

Vermont Avenue
Peaks Island



CITY OF PORTLAND IR-1

CONDITIONAL USE APPEAL

DECISION

For the Record

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

L. Covington Johnson

John Carroll (pro.)

Laurie Jean Johnson

Paul Kisco (pro.)

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

Findings of fact

1. The proposed conditional use is/is not (circle one) permitted under Section 14-_____ of the Zoning Ordinance, for the following reason(s): _____
2. The proposed conditional use does/does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s): _____
- 3-A. There are/are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s): _____
- 3-B. There will/will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): _____

3-C. The impact does/does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): _____

Conclusion*

After public hearing on _____, 19____, and for the reasons above-stated, the accompanying application is hereby (check one)

_____ granted.

7 granted subject to the following condition(s):

extended for 1 year

_____ denied.

Dated: Feb. 23, 1989

John C. Jones
Secretary of the Board

* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.

Granted

Denied

John C. Jones
Peter J. Morelli
Thomas Powell
Mark E. West
Michael J. Kelly
Daryl Richardson
Christopher C. Davis

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

10½ Acres of Land
on Vermont Avenue,
Peaks Island

July 12, 1988

T. Covington Johnson
and Laurie Jean Johnson
Pleasant Avenue
Peaks Island, Maine 04108

Dear Mr. and Mrs. Johnson:

This will acknowledge receipt of your application for a conditional use appeal for permission to raise domesticated animals in the IR-1 Island Residential Zone on Peaks Island, where you own 10½ Acres of land on Vermont Avenue. Section 14-145:3(3)d. of the City Zoning Ordinance (Portland Land Use Code) provides the following concerning the raising of domesticated animals:

"d. Raising of domesticated animals, excluding pigs and reptiles, with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;"

This matter will be scheduled for review before the Board of Appeals on Thursday afternoon, August 11, 1988, at 3:30 P.M. in Room 209, City Hall, Portland, Maine. A copy of the agenda for that meeting will be sent to you as soon as printed copies become available for distribution.

Sincerely,

Warren J. Turner

Warren J. Turner
Zoning Enforcement Inspector

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer

Vermont Ave, Peaks
Island.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chairman and Members of the Board of Appeals *W.D. Giroux* DATE: Feb. 23, 1989
FROM: William D. Giroux, Zoning Enforcement Officer
SUBJECT: Telephone Message received from Cathy McClean, of Boston

Ms. Cathy McClean called this afternoon to express her concern about the proposal for four horses to be located on ten acres of land off Vermont Avenue on Peaks Island. She expressed concern about the possible pollution of ground water on abutting property owners, and that there are nearby wetlands which tend to be a wildlife preservation area. She is concerned that these wetlands should be protected from contamination.

Vermont Ave,
Peaks Island.
CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chairman and Members of the Board of Appeals

FROM: Warren J. Turner, Administrative Assistant *Warren J. Turner*

DATE:

Feb. 23, 1989

SUBJECT: Telephone Message from Linda Grant, calling from Boston, Mass.

Ms. Linda Grant, owner of property at the corner of Sargent and Pleasant Avenue telephoned to express her concerns about the proposal for horses on Peaks Island. This conditional use appeal has been the subject of a request for an extension by T. Covington Johnson and this extension appears on the agenda for the Board of Appeals this evening.

Ms. Grant stated that she is concerned about the possibility of ground water contamination, since she has a well on her property. She reports that there is a marshy area behind her house, and she is concerned about the possible odor on a hot day, and the possible contamination of the marshy area from the area occupied by the four horses.

Vermont Ave,
Peaks Island.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Garry Pelletier, Data Processing *Warren Turner*
FROM: Warren Turner, Zoning Enforcement Inspector
SUBJECT: Request for address labels. Vermont Avenue, Peaks Island.

DATE: July 14, 1988

102 mailed notices

I would like to request the following chart-block-lot labels:
87-A, 87-B, 87-C, 87-H, 87-I, 87-J, 87-K
88-A, 88-B, 88-C, 88-D, 88-E, 88-F, 88-G, 88-H, 88-I, 88-K
90-M, 90-N, 90-O, 90-S, 90-T, 90-U

*ret'd
Jackson & Casey Corp
Emergen. Ave
P.O. 04108*

*Carmelita Jackson
7 Orchard St
Scarboro, Me 04074
(over!)*

Stephen & Deborah Walsh
Pleasant Ave.
D.C.

Drumgoole, Cynthia
90 Marion St
Brookline, MA. 02146

Vermont-Ave, Peaks Island.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Gerry Pelletier, Data Processing; *Warren Turner* DATE: February 13, 1989
FROM: Warren Turner, Zoning Enforcement Inspector

SUBJECT: Request for address labels. Vermont Avenue, Peaks Island. Meeting of February 23. Can we possibly have these labels by Wednesday 2/15/89? Just received the appeal. SORRY

- 87-A, 87-B, 87-C, 87-H, 87-I, 87-J, 87-K
- 88-A, 88-B, 88-C, 88-D, 88-E, 88-F, 88-G, 88-H, 88-I, 88-K
- 90-M, 90-N, 90-O, 90-S 90-T, 90-U.

*110
Notices*

THANKS

THANKS

THANKS

/el

*mt's d
Nancy
Nancy
Jul
Allan
Jack
Evergreen
James
Robert
B
D
all
C
D
C
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D*

March 8, 1989

Department of Planning
and Urban Development
Portland City Hall/Room 315
389 Congress Street
Portland, Maine 04101

Att: Merrill S. Seltzer,
Chairman/Zoning Board of Appeals

Re: 101/2 Acres of Land
on Vermont Avenue
Peaks Island

Dear Sir/Madame:

This letter is a follow-up to my telephone conversation to your office on February 23, 1989 regarding the above captioned. On February 22, 1989 I received the enclosed letter advising interested persons of a public hearing on a Conditional Use Appeal.

Firstly, I am unhappy with the fact that February 22nd was the first time I had been notified of this situation. It appears from the letter that an appeal was, in fact, granted in August of 1988. As an owner within 500 feet of the property in question, I am disturbed that I was not notified prior to the granting of that appeal.

Secondly, having received the notice on February 22nd, made it virtually impossible to attend a meeting in Portland the very next day. Unable to make arrangements with people in Portland, who might possibly be available to attend the meeting on my behalf, I was forced to voice my feeling on the issue by telephone.

I would like this letter to be placed on file as opposition to this request. Unfortunately, the lack of pertinent information leaves me with no other option. My reasons for opposition are as follows:

- 1) The odor caused from raising horses, especially on a warm day, will permeate my house, and in my opinion, therefore, lower the value of my property;
- 2) The ground water may become contaminated, due to the close proximity of the planned farm to my new well;

Vermont Ave, Peaks Island.


Page Two
M. Seltzer
March 8, 1989

- 3) The City of Portland has recently done work on Pleasant Avenue, causing a steady flow of water under Pleasant Avenue and behind several houses on Pleasant Avenue and Sargeant Road. This flow of water has added to the already wet area behind my house, which has now risen further into the rear yard. I feel if any seepage, or odor of any kind, leaks into this water, it will lie dormant in the water directly behind my house.

For the aforementioned reasons along with the poor notification on this issue I hereby protest this zoning request.

I would also request, at your convenience, that you forward to the address listed below the results of this hearing.

If you should have any questions or require further information, please feel free to contact me at any time during the day at 617-552-4808.

Sincerely,

Linda C. Grant
Sargeant Road, Peaks Island

Out of State Address:

144 Walnut Avenue
Norwood, MA 02062



CITY OF PORTLAND

CONDITIONAL USE APPEAL

APPLICATION

Applicant's name and address: T. Covington Johnson

Pleasant Ave, Peabes Island, Maine 04108

Applicant's interest in property (e.g., owner, purchaser, etc.):

Owner of 10 1/2 acres on Peabes Island

Owner's name and address (if different):

Same as above

Address of property (or Assessor's chart, block and lot number)

Vermont Avenue, Peabes Island

Zone: IR-1

Present use: Vacant Land

Type of conditional use proposed: Raising of Domestic Animals

Conditional use authorized by: Section 14-2453(3) d.

Approval on conditional use to permit

NOTE: If site plan approval is required, attach preliminary or final site plan.

the raising of domesticated animals on a lot

containing more than 3 acres
The undersigned hereby makes application for a conditional use permit as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: 6-7, 1988

T. Covington Johnson
Signature of Applicant

T. Covington Johnson & Laurie Jean Johnson

4/30

T. Covington Johnson
Pleasant Avenue
Peaks Island, Me. 04108
June 26, 1988

Board of Appeals
City Hall Portland
Portland, Me. 04101

(Vermont Ave)
Peaks Island

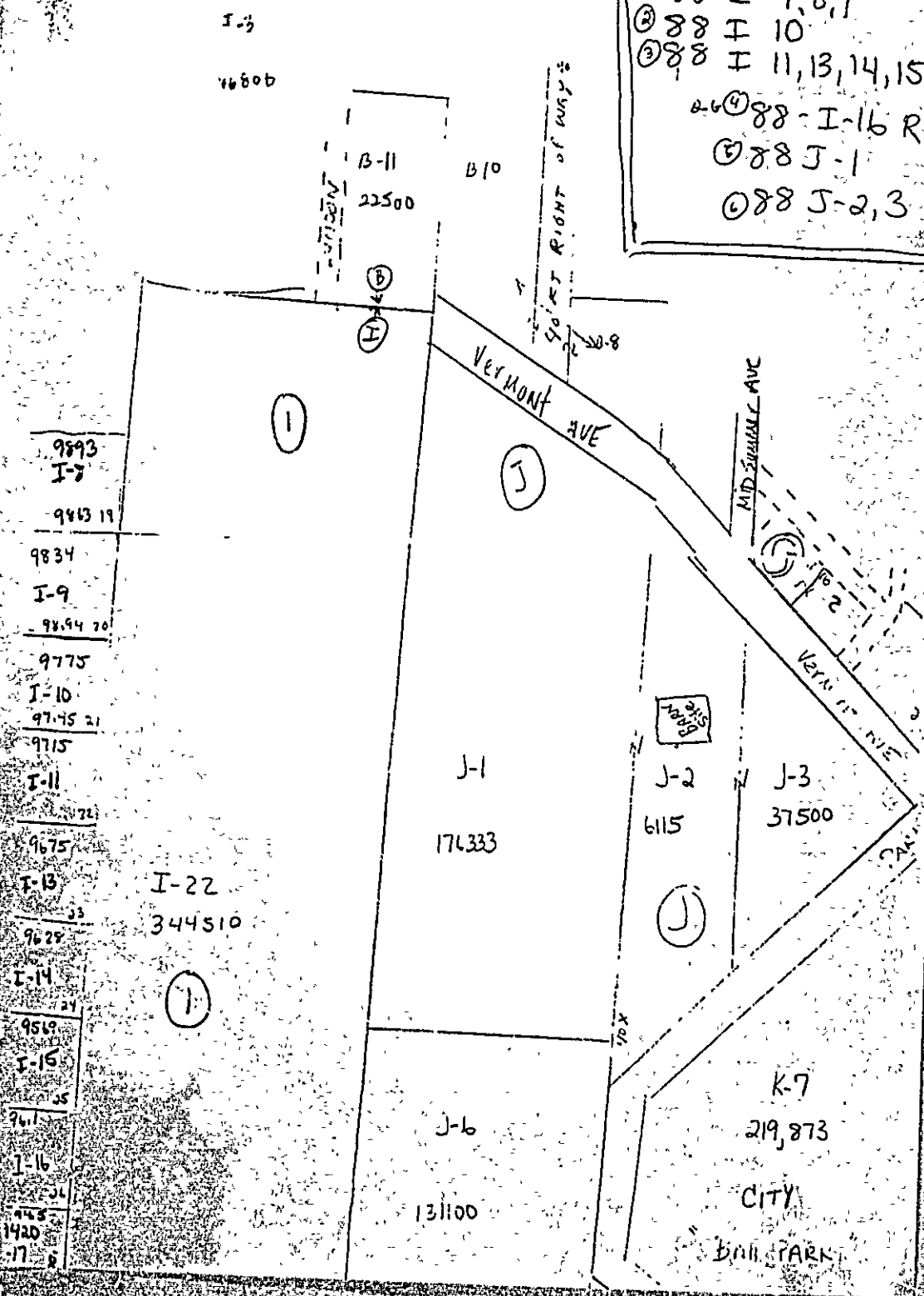
To Whom it May Concern,

I have recently purchased 10 1/2 acres of undeveloped land on Peaks Island where I intend to build a single family home. In addition to my home I would like to build a barn to accommodate 2 but not more than 4 horses. In accordance with the Portland Code I wish to obtain a conditional use permit under section 14-145.3 sub-paragraph 3-d which states, "the raising of domesticated animals on three or more acres is a Conditional use". I have enclosed the necessary application, permit fee, photo of property & a plot plan. I hope you will find everything in order.

Sincerely,
Thomas Covington Johnson

Vermont Ave, Peaks Island.

- ① 88-I-7,8,9
- ② 88 I 10
- ③ 88 I 11,13,14,15-
- ④ 88-I-16 R
- ⑤ 88 J-1
- ⑥ 88 J-2,3



9893
I-7
9413 19

9834
I-9
9894 20

9775
I-10
9745 21

9715
I-11
72

9675
I-13
33

9629
I-14
24

9569
I-15
35

9448
I-16
34

1420
I-17
8

I-22
344510

B-11
22500

B-10

J-1
174333

J-2
6115

J-3
37500

J-6
131100

K-7
219,873
CITY
BALL PARK

RIGHT OF WAY

MID SUMMIT AVE

VERMONT AVE

VERMONT AVE

Right of Way

DIVISION

Vermont Ave,
Peaks Island.



Vermont Ave, Peaks Island.

CONNECTICUT,

- d. Raising of domesticated animals, excluding pigs and reptiles, with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;

No. 10.

930.20.3

DISEASES TRANSMITTED FROM HORSES TO HUMANS

Because horses live less among people now than they did when we used them for transportation on a regular basis, the threat presented by diseases that can infect both horse and man is not now very great. Research and good management among horse owners have made it possible for us to prevent or control contagious diseases that affect both our species, and instances of horses causing human disease are quite rare. Nevertheless, it is interesting to learn what these conditions are, on the assumption that ignorance is not bliss and a little knowledge is not necessarily a dangerous thing. Horses are subject to various viral diseases, of which the best-known in terms of human illness is encephalitis, or sleeping sickness—the Eastern, Western, and Venezuelan varieties. In humans, symptoms can be fever, headache, drowsiness, gastric upset, lethargy, convulsions, and others. Eastern encephalitis is more serious for humans than the others, with a higher rate of fatality and permanent aftereffects for survivors. Though vaccination will build up antibody levels and prevent the disease in horses, epidemics can still occur in areas where vaccines are not used regularly, or where the disease has infected other animals from which the mosquitoes can carry the virus into humans. The other viral diseases common to man and horse are rabies (rare in horses now), vesicular stomatitis (common to many other animals as well, especially cattle,

and not particularly serious), and equine infectious anemia. Human symptoms of the last-named disease, also called swamp fever, include fever, anemia, and diarrhea. Only a few human cases, however, have been reported and so swamp fever should not be considered serious except in horses.

Bacterial diseases affecting horses that man can catch are anthrax, brucellosis, glanders (now nearly extinct), hemorrhagic septicemia, listeriosis, melioidosis, tetanus, tuberculosis (the bovine type), and tularemia, but all of these could be considered of minor importance so far as horses are concerned. Cattle, cats, rabbits, and several other species are usually the source when these diseases infect humans. Leptospirosis is occasionally transmitted by both the horse and the donkey. Horses can carry both the bacteria that cause endemic relapsing fever and the ticks that transmit it, although the usual villains are wild rodents and birds.

There are several fungus diseases shared by man and horse, including a few kinds of ringworm, histoplasmosis, actinomycosis, and coccidiomycosis, among others. Equine parasites that may be significant for humans are rare in this country: sarcocystitis is rare in man, African trypanosomiasis is known only on that continent, and *Schistosoma japonicum* only in the Orient. The mite that causes sarcoptic mange is carried by the horse, as is the ox botfly, by which man may be infected.

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

10 1/2 Acres of Land
on Vermont Avenue
Peaks Island

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, August 11, 1988 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by Ordinance.

T. Covington Johnson and Laurie Jean Johnson, owners of property located at Vermont Avenue, Peaks Island, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petition the Board of Appeals for permission to raise domesticated animals in the IR-1 Island Residential Zone on Peaks Island, where they own 10 1/2 Acres of land on Vermont Avenue. Section 14-145.3(3)d. of the City Zoning Ordinance (Portland Land Use Code) provides the following concerning the raising of domesticated animals:

"Raising of domesticated animals, excluding pigs and reptiles; with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;"

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox
Secretary

Vermont Ave,
Peaks Island.

MILLS ALEXANDER JR &
LYNNE S JTS
PO BOX 38
PEAKS ISLAND ME
008 - K-025

0410R

WE WOULD BE THRILLED TO
SEE FARM ANIMALS ON THE
ISLAND AGAIN - AND COVEY IS
SUPER AMBITIOUS & W/DO A
GREAT JOB - LET THEM
DO IT!

Lynne Sterling - Mills

RECEIVED
AUG 11 1988

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND

Vermont Ave,
Peaks Island

2/21/89

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

Re: Conditional Use Appeal 2/23/89
T. C. Johnson & L.J. Johnson

We would support this Conditional Use and think it would be great to see horses back on Peaks Island. There was a long tradition of horses on the Island and my grandfather had many there in the early 1900's and they were kept very close to this land. It would be great for children to see this activity once again.

William & Beverly Honan
Summer Residents
Island Ave. - Peaks Island

W. Honan

92-4-9-12
92-I-2

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MCRELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTCOTT
CHRISTOPHER DINAN

10 1/2 Acres of Land
on Vermont Avenue
Peaks Island

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, February 23, 1989 at 7:00 P.M. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by the Ordinance. This appeal was granted by the members of the board at their meeting on August 11, 1988. The applicant is now seeking an extension of this permit.

T. Covington Johnson and Laurie Jean Johnson, owners of property located at Vermont Avenue, Peaks Island, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petition the Board of Appeals to grant an extension of their conditional use appeal for permission to raise domesticated animals (not more than four horses) in the IR-1 Island Residential Zone on Peaks Island, where they own 10 1/2 Acres of land on Vermont Avenue. Section 14-145.3(3)d. of the City Zoning Ordinance (Portland Land Use Code) provides the following concerning the raising of domesticated animals:

"Raising of domesticated animals, excluding pigs and reptiles, with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;"

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox
Secretary

2/14/89

874-9300

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



10 1/2 Acres of Land
on Vermont Avenue
Peaks Island

MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERMAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, August 11, 1988 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by Ordinance.

T. Covington Johnson and Laurie Jean Johnson, owners of property located at Vermont Avenue, Peaks Island, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petition the Board of Appeals for permission to raise domesticated animals in the IR-1 Island Residential Zone on Peaks Island, where they own 10 1/2 Acres of land on Vermont Avenue. Section 14-145.3(3)d. of the City Zoning Ordinance (Portland Land Use Code) provides the following concerning the raising of domesticated animals:

"Raising of domesticated animals, excluding pigs and reptiles, with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;"

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox
Secretary

7/15/88
jmr

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



Vermont Avenue
Peaks Island

MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERHAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

August 15, 1988

Mr. and Mrs. T. Covington Johnson
Pleasant Avenue
Peaks Island, Maine 04108

Dear Mr. and Mrs. Johnson:

At the meeting of the Board of Appeals on Thursday evening, August 11, 1988, the Board voted by a unanimous vote of five members present to grant your conditional use appeal to keep horses on ten and a half acres of land area in the vicinity of Vermont Avenue and to limit the number of horses to a number no greater than four horses. A copy of the decision is enclosed.

This approval must be accompanied by a change of use permit, which must be filed within six months following approval of the conditional use by the Board of Appeals. Otherwise, the approval must be taken to the Board of Appeals for review and approval again.

Sincerely,

Warren J. Turner
Zoning Enforcement Inspector

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

Aug 4, 1988



CITY OF PORTLAND

CONDITIONAL USE APPEAL

DECISION

Vermont Ave
Peaks Island
10 1/2 Acres

For the Record

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

T. CONNOR JONES
STAVIA WHITMAN
KATHLEEN BERKNER

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

A) Plot MAP, B) AERIAL PHOTO, C) COMPOST DIAGRAM

Findings of Fact

agreed

5-0

1. The proposed conditional use is/is not (circle one) permitted under Section 14-145.3(3)h of the Zoning Ordinance, for the following reason(s):

5-0

2. The proposed conditional use does/does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s):

5-0

3-A. There are/are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s):

5-0

3-B. There will/will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s):

5-D

3-C. The impact does/does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): _____

Conclusion*

After public hearing on 8/11, 1988, and for the reasons above-stated, the accompanying application is hereby (check one)

_____ granted.

5-D

granted subject to the following condition(s):

TO LIMIT HORSES TO A NUMBER NO GREATER THAN FOUR (4)

_____ denied.

Dated: 8/11, 1988

Michael E. Wiest
Secretary of the Board

* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.

Granted
Michael E. Wiest
Thomas J. Jell
David L. Linn
Christopher C. ...
Michael J. ...

Applicant: T. Covington & Laurie Johnson

Vermont Ave,
Peaks Island.

Address:

Date: Aug 11, 1988

Assessors No.: 88-I-1 88-I-7 88-I-10 88-I-11-13-15-
88-I-2 22

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Affected by sludge dump & swamp

Zone Location - IR-1

Interior or corner lot - Corner 176335 ① 6060

Use - 29679 ⑦ 1020

Sewage Disposal - 9776 ⑩ 330

Rear Yards - 38,309 ⑪ 13180

Side Yards - ~~75,590~~ at 20,590

Front Yards - 254,096

Projections - 5.8 Acres

Height -

Lot Area -

Building Area -

Area per Family -

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Assessed Value
\$ 20,590

10 1/2 Acres say
applicant

Site Plan -
Shoreland Zoning -
Flood Plains -

Vermont Ave,
Peaks Island

August 6, 1988

Merrill S. Seltzer
Chairman
Zoning Board Of Appeals
City of Portland, Maine

With respect to the Conditional Use Appeal, - 10 ½ Acres of Land on Vermont Avenue, Peaks Island, Please consider the following:

Peaks Island is a fragile area in terms of noise (and odor). The very things that would most likely go unnoticed in other areas of the city can be and often are a major annoyance. Most people who live on Peaks Island do so because they need the quiet and natural environment that it still is.

Because of the complications of opposing the request of another resident in a community this size, you must consider the fact that many people would choose to remain silent to keep peace.

It is a fact that Peaks Island already has a problem with "domesticated animals", i.e. dogs that are running at large and/or barking habitually and excessively. One of the more consistent offenders concerning these problems with dogs is in fact the very people requesting this Conditional Use Appeal. If they cannot or will not control a dog, how will they comply with Section 14-145.3(3)d of the City Zoning Ordinance?

There is currently no place of residence on this property. Who will be there to watch and care for these domesticated animals? And, what kind of animals do not "create any odor, noise, health or safety hazards, or other nuisance to neighboring properties"?

To grant this permit for Conditional Use Appeal on Peaks Island can do no good, but potentially much harm.

Thank you for your assistance.

Sincerely,
A concerned Peaks Island resident.

Vermont Ave,
Peake Island

Horses are not considered to
be a threat to the Public Health.
With the exception of "ring worm",
there are no common infectious
diseases which are transmitted
from horses to people. Ringworm
can cause a skin rash in people
but can only be contracted by
physical contact. Ringworm is also
much more commonly found in
cats + dogs than in horses.

Dr. Timothy Snel

WEST BROOK ANIMAL HOSPITAL

February 10, 1989

Vermont Ave,
Peaks Island

City of Portland
Mr. Merrill S. Seltzer
Chairman Board of Appeals
Portland, Me. 04101

Mr. Seltzer,

In Regards to my Conditional
use permit granted Aug 11, 1988, I would
like to apply for an extension as we have
not begun our construction yet. However we
have completed site evaluation, topographical survey,
& road construction onto the property.

Sincerely,

Kauri Jean Johnson

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



Vermont Avenue
Peaks Island

MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORILLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

February 24, 1989

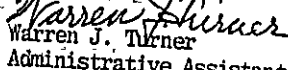
Mr. T. Covington Johnson and
Ms. Laurie Jean Johnson
Pleasant Avenue
Peaks Island, Maine 04108

Dear Mr. and Mrs. Johnson:

At the meeting of the Board of Appeals on Thursday evening, February 23, 1989, the Board voted by a unanimous vote of seven members present to grant an extension for one (1) year of your conditional use appeal to raise domesticated animals (not more than four (4) horses) on your 10 $\frac{1}{2}$ acres off Vermont Avenue on Peaks Island in the IR-1 Island Residence Zone. The original conditional use appeal was granted by the Board of Appeals on August 11, 1988 and would have expired on February 11, 1989, if you had not requested this extension in a timely manner.

This extension for one year would therefore be extended to February 11, 1990. Please keep this letter for your records with the enclosed copy of the Board's decision.

Sincerely,


Warren J. Turner
Administrative Assistant

Enclosure: Copy of the Board's Decision

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoff, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel