine.gov" <mes@portlandmaine.gov>, "amachado@portlandmaine...
Date: 8/28/2014 2:47 PM
Subject: Conditional Use Appeal - 19 Woods Rd., Peaks Island
CC: Kathleen Britos <kbritos@maine.rr.com>
Attachments: image2014-08-28-144004.pdf

In connection with the September 4, 2014 hearing, I submit the attached for consideration by the Board of Appeals. My wife and I intend to appear to express our opposition in person, but thought that submitting these materials in advance would be helpful to the Board. I hope this is acceptable.

Please don't hesitate to contact me at the number below during business hours, or at home at the number listed in my letter.

Very truly,

Cesar Britos

Cesar & Kathleen Britos
1 Woods Rd.
Peaks Island, Maine 04108
(207) 741-2701

August 28, 2014

Zoning Board of Appeals
City of Portland
389 Congress St.
Portland, ME 04101

RE: Conditional Use Appeal – 19 Woods Rd., Peaks Island, Maine

Dear Board Members:

The appeal of reference will be heard on September 4, 2014. My wife, Kathleen, and I are Peaks Island year-round residents and abutters of the Applicants. We are opposed to granting the application based on the odor caused by the horses.

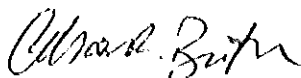
The Applicants have been boarding two horses for profit on their property since we moved into our house this July – the odor is overwhelming. Our house sits sideways in our lot, with the front porch facing directly where the horses are currently being boarded and also facing the new site where the Applicants propose to move them if their application is granted (please see the attached diagram).

Attached for your consideration is portion of an article titled Odor Control in Paddocks. Please note the article highlights odor concerns for neighbors as a major problem. It also identifies topography as an important challenge to odor abatement. The Applicants have included in their application photos of the proposed site's topography. The steep incline of the terrain, which slopes down toward our property, strongly militates against odor abatement. The risk of runoff into our property is also concerning, particularly since our drinking water well is not far from the current location of the horses and the proposed paddock (please see diagram).

The Applicants state that horse use will be limited to the months of June through September. While this may sound like a limited scope, in reality it makes the entire proposition alarming as the summer months are the highlight of life on Peaks, with use of our large porch for dining and entertaining at the core. Odor from the horses is a nuisance that interferes with our enjoyment.

The Applicants also suggest their acreage supports using the parcel for horses. However, as you can see in the diagram they submitted their parcel is bisected by Woods Rd., so the non-contiguous acreage available for the horses is significantly less than the 4 acres mentioned in their application.

Thank you for your consideration.



Cesar R. Britos

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Home Blogs Smart Horse Keeping > Odor Control in Paddocks

Odor Control in Paddocks

By Alayne Smart Horse Keeping 25 Aug 2011 8 Comments ★★★★★

About RSS Share Tweet 8+1

Especially in the summer months, odor smells in gravel or sand paddocks can get pretty intense--a real concern if you have neighbors close by. Plus, breathing ammonia is unhealthy for horses and unpleasant for us. We've noticed some odor issues at Sweet Pepper Ranch recently, so this week I thought I'd share some of my solutions with you.



Try alleviating paddock odors by simply raking or dragging the paddock to aerate footing and encourage aerobic microbes to break down organic materials.

The most important concept is to begin with healthy soils and good topography BEFORE you put down any gravel. Don't begin by dumping gravel or sand on top of a bunch of muck or in a wet area and then wonder why it smells bad. Be absolutely certain that you have a good, even slope to the surface you are putting footing on top of. Any depressions in the underlying soils, however

slight, will pool water (and urine) under the gravel, potentially causing odors.

The simplest and cheapest solution to odors may be to just drag or harrow the paddock. Doing this helps aerate the footing, allowing aerobic microbes to flourish and break down organics.

If that's not enough help, there are a variety of products that can be sprinkled on urine spots to neutralize odors. At Horses for Clean Water, we have found beneficial microorganisms to also be very useful and long-lasting. These microbial sprays contain different types of "friendly" bacteria, enzymes, and/or fungi. They come in highly concentrated solutions that can be diluted and sprayed onto smelly paddock areas with the aid of a garden sprayer. Beneficial microbes break down ammonia and organic material that cause odors and attract flies. These safe solutions can be applied as often as odors are detected as well as before or after rainfalls. Beneficial

SMART HORSE KEEPING
SAVE GREEN & GO GREEN

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Archives

- August 2014 (1)

Marge Schmuckal - Pass this on to Zoning Board Appeals

From: <mconn227@comcast.net>
To: <mes@portlandmaine.gov>
Date: 8/27/2014 4:46 PM
Subject: Pass this on to Zoning Board Appeals
Attachments: CONDITIONAL USE APPEAL – Thurs.docx

Dear Ms Schmuckal,

Thank you for the info you provided in our phone conversation yesterday regarding why this appeal has occurred and the info in "Conditional Use Appeal" for the property at 19 Woods Road on Peaks Island. I did find the information in Div. 7.1 of the IR-1 Zone.

I have also been in voice contact with Leslie Tuttle and Comfort Halsey Cope, 2 other near neighbors affected by this appeal. Mrs. Tuttle has actually been at the Woods Road property, using horses, and she gave some first hand background. Mrs. Cope (and her co-owner brother, Woody Halsey) both agree that nothing was offensive last summer and if the "status quo" was maintained (meaning distances from property lines and no noise or odor), they were okay with the appeal.

So, I have attached a more formal letter for the Zoning Board stating the thoughts and feelings on the "conditions" that myself and these other 2 neighbors agree upon. Would you please print out the attached letter and give copies to the members of the Zoning Board? The Appeal is scheduled for Thursday, Sept 4 at 6:30 PM in room 209 at City Hall.

Would you also please send me a reply to this email when the above has been done? Thank you.

Marge Conn, 215-637-6515, owner of 87 Prince Ave.

Other owners contacted: Mrs. Leslie Tuttle, 85 Prince Ave; Comfort Cope & Woodruff Halsey, 90 Prince Ave.

CONDITIONAL USE APPEAL – Thurs., Sept 4, 2014, 6:30 PM, Room 209

19 Woods Road, Peaks Island

Owners – Steven Nilsen & Deborah McKowen

Tax Map 092, Block G, Lots 010, 011, 012, 013, 020, and 021 IR-1 Island Residential Zone

From (residents within 500 feet of above property)

Margery Conn, 87 Prince Ave, Peaks Island

Leslie Tuttle, 85 Prince Ave, Peaks Island

Comfort H. Cope & Woodruff Halsey, 90 Prince Ave, Peaks Island

Background: Above residents are in receipt of postcard notice of the above Conditional Use Appeal. We have all talked by phone to each other on Aug. 26, and I, Margery Conn, also talked with Marge Schmuckal on the 26th regarding what Conditional Use means.

We understand the owners of 19 Woods Road have already been keeping horses and assorted fowl on their land and, upon being made aware of Zoning codes, are now asking to continue having said animals on their land by filing this Conditional Appeal.

In our phone conversations, Ms. Tuttle, Ms. Cope and myself agreed that we did not experience any nuisance, odor, noise, or even awareness of animals being kept there this summer. So the amount of privacy given by woods between properties seemed to be sufficient.

We all are okay with this appeal as long as strict adherence to the Conditional Use Zoning Code (IR-1 Zone, Div. 7.1) is held to. Specifically in that code are the regulations that (1) animals are kept no closer than 100 feet from any lot line and (2) no noise, odor, health or safety hazards become a nuisance to our neighboring properties.

Keeping the wooded area in the 100 feet buffer zone would greatly diffuse noise and odor and also keep the privacy between properties that is a wonderful part of the Peaks Island experience. (We understood from Ms. Tuttle that the owners had cleared the area they intended to use for the animals, and the wooded area was still intact.)

Margery Conn, 12748 Hollins Road, Philadelphia, PA 19154, 215-637-6515

Marge Schmuckal - Pass this on to Zoning Board Appeals

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CONDITIONAL USE APPEAL – Thurs., Sept 4, 2014, 6:30 PM, Room 209

19 Woods Road, Peaks Island

Owners – Steven Nilsen & Deborah McKowen

Tax Map 092, Block G, Lots 010, 011, 012, 013, 020, and 021 IR-1 Island Residential Zone

From (residents within 500 feet of above property)

Margery Conn, 87 Prince Ave, Peaks Island

Leslie Tuttle, 85 Prince Ave, Peaks Island

Comfort H. Cope & Woodruff Halsey, 90 Prince Ave, Peaks Island

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Margery Conn, 12748 Hollins Road, Philadelphia, PA 19154, 215-637-6515

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

August 22, 2014

Steven Nilsen &
Deborah McKowen
19 Woods Road
Peaks Island, ME 04108

Dear Mr. Nilsen & Ms. McKowen,

Your Conditional Use Appeal has been scheduled to be heard before the Zoning Board of Appeals on **Thursday, September 4, 2014 at 6:30 p.m.** in room 209 located on the second floor of City Hall.

Please remember to bring a copy of your application packet with you to the meeting to answer any questions the Board may have.

I have included an agenda with your appeal highlighted, as well as a handout outlining the meeting process for the Zoning Board of Appeals.

I have also included the bill for the processing fee, the legal ad, and the notices for the appeal. The check should be written as follows:

MAKE CHECK OUT TO: City of Portland
MAILING ADDRESS: Room 315, attn. Ann Machado
389 Congress Street
Portland, ME 04101

Please feel free to contact me at 207-874-8709 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

Ann B. Machado
Zoning Specialist

Cc: File

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

| | |
|----------------------------------|---|
| Application No: 0000-2005 | Applicant: NILSEN STEVEN E & DEBORAH |
| Project Name: 19 WOODS RD | Location: 19 WOODS RD |
| CBL: 092 G010001 | Application Type: Conditional Use |
| Invoice Date: 08/22/2014 | |

| | | | | | | | | | | |
|-------------------------|---|-------------------------|---|---------------------|---|------------------------|---|------------------|--|-------------------------|
| Previous Balance | | Payment Received | | Current Fees | | Current Payment | | Total Due | | Payment Due Date |
| \$100.00 | - | \$100.00 | + | \$178.34 | - | \$178.34 | = | \$0.00 | | On Receipt |

| | |
|---|-------------------|
| Previous Balance | \$100.00 |
| Payment Received 8/12/2014 - Thank you | - \$100.00 |

| <u>Fee Description</u> | <u>Qty</u> | <u>Fee/Deposit Charge</u> | |
|--------------------------------|------------|---------------------------|-----------------|
| Processing Fee | 1 | \$50.00 | |
| Notices - ZBA | 80 | \$60.00 | |
| Legal Advertisements - ZBA | 1 | \$68.34 | |
| | | \$178.34 | |
| Total Current Fees: | + | | \$178.34 |
| Total Current Payments: | - | | \$178.34 |
| Amount Due Now: | | | \$0.00 |

CBL 092 G010001
Bill To: NILSEN STEVEN E & DEBORAH J MCKOWEN JT
 19 WOODS RD
 PEAKS ISLAND, ME 04108

Application No: 0000-2005
Invoice Date: 08/22/2014
Invoice No: 46227
Total Amt Due: \$0.00
Payment Amount: \$178.34

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)

Ann Machado - RE: Zoning Board of Appeals Legal Ad

From: Joan Jensen <jjensen@mainetoday.com>
To: Ann Machado <AMACHADO@portlandmaine.gov>
Date: 8/21/2014 12:08 PM
Subject: RE: Zoning Board of Appeals Legal Ad
Attachments: Agenda aug 29.pdf

Hi Ann,

All set to publish your ad on Friday, August 29.
The cost is \$205.03 includes \$2.00 online charge. I included a proof.
If you have any questions, please feel free to contact me.
Have a great vacation!

Thank you,
Joan

Joan Jensen
Legal Advertising
Portland Press Herald/Maine Sunday Telegram
295 Gannett Drive
South Portland, ME 04106
Tel: (207) 791-6157
Fax: (207) 791-6910
jjensen@mainetoday.com

Portland Press Herald
Maine Sunday Telegram
www.pressherald.com

From: Ann Machado [mailto:AMACHADO@portlandmaine.gov]
Sent: Thursday, August 21, 2014 10:46 AM
To: classified
Subject: Zoning Board of Appeals Legal Ad

Joan -

I'm sending this early since I will be on vacation next week.

Attached is the legal ad for Friday, September 29, 2014.

**IMPORTANT NOTICE FROM CITY OF PORTLAND
ZONING BOARD OF APPEALS**

IN THE VICINITY OF 19 WOODS RD

The Zoning Board of Appeals will hold a public hearing on Thursday, September 4, 2014 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine to hear the following appeal.

Conditional Use Appeal:

19 Woods Road, Peaks Island, Steven Nilsen & Deborah McKowen, owners, Tax Map 092, Block G, Lots 010, 011, 012, 013, 019, 020 & 021, IR1 Island Residential Zone: The applicants are seeking a Conditional Use Appeal under section 14-145.3(c)(4) to raise domesticated animals (horses and geese) on their property. Representing the appeal are the owners.

For more information you may contact Marge Schmuckal, Zoning Administrator, at 207-874-8695.

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**IMPORTANT NOTICE FROM CITY OF PORTLAND
ZONING BOARD OF APPEALS**

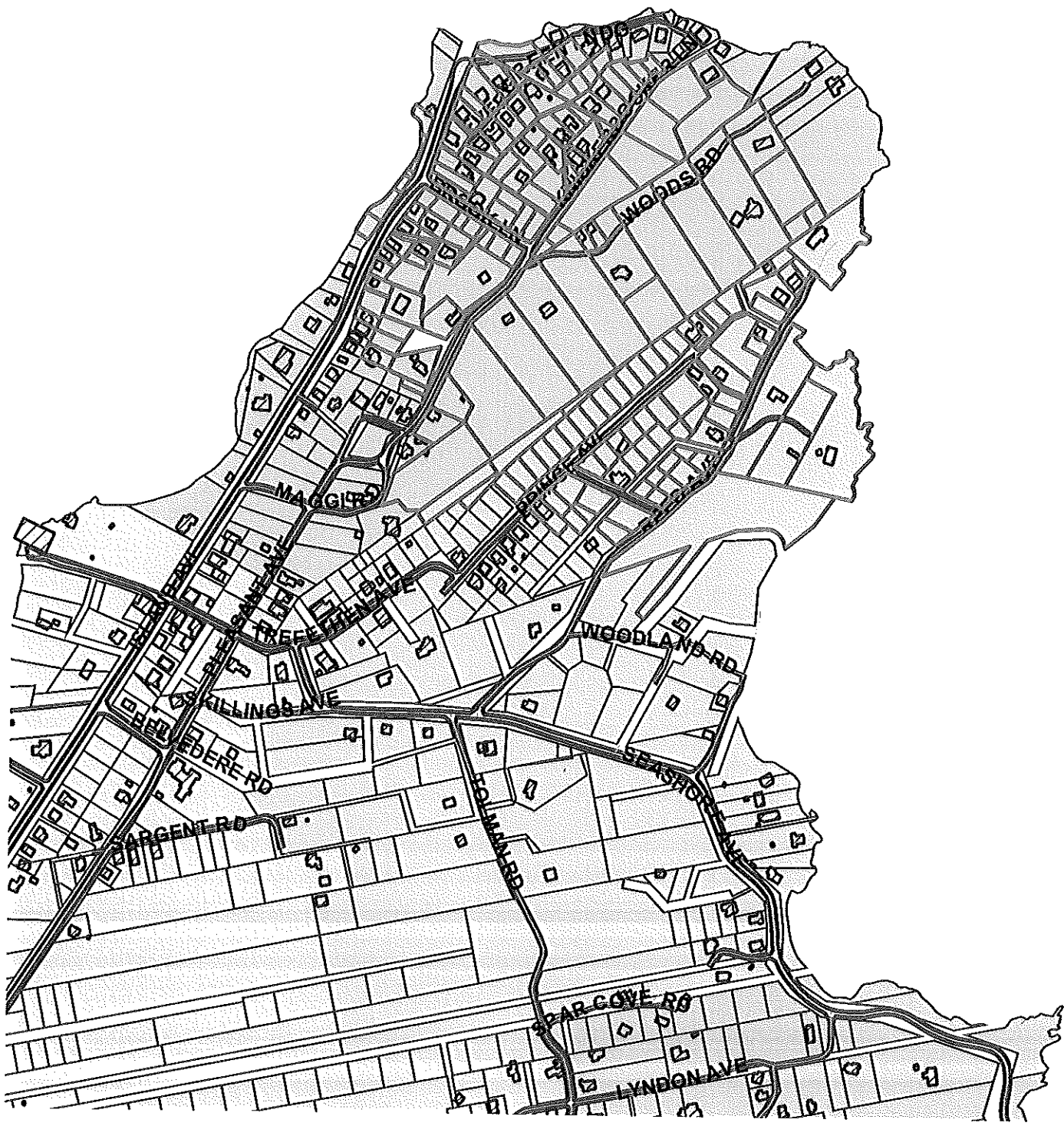
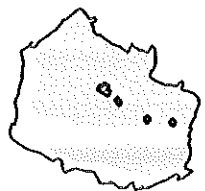
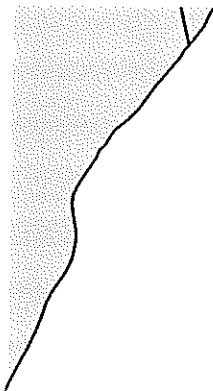
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| CBL | OWNER | OWNER MAILING ADDRESS | PROPERTY LOCATION | UNITS |
|-------------|---|--|-------------------|-------|
| 091 J009001 | FILIPOS MELISA | 3 ROCKLAND ST WELLESLEY , MA 02481 | 31 PRINCE AVE | 1 |
| 091 J011001 | GERARD SIDNEY & JANE A JTS | 51 PRINCE AVE PEAKS ISLAND , ME 04108 | 41 PRINCE AVE | 1 |
| 091 J013001 | HELD JOHN FRANCIS & PATRICIA FALVO HELD JTS | 216 INWOOD AVE MONTCLAIR, NJ 07043 | 52 REED AVE | 1 |
| 091 K015001 | CHEEVERS KEVIN E ETALS | 36 MYOPIA RD HYDE PARK, MA 02136 | 20 PRINCE AVE | 1 |
| 091 K037001 | HALSEY COMFORT | ONE MAPLE PLACE JAMAICA PLAIN, MA 02130 | 70 PRINCE AVE | 1 |
| 091 K042001 | HALSEY WOODRUFF W II & COMFORT H COPE TRUSTEES | ONE MAPLE PL JAMAICA PLAIN, MA 02130 | 90 PRINCE AVE | 1 |
| 091 L007001 | GERARD SIDNEY & JANE A JTS | 51 PRINCE AVE PEAKS ISLAND , ME 04108 | 69 REED AVE | 1 |
| 091 P004001 | OCEANSIDE CONSERVATION OF CASCO BAY | PO BOX 10404 PORTLAND , ME 04104 | 65 REED AVE | 1 |
| 091 P006001 | O'LEARY FRANCIS M & KATHLEEN A JTS | 109 REED AVE PEAKS ISLAND, ME 04108 | 109 REED AVE | 1 |
| 091 P009001 | O'LEARY FRANCIS M & KATHLEEN A JTS | 109 REED AVE PEAKS ISLAND, ME 04108 | 111 REED AVE | 1 |
| 091 P010001 | MORRILL EVA CLASSON | 113 REED AVE PEAKS ISLAND, ME 04108 | 113 REED AVE | 1 |
| 091 Q001001 | GERARD SIDNEY & JANE A JTS | 51 PRINCE AVE PEAKS ISLAND, ME 04108 | 80 REED AVE | 1 |
| 091 R001001 | GERARD SIDNEY & JANE A JTS | 51 PRINCE AVE PEAKS ISLAND , ME 04108 | 51 PRINCE AVE | 1 |
| 091 R007001 | CHEN PAULINE W | 15 COLUMBUS AVE HAVERHILL , MA 01830 | 81 PRINCE AVE | 1 |
| 091 R008001 | TUTTLE LESLIE & PAUL M TUTTLE JR JTS | 114 FEDERAL ST SALEM , MA 01970 | 85 PRINCE AVE | 1 |
| 091 R008002 | BYRNE M JOANN & STEPHEN BYRNE JTS & ETALS | 114 FEDERAL ST SALEM, MA 01970 | 85 PRINCE AVE | 1 |
| 091 R012001 | SAMPSON NANCY A & ROBERT J SAMPSON JTS | 27 NEWELL RD # 1 BROOKLINE , MA 02446 | 98 REED AVE | 1 |
| 091 S001001 | CONN MARGERY | 12748 HOLLINS RD PHILADELPHIA, PA 19154 | 87 PRINCE AVE | 1 |
| 091 S002001 | WEBER MARY ELLEN & WILLIAM R WEBER TRUSTEES | 43 LONGWOOD DR DELMAR, NY 12054 | 128 REED AVE | 1 |
| 091 U001001 | HALSEY WOODRUFF W II & KATHERINE V JTS | 15 COLUMBUS AVE HAVERHILL, MA 01830 | 134 REED AVE | 1 |
| 091 U003001 | MACISAAC STEVEN J & KIMBERLY A MACISAAC ETALS | PO BOX 93 PEAKS ISLAND , ME 04108 | 140 REED AVE | 1 |
| 091 U006001 | ELOFSON GUNNAR & INGRID JTS | 144 REED AVE PO BX 115 PEAKS ISLAND, ME 04108 | 144 REED AVE | 1 |
| 091 U007001 | FIELDSEND TOM H & VONDELLE J FIELDSEND JTS | PO BOX 5 PEAKS ISLAND, ME 04108 | 136 REED AVE | 1 |
| 092 A011001 | SANFORD MARY ANN & JONATHAN L GOLDBERG | 635 ISLAND AVE PEAKS ISLAND , ME 04108 | 632 ISLAND AVE | 1 |
| 092 A013001 | SULLIVAN RUTHE | 14 HORATIO ST APT 2-K NEW YORK, NY 10014 | 668 ISLAND AVE | 1 |
| 092 A017001 | JONES DIANNE D & R SCOTT JONES JTS | 274 RIDGEFIELD RD WILTON , CT 06897 | 660 ISLAND AVE | 1 |
| 092 A020001 | MILSOP EDWARD N | 93 LAND OF NOD RD WINDHAM, ME 04062 | 654 ISLAND AVE | 1 |
| 092 A021001 | GILL CAROYLN & JEFFREY GILL | 611 POST AVE # 3 SEATTLE, WA 98104 | 648 ISLAND AVE | 1 |

| CBL | OWNER | OWNER MAILING ADDRESS | PROPERTY LOCATION | UNITS |
|-------------|---|---|----------------------|-------|
| 092 A022001 | HAYKAL THEODORE W | 522 ISLAND AVE PEAKS ISLAND, ME 04108 | 650 ISLAND AVE | 1 |
| 092 A025001 | AYRES JONATHAN L | 152 ELM ST GEORGETOWN, MA 01833 | 642 ISLAND AVE | 1 |
| 092 E009001 | ROBINSON MICHELLE P & MICHAEL I C DENNISON JTS | 380 PLEASANT AVE PEAKS ISLAND, ME 04108 | 380 PLEASANT AVE PI | 1 |
| 092 E015001 | FERRIS CAREN S & JOHN D FERRIS JTS | 221 LINCOLN AVE AMHERST, MA 01002 | 613 ISLAND AVE | 1 |
| 092 E017001 | BLACK CROW PROPERTIES LLC | 22878 FOREST RIDGE DR ESTERO, FL 33928 | 382 PLEASANT AVE PI | 1 |
| 092 E018001 | DOMBROWSKI DIANE M | 27 VESPER ST PORTLAND, ME 04101 | 621 ISLAND AVE | 1 |
| 092 E020001 | RIOUX DONALD P & MARIE H OR SURV | 29 BATESWELL RD DORCHESTER, MA 02124 | 384 PLEASANT AVE PI | 1 |
| 092 E021001 | GOWDY DIANE H | 29 PEASE RD BROAD BROOK, CT 06016 | 625 ISLAND AVE | 1 |
| 092 E022001 | RINDLAUB CURTIS C | 19 BROOK LN PEAKS ISLAND, ME 04108 | 19 BROOK LN | 1 |
| 092 E023001 | SANFORD MARY ANN & JONATHAN L GOLDBERG | 635 ISLAND AVE PEAKS ISLAND, ME 04108 | 635 ISLAND AVE | 1 |
| 092 E024001 | SANFORD MARY ANN TRUSTEE | 635 ISLAND AVE PEAKS ISLAND, ME 04108 | 637 ISLAND AVE | 1 |
| 092 E026001 | FILIPOS VAN J ETAL | 1900 PAUL AVE BETHLEHEM, PA 18018 | 641 ISLAND AVE | 1 |
| 092 E027001 | HUGHES SHARON & LORI HOLDEN TRUSTEES | 39 MEADOW RD NEWFIELDS, NH 03856 | 645 ISLAND AVE | 1 |
| 092 E028001 | FOSTER LAWRENCE C WWII VET IDA E FOSTER JTS | 140 OLD STONEWALL DR LOCUST GROVE, GA 30248 | 7 BROOK LN | 1 |
| 092 E038001 | SJOSTEDT NANCY | 91 EAST WEATOGUE ST SIMSBURG, CT 06070 | 631 ISLAND AVE | 1 |
| 092 E041001 | STERLING RICHARD PAUL & TEDDIE LEE PONDER JTS | 15722 PIPERS VIEW DR WEBSTER, TX 77598 | 376 PLEASANT AVE PI | 1 |
| 092 E042001 | KNIGHT QUINCY S | 4 ROMOPOCK CT MAHWAH, NJ 07430 | 364 PLEASANT AVE PI | 1 |
| 092 F001001 | JABINE WILLIAM III & DEBORAH ANN BOUCHARD JTS | 26 MUNJOY ST PORTLAND, ME 04101 | 655 ISLAND AVE | 1 |
| 092 F002001 | JONES DIANNE D & R SCOTT JONES JTS | 274 RIDGEFIELD RD WILTON, CT 06897 | 661 ISLAND AVE | 1 |
| 092 F004001 | ENGDAHL RICHARD P JR & MEAGHAN F JTS | 71 ELM ST CHELMSFORD, MA 01824 | 14 BROOK LN | 1 |
| 092 F005001 | FISHER DANIEL E | 33 TURNER ST PORTLAND, ME 04101 | 20 BROOK LN | 1 |
| 092 F006001 | FISHER DANIEL E & HEIDI GREGORY FISHER | 33 TURNER ST PORTLAND, ME 04101 | 22 BROOK LN | 1 |
| 092 F009001 | MARKS JEFFREY A & ROXANNE T JTS | 665 ISLAND AVE PEAKS ISLAND, ME 04108 | 665 ISLAND AVE | 1 |
| 092 F011001 | BLUESTEIN DEMETRA A & STEPHANIE SOLOMOS-CONIS | 54 SHORT DR MANHASSET, NY 11030 | 671 ISLAND AVE | 1 |
| 092 F013001 | SHAW RICHARD | 18 SOUTH MILL DR SOUTH GLASTONBURY, CT 06073 | 679 ISLAND AVE | 1 |
| 092 F014001 | CASSIDY CHRISTINE | 683 ISLAND AVE PEAKS ISLAND, ME 04108 | 683 ISLAND AVE | 1 |
| 092 F015001 | FILIPOS BARBARA A & CONSTANTINE JTS | 259 B SPRING ST BETHLEHEM, PA 18018 | 32 EVERGREEN LANDING | 1 |
| 092 F016001 | KENWORTHY LAUREL E & SCOT D KENWORTHY ETALS | 157 SPRING HILL RD SHARON, NH 03458 | 5 EVERGREEN LANDING | 1 |

| CBL | OWNER | OWNER MAILING ADDRESS | PROPERTY LOCATION | UNITS |
|-------------|--|---|----------------------|-------|
| 092 F020001 | SILVESTRI FRANCIS | 1/54 MILLEN AVE PAKURANGA NEW ZEALAND , 2010 | 12 EVERGREEN LANDING | 1 |
| 092 F021001 | GARREY JUNE ANN | 17 JACKSON ST CAMBRIDGE, MA 02140 | 16 EVERGREEN LANDING | 1 |
| 092 F022001 | DESHON FREDERICK & PATRICIA J DESHON TRUSTEES | 2 PRISCILLA RD MEDWAY , MA 02053 | 20 EVERGREEN LANDING | 2 |
| 092 F023001 | MORTON RICHLYN & LESLIE MORTON GRANT ETALS | 293 PENACOOK RD CONTOOCOOK, NH 03229 | 24 EVERGREEN LANDING | 1 |
| 092 F024001 | HARTFELDER RONALD C & MARY E HARTFELDER JTS | 10 MONROE ST SALEM , MA 01970 | 28 EVERGREEN LANDING | 1 |
| 092 F026001 | KENWORTHY ALFRED W JR & BARBARA H TRUSTEES | 389 PORTER ST MELROSE, MA 02176 | 54 EVERGREEN LANDING | 1 |
| 092 F028001 | LACKIE KENNETH WILLIAM | 6629 32ND ST NW WASHINGTON, DC 20015 | 58 EVERGREEN LANDING | 1 |
| 092 F029001 | LACKIE KENNETH WILLIAM | 6629 32ND ST NW WASHINGTON, DC 20015 | 8 EVERGREEN AVE | 1 |
| 092 F032001 | KAVENEY JANE M & BRIAN J KAVENEY TRUSTEES | 25 FEARING DR WESTWOOD , MA 02090 | 40 KNICKERBOCKER LN | 1 |
| 092 F035001 | HAEGER MARY C & FRANK H FRYE TRUSTEES | PO BOX 104 CENTER TUFTONBORO , NH 03816 | 76 KNICKERBOCKER LN | 1 |
| 092 F042001 | FISHER DANIEL E | 33 TURNER ST PORTLAND , ME 04101 | 26 BROOK LN | 1 |
| 092 F044001 | MICHAUD MARK D & MARIA H MICHAUD TRUSTEES | 50 YORK ST DRACUT , MA 01826 | 14 KNICKERBOCKER LN | 1 |
| 092 F047001 | HARTFELDER RONALD C & MARY E HARTFELDER JTS | 10 MONROE ST SALEM , MA 01970 | EVERGREEN LANDING | 1 |
| 092 F048001 | BARKER CHARLAINE T TRUSTEE | 12 BLUEBERRY COVE YARMOUTH , ME 04096 | 18 KNICKERBOCKER LN | 1 |
| 092 F049001 | WELCH KAREN E | 67 POPLAR ST BANGOR, ME 04401 | 20 KNICKERBOCKER LN | 1 |
| 092 F050001 | GUAY PETER E ETALS JTS | 47 LAKESIDE DR FALMOUTH, ME 04105 | 26 KNICKERBOCKER LN | 1 |
| 092 F053001 | LAUSCH WILLIAM K & KENNETH B LAUSCH JTS | 1014 WILLOW ST PIKE #7 LANCASTER, PA 17602 | 34 KNICKERBOCKER LN | 1 |
| 092 F055001 | FAHEY BEATRICE E LIFE ESTATE | 71 ELM ST CHELMSFORD , MA 01824 | 30 KNICKERBOCKER LN | 1 |
| 092 F058001 | WILBUR DEBORAH F C | 566 LOON POND RD GILMANTON, NH 03237 | 44 KNICKERBOCKER LN | 1 |
| 092 G005001 | BERRY WILLIAM CLARK JR | 29 ASHLAND AVE YARMOUTH, ME 04096 | MAGGI RD | 1 |
| 092 G006001 | PROIA MARIO | 359 PLEASANT AVE PEAKS ISLAND , ME 04108 | 359 PLEASANT AVE PI | 1 |
| 092 G007001 | RIoux DONALD P & MARIE H JTS | 29 BATESWELL RD DORCHESTER, MA 02124 | 383 PLEASANT AVE PI | 1 |
| 092 G008001 | WILLIAMSON RUTH C | 391 PLEASANT AVE PEAKS ISLAND, ME 04108 | 391 PLEASANT AVE PI | 1 |
| 092 G009001 | GILL JEFFREY & CAROLYN JTS | 611 POST AVE # 3 SEATTLE, WA 98104 | 1 WOODS RD | 1 |
| 092 G010001 | NILSEN STEVEN E & DEBORAH J MCKOWEN JTS | 19 WOODS RD PEAKS ISLAND, ME 04108 | 19 WOODS RD | 1 |
| 092 G014001 | BURNETT NICHOLAS S | PO BOX 7693 PORTLAND, ME 04112 | KNICKERBOCKER LN | 1 |
| 092 G015001 | BORKOWSKI ANNE M | 4 DAVIS RD TYNGSBORO, MA 01879 | 14 WOODS RD | 1 |
| 092 G016001 | CUMINGS FRANCIS & PATRICIA CUMINGS TRUSTEES | 10 FOREST ST WINDHAM, NH 03087 | 18 WOODS RD | 1 |

| CBL | OWNER | OWNER MAILING ADDRESS | PROPERTY LOCATION | UNITS |
|-------------|--|---|---------------------|-------|
| 092 G021001 | NILSEN STEVEN E & DEBORAH J MCKOWEN JTS | 35 BROOK LN PEAKS ISLAND, ME 04108 | 29 WOODS RD | 1 |
| 092 G022001 | LEONG PETER Y & CHRISTINE CASSIDY JTS | 683 ISLAND AVE PEAKS ISLAND, ME 04108 | KNICKERBOCKER LN | 1 |
| 092 G023001 | ASTARITA ARTHUR M & PEGGY S L ASTARITA | 51 WOODS RD PEAKS ISLAND, ME 04108 | 51 WOODS RD | 1 |
| 092 G025001 | PANOS ANNE K TRUSTEE | 61 KNICKERBOCKER LN PEAKS ISLAND, ME 04108 | 61 KNICKERBOCKER LN | 1 |
| 092 G031001 | MITCHELL BRUCE & SUSAN J MITCHELL JTS | 1907 STEMPY CT HOUSTON, TX 77094 | 61 WOODS RD | 1 |
| 092 G041001 | PROIA MARIO | 359 PLEASANT AVE PEAKS ISLAND, ME 04108 | 365 PLEASANT AVE PI | 1 |