

**Town of Kittery
 Planning Board Meeting
 April 14, 2016**

93 Picott Road – Right of Way Plan Review

Action: Hold a public hearing; Approve or deny plan. Owner Herbert and Carolynn Marsh and applicant Graystone Builders, Inc. propose a Right-Of-Way to access two new lots located at 93 Picott Road (Tax Map 49 Lot 7) in the Residential-Rural (R-RL) Zone. Agent is Bill Anderson, Anderson Livingston Engineers.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
YES	Determination of Completeness/Acceptance		3/10/2016
NO	Site Visit		4/12/2016
NO	Public Hearing		Scheduled for 4/14/2016
YES	Preliminary/Final Plan Review and Approval		Feasible for 4/14/2016

Applicant: Prior to the signing of the approved Plan any **Conditions of Approval** related to the **Findings of Fact** along with **waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS. As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.**

Background

Planning Board review of this project is required by 16.10.7.2.T Right-of-Way Plan. The existing use is a non-conforming single-family dwelling on a conforming lot. The existing dwelling does not meet the minimum front yard setback for the Residential-Rural (R-RL) zone.

The proposed development is to construct a 40-foot wide right-of-way to allow sufficient street frontage to two new lots to be located at the rear of the existing dwelling.

UPDATE: The application was before the Board March 10, 2016. The application was accepted and a site visit scheduled for 4/12/2016. The applicant has submitted revised plans to address primary issues brought by staff and the Board. The applicant, however, did not include a statement or any information that addresses all of the comments Staff and CMA submitted for the last meeting. It is important for the applicant and the Board to review these comments so to determine those that have not been addressed are appropriate and will be a requirement for approval. The following review is from the 3/10/2016 plan review notes, with any updated information highlighted in yellow.

Staff Review

- 16.3.2.1.B – Right-of-way (ROW) used to access single-family homes, which is a permitted use in the R-RL Zone. No special exception grant required.
- Herbert and Carolynn Marsh have utilized the dwelling located at 93 Picott Road as their primary residence for a period of at least 5 years immediately preceding this application. Per MRS 30-A § 4401.4.A(1), the planned land division is exempt from subdivision review.
- 16.8.4.10 – ROW streets are to be rough-graded full width.

4. The proposed ROW would alter the classification of the existing dwelling to a corner lot condition per the 16.2.2 definition of Corner Lot. With the ROW as shown, the dwelling would be subject to the following:
 - a. The side yard, determined as the yard located between the principal building and the side street, may not be less than the front yard requirements. The minimum front yard in the R-RL zone is 40 feet. The proposed ROW creates a side yard of 23-feet and does not conform to zone standards. **UPDATE: The applicant has agreed to remove an existing building that would have prevented conformance with the Corner Lot front/side yard setback requirement. All proposed front and side yard setbacks are in conformance with zone standards. The applicant has submitted a revised plan to show all front and side yard setbacks to the proposed ROW.**
 - b. The rear yard, determined as the yard located between the principal building and the abutting property on the side street, may not be less than the side yard requirements. The minimum side yard in the R-RL zone is 20-feet. The proposed ROW meets this standard.
5. The plan depicts a cemetery on the lot, which requires a 25-foot setback for the ROW. The proposed ROW is 22-feet from the edge of the cemetery as depicted and may not conform to State statute. The applicant needs to confirm the bounds of the cemetery per Title 16.2.2 definition and clarify on the plan that there must not be any disturbance within 25-feet of the existing cemetery per MRS 13 § 1371-A.
6. The proposed ROW is 40-feet wide and is in conformance with zone standards as outlined in Table 1 – Chapter 16.8, Article IV
7. Two wetlands are located at the rear of the property. The proposed development will not impact either wetland and is outside of the required setbacks .
8. Per Title 16.8.4.3.I, the proposed ROW cannot be accepted by the Town as a public street.
9. The graphic scale on the plan depicts 1 inch = 50 feet. However the actual scale the plan is plotted at is 1 inch = 40 feet. **UPDATE: Revised plans continue to depict 1 inch = 50 feet. Final plans will need to show the actual scale of 1 inch = 40 feet.**
10. The applicant has provided a request to waiver Title 16.8.2, 16.10.5.2.C.6 and 16.10.5.2.C.7 with their application materials.

Title 16.10.8.3.4.S designates in a Right-of-Way plan (ROW), the proposed ROW may not create any nonconforming lots or buildings and could reasonably permit the right of passage for an automobile. In order to meet provisions of Title 16, Staff recommends the following alterations to the application:

1. Update the plan with the following revisions.
 - a. Depict proposed front yard setbacks for ROW
 - b. Depict front, side and rear yard setbacks for the existing dwelling and parcel.
 - c. Update graphic scale
2. Revise the proposed ROW so it conforms the dimensional standards of the R-RL zone with consideration of the corner lot as defined in Title 16.2.2.
3. Revise the proposed ROW so it conforms with setback requirements in regard to the cemetery, or provide plan note suggested in staff note #5.
4. Submit CMA review fee to Town.
5. Submit a Street Naming Application to Town – **Applicant stated a Street Naming application was submitted when meeting with the Town Assessor to obtain Map and Lot IDs for the proposed**

parcels. The Town has not record of the application. A street name of Appletree Lane is denoted on the plan.

6. Confirm that the future lots will conform to code standards including lot size, street frontage and minimum land area per dwelling unit. The applicant has submitted a *Subdivision Plan* with outlined building envelopes that satisfy space and dimensional standards for R-RL zone. This plan is not part of the ROW plan approval and is only to demonstrate future lots are likely to be conforming. The plan should not be recorded (a recording block is evident on the plan) since a fourth lot within a five year period would be subject to subdivision and planning board approval. Only three lots (including the homestead lot that includes the existing residence) are exempt from subdivision.
7. Prepare and submit a standard boundary survey. The applicant has submitted one, however, the plan note #1 appears not to support any definitive identification of ownership which presumably is necessary for demonstrating right, title and interest, and ultimately land conveyance.

Recommendation

The proposed development appears to meet the requirements of Title 16, as described with the conditions included staff and CMA notes and in the draft Findings of Fact. After completing the public hearing, and considering testimony and the recent site visit, and determining if staff and CMA's comments are appropriate and required, the Board may move to approve with conditions (suggestions provided below) and proceed to reading and voting on the Findings of Fact.

Move to grant approval with conditions for the Right-of Way application dated February 18, 2016 from owner Herbert and Carolynn Marsh and applicant Graystone Builders, Inc for a Right-of-Way to access two new lots located at 93 Picott Road (Tax Map 49 Lot 7) in the Residential-Rural zone upon the review and voting, in the affirmative, on the Findings of Fact...

<After an affirmative vote, proceed to reading and voting on Findings of Fact>

**KITTERY PLANNING BOARD
FINDINGS OF FACT -
for
93 Picott Road
Right-of-Way Plan**

UNAPPROVED

Note: This approval by the Planning Board constitutes an agreement between the Town and the Developer incorporating the Development plan and supporting documentation, the Findings of Fact, and all waivers and/or conditions approved and required by the Planning Board.

WHEREAS: Owner Herbert and Carolynn Marsh and applicant Graystone Builders, Inc. propose a Right-Of-Way to access two new lots located at 93 Picott Road (Tax Map 49 Lot 7) in the Residential-Rural (R-RL) Zone

Hereinafter the "Development".

Pursuant to the Plan Review meetings conducted by the Planning Board as duly noted in the Plan Review Notes dated 3/10/2016;

Determination of Completeness/Acceptance	Held	3/10/2016
Site Walk	Held	4/12/2016
Preliminary/Final Plan Review and Approval	Held	4/14/2016

and pursuant to the Project Application and Plan and other documents considered to be a part of the approval by the Planning Board in this finding consist of the following and as noted in the Plan Review Notes dated 3/10/2016 (Hereinafter the "Plan").

1. Application: Right-of-Way Plan Review, received 2/18/2016
2. Purchase and sale agreement, received 2/18/2016
3. Warranty deed, received 2/18/2016
4. Web soil survey, National Resources Conservation Service, dated 5/3/2012
5. Drainage Analysis, Anderson Livingston Engineers, Inc., dated 2/16/2016
6. Traffic Analysis, Anderson Livingston Engineers, Inc, dated 2/12/2016
7. Proposed Right-of-Way Plan, Anderson Livingston Engineers, Inc, revised 3/8/2016
8. Road Construction Plan, Anderson Livingston Engineers, Inc, dated 1/26/2016
9. Existing conditions & Boundary survey, Anderson Livingston Engineers, revised 3/8/2016
10. Subdivision Plan, Anderson Livingston Engineers, revised 3/8/2016 (only reviewed as a concept)

NOW THEREFORE, based on the entire record before the Planning Board as and pursuant to the applicable standards in the Land Use and Development Code, the Planning Board makes the following factual findings as required by **Section 16.10.8.3.4. and as recorded below:**

FINDINGS OF FACT

Action by the board shall be based upon findings of fact which certify or waive compliance with all the required standards of this title, and which certify that the development satisfies the following requirements:

A. Development Conforms to Local Ordinances.

The proposed development conforms to a duly adopted comprehensive plan as per adopted provisions in the Town Code, zoning ordinance, subdivision regulation or ordinance, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans.

<p>The proposed Right-of-Way meets the design and performance standards in Title 16.8 and does not create or increase any nonconformances to the lot. The Board finds this requirement to be met.</p>
<p style="text-align: right;">Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>B. Freshwater Wetlands Identified.</p>
<p><i>All freshwater wetlands within the project area have been identified on any maps submitted as part of the application, regardless of the size of these wetlands.</i></p>
<p>Two wetlands are located at the rear of the lot. Wetland setbacks are depicted on the final plan and no development is proposed within the setbacks. The Board finds this requirement to be met.</p>
<p style="text-align: right;">Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>C. River, Stream or Brook Identified.</p>
<p><i>Any river, stream or brook within or abutting the proposed project area has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in 38 M.R.S. §480-B, Subsection 9.</i></p>
<p>None have been identified. The Board finds this standard is not applicable.</p>
<p style="text-align: right;">Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>D. Water Supply Sufficient. {and}</p>
<p><i>The proposed development has sufficient water available for the reasonably foreseeable needs of the development.</i></p>
<p>E. Municipal Water Supply Available.</p>
<p><i>The proposed development will not cause an unreasonable burden on an existing water supply, if one is to be used.</i></p>
<p>The proposed development does not cause a burden on water supply. The Board finds this standard is not applicable.</p>
<p style="text-align: right;">Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>F. Sewage Disposal Adequate.</p>
<p><i>The proposed development will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.</i></p>
<p>The proposed development does not connect to sewer. The Board finds this standard is not applicable.</p>
<p style="text-align: right;">Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>G. Municipal Solid Waste Disposal Available.</p>
<p><i>The proposed development will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be used.</i></p>
<p>The proposed development will not produce an increase in solid waste. The Board finds this standard is not applicable.</p>
<p style="text-align: right;">Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>

H. Water Body Quality and Shoreline Protected.
<i>Whenever situated entirely or partially within two hundred fifty (250) feet of any wetland, the proposed development will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.</i>
The development is not within the setback any regulated (non-forested) wetland located on the lot. The Board finds this standard to be met.
Vote of __ in favor__ against __ abstaining
I. Groundwater Protected.
<i>The proposed development will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.</i>
The proposed development will not adversely affect the quality or quantity of groundwater. The Board finds this standard has been met.
Vote of __ in favor__ against __ abstaining
J. Flood Areas Identified and Development Conditioned.
<i>All flood-prone areas within the project area have been identified on maps submitted as part of the application based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant. If the proposed development, or any part of it, is in such an area, the applicant must determine the one hundred (100) year flood elevation and flood hazard boundaries within the project area. The proposed plan must include a condition of plan approval requiring that principal structures in the development will be constructed with their lowest floor, including the basement, at least one foot above the one hundred (100) year flood elevation.</i>
The property is not located within a flood prone area. The Board finds this standard is not applicable.
Vote of __ in favor__ against __ abstaining
K. Stormwater Managed.
<i>Stormwater Managed. The proposed development will provide for adequate stormwater management</i>
With consideration of CMA, town peer-review engineer comments in their 3/3/16 letter and plan revisions made and additional information submitted for CMA to review and approve, the proposed development conforms to Title 16.8.8 Surface Drainage and will provide for adequate stormwater management.
The Board finds this standard has been met with consideration of condition of approval #5.
Vote of __ in favor__ against __ abstaining
L. Erosion Controlled.
<i>The proposed development will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.</i>
The Contractor shall follow MDEP best management practices for erosion and sediment control and address comments from peer-review engineer. (see conditions of approval #2 and #5).

The proposed development conforms to Title 16.8.8 Surface Drainage and will provide for adequate erosion and sediment control measures on site. The Board finds this standard has been met with condition of approval #2 and #5.

Vote of __ in favor __ against __ abstaining

M. Traffic Managed.

The proposed development will:

1. *Not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed; and*
2. *Provide adequate traffic circulation, both on-site and off-site.*

The projected average daily traffic generation for the proposed development is 30 trips and does not meet the threshold for a full traffic study. The proposed development is a two-way street and provides adequate traffic circulation.

The proposed development conforms to Title 16.8.9 Parking, Loading and Traffic and will provide for adequate traffic circulation. The Board finds this standard has been met.

Vote of __ in favor __ against __ abstaining

N. Water and Air Pollution Minimized.

The proposed development will not result in undue water or air pollution. In making this determination, the following must be considered:

1. *Elevation of the land above sea level and its relation to the floodplains;*
2. *Nature of soils and sub-soils and their ability to adequately support waste disposal;*
3. *Slope of the land and its effect on effluents;*
4. *Availability of streams for disposal of effluents;*
5. *Applicable state and local health and water resource rules and regulations; and*
6. *Safe transportation, disposal and storage of hazardous materials.*

1. The development is located outside of a Flood Hazard Area.
- 2 thru 6. Not applicable to the proposed development.

It does not appear the proposed development will result in undue water or air pollution
The Board finds this standard has been met.

Vote of __ in favor __ against __ abstaining

O. Aesthetic, Cultural and Natural Values Protected.

The proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the department of inland fisheries and wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.

There is no significant change proposed in the use of the property that would have an undue adverse impact on aesthetic, cultural or natural values.

The property does not include any significant aesthetic, cultural or natural values that require protection.
The Board finds this standard has been met.

Vote of __ in favor __ against __ abstaining

P. Developer Financially and Technically Capable.
<i>Developer is financially and technically capable to meet the standards of this section.</i>
The applicant is a developer who has constructed similar projects in the past. A performance guarantee must be provided.
The Board finds this standard has been met.
Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining
S. For a Right-of-Way Plan
The proposed ROW
1. Does not create any nonconforming lots or buildings; and
2. Could reasonably permit the right of passage for an automobile
The proposed development does not create or increase any nonconforming lots or buildings and complies with Title 16 standards with consideration of condition of approval #5 The proposed ROW is 40' wide and can reasonably permit the passage for an automobile.
Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining

NOW THEREFORE the Kittery Planning Board adopts each of the foregoing Findings of Fact and based on these Findings determines the proposed Development will have no significant detrimental impact, and the Kittery Planning Board hereby grants final approval for the Development at the above referenced property, including any waivers granted or conditions as noted.

Waivers: (to be depicted on the final plan):

1. Monuments - Section 16.8.2
 - a. Waiver to allow the road monuments to be iron pipes instead of stone monuments as a more cost effective boundary marker due to the size and scope of the project
2. Submission materials, Erosion and sedimentation control plan – Section 16.10.5.2.C.6
 - a. York County Soil and Water Conservation District review is not warranted Review completed by CMA Engineers.
3. Submission materials, stormwater management preliminary plan – Section 16.10.5.2.C.7
 - a. Applicant submitted sufficient drainage report with application.

Conditions of Approval (to be depicted on the final plan):

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan. (Title 16.10.9.1.2)
2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all work associated with site and building construction to ensure adequate erosion control and slope stabilization.
3. Prior to the commencement of grading and/or construction within a building envelope, as shown on the Plan, the owner and/or developer must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer determines construction is completed and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.
4. All Notices to Applicant contained in the Findings of Fact (dated: April 14, 2016).

Conditions of Approval (Not to be depicted on the final plan):

5. Incorporate any plan revisions on the final plan as recommended by Staff, Planning Board, or Peer Review Engineer, and submit for Staff review prior to presentation of final Mylar.

Notices to Applicant: (not to be depicted on the final plan)

1. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with review, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
2. State law requires all subdivision and shoreland development plans, and any plans receiving waivers or variances, be recorded at the York County Registry of Deeds within 90 days of the final approval.
3. One (1) mylar copy and one (1) paper copy of the final plan (recorded plan if applicable) and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department. Date of Planning Board approval shall be included on the final plan in the Signature Block.
4. The owner and/or developer, in an amount and form acceptable to the town manager, must file with the municipal treasurer an instrument to cover the cost of all infrastructure and right-of-way improvements and site erosion and stormwater stabilization, including inspection fees for same.
5. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating the Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

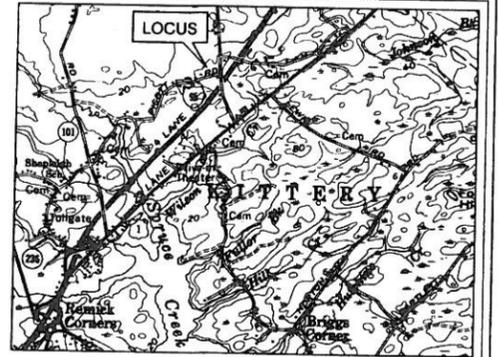
The Planning Board authorizes the Planning Board Chairperson to sign the Final Plan and the Findings of Fact upon confirmation of compliance with any conditions of approval.

Vote of in favor against abstaining

APPROVED BY THE KITTERY PLANNING BOARD ON April 14, 2016

Ann Grinnell, Planning Board Chair

Per Title 16.6.2.A - An aggrieved party with legal standing may appeal a final decision of the Planning Board to the York County Superior Court in accordance with Maine Rules of Civil Procedures Section 80B, within forty-five (45) days from the date the decision by the Planning Board was rendered.



VICINITY MAP

REFERENCE PLANS:

- 1. Subdivision of Land for Glendon C. Ayer, by Seacoast Engineering Associates, Inc.; dated August 12, 1987; recorded Y.C.R.D. Plan Book 160, page 34.
- 2. State of Maine DOT... Right of Way Map State Highway No. "95" Sheet 31 of 56; D.O.T. File No. 16-181; dated March 1971; recorded Y.C.R.D. Plan Book 7, page 39.

REFERENCE DEED:

Herbert A. Marsh and Carolyn K. Marsh to The Marsh Family Revocable Trust; dated March 24, 2010; recorded Y.C.R.D. Book 15839, page 12.

NOTES:

- 1. The boundaries as delineated are the opinion of this surveyor and are based on record information and physical evidence. This plan does not purport title or ownership.
- 2. Field measurements for this survey were made using a Leica total station with electronic data collection. The relative precision of the unadjusted control traverse is better than 1 in 15,000.
- 3. The existence or non-existence, depth, size, and location of underground utility lines, tanks, and structures was not verified by this survey. Any locations and sizes shown are approximate. Exact location should be further investigated before any excavation takes place on this lot.
- 4. All iron pipes marked "set" or "recov." are identified with yellow caps stamped "Anderson PLS 1197".
- 5. Tract zone: Residential - Rural (R-RL). Dimensional requirements at the time of approval:
 - Minimum lot size: 40,000 sq. ft.
 - Lot frontage: 150 feet
 - Front setback: 40 feet
 - Side and rear setback: 20 feet
 - Maximum building coverage: 15%
- 6. Most of the site is open field. There are no flood zones or shoreland zones currently mapped on the parcel.
- 7. Wetlands shown on this plan were delineated by Kenneth Gardner CSS #61, and field located by Anderson-Livingston Engineers, Inc. in December 2015.
- 8. The Kittery Water District has the right to access the existing water main shown on this plan for repair and maintenance in an area 10 ft. on either side of the main. No permanent structures are allowed in this area and any disturbance by the Water District will be returned to its original condition after work is complete.

TOTAL AREA = 6.1934 ACRES
R.O.W. = 0.3863 ACRES
(5.8071 ACRES EXCLUDING R.O.W.)

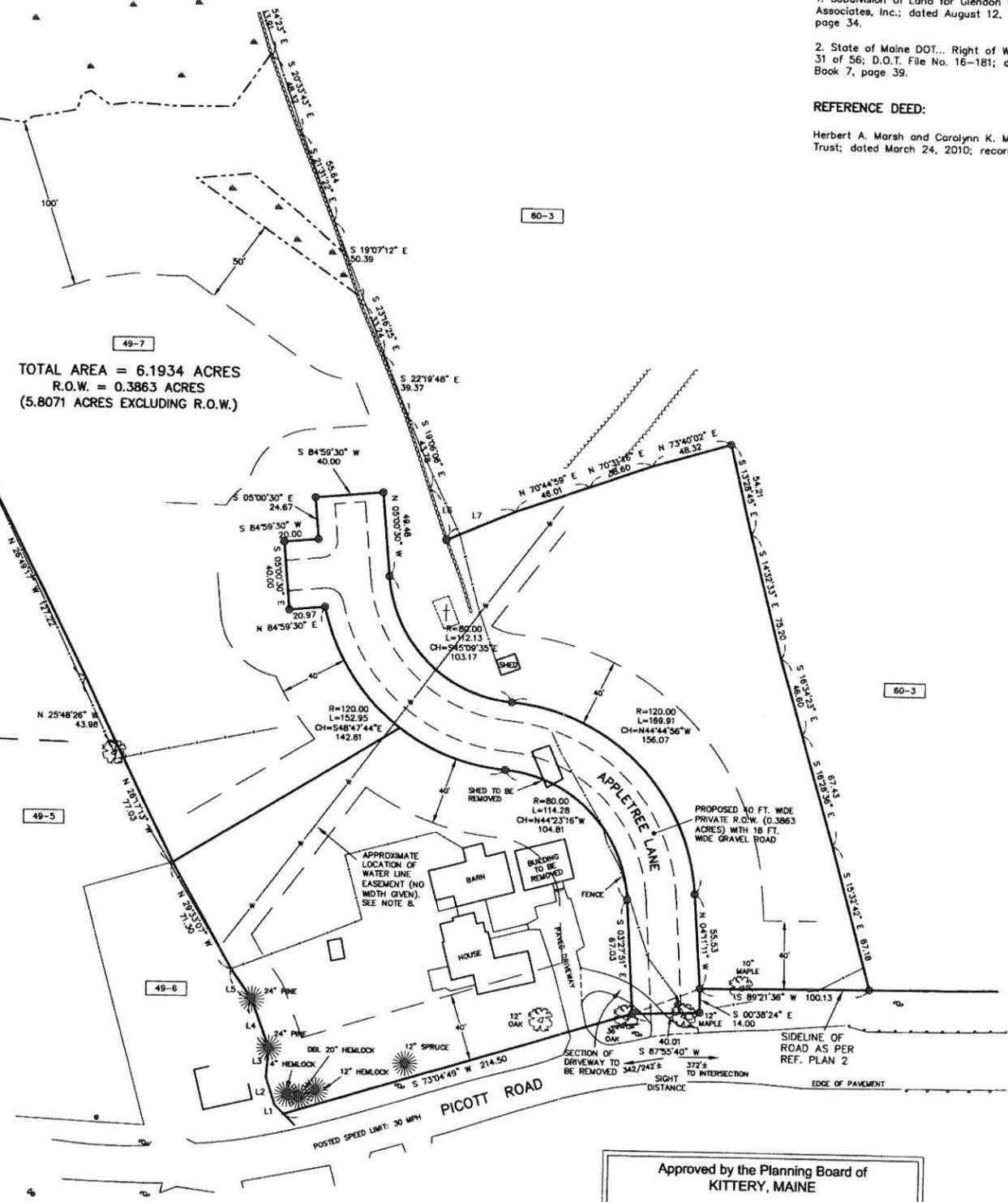
LINE	BEARING	DIST
L1	N 41°53'40" W	7.37
L2	N 17°37'22" E	18.86
L3	N 04°29'45" E	17.30
L4	N 20°08'19" W	30.42
L5	N 34°34'11" W	21.25
L6	S 18°02'51" E	31.37
L7	N 85°56'01" E	44.02

LEGEND

- UTILITY POLE
- 3/4" IRON PIPE TO BE SET

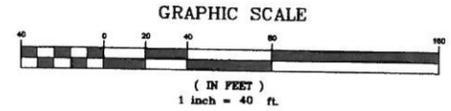
ABUTTERS LIST

MAP/LOT NO.	ABUTTER	DEED BK./PG.	ADDRESS
49-05	Trevor J. & Lori A. Thayer	4975/71	83 Picot Road Kittery, ME 03904
49-05A	Beverly J. Canoni	15326/718	87 Picot Road Kittery, ME 03904
49-05B	David A. & Linda E. Ayer	10190/330	400 Brixham Road Eliot, ME
49-06	James K. Ayer	6807/342	86 Picot Road Kittery, ME 03904
49-07	Marsh Family Revocable Trust	15839/12	93 Picot Road Kittery, ME 03904
60-2	Jodie L. & James R. Nielsen	12855/135	10 Elm Woods Drive Kittery, ME 03904
60-3	Heirs of Joseph Koslowski	13495/284	25 Cutts Road Kittery, ME 03904



PLAN OF PROPOSED
PRIVATE RIGHT OF WAY
FOR
GRAYSTONE BUILDERS, INC.
93 PICOTT ROAD
KITTERY, MAINE

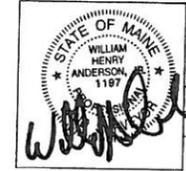
STATE OF MAINE
YORK, SS. REGISTRY OF DEEDS
RECEIVED _____
AT _____ H _____ M _____ M. AND
Filed in Plan Book _____ Page _____
ATTEST _____
REGISTER



Approved by the Planning Board of
KITTERY, MAINE

CHAIR	DATE
_____	_____
_____	_____

Approval is for Class 1 private road only.



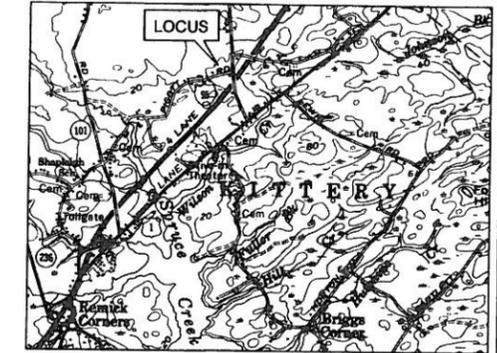
ANDERSON LIVINGSTON ENGINEERS, INC.
281 York Street
York, ME 03909
(207) 363-4414

Scale: 1 in = 40 ft.
Date: January 25, 2016
REVISIONS:
03/06/16: NOTES
OWNER:
Marsh Family Revocable Trust
93 Picot Road
Kittery, ME 03904

CERTIFICATION:

This survey conforms to the Maine Board of Licensure for Professional Land Surveyors Chapter 90 Standards of Practice, effective April 1, 2001 except as noted on this plan.

FILE NO: 6703
PLAN NO: 2506.160101



VICINITY MAP

REFERENCE PLANS:

1. Subdivision of Land for Glendon C. Ayer, by Seacoast Engineering Associates, Inc.; dated August 12, 1967; recorded Y.C.R.D. Plan Book 160, page 34.
2. State of Maine DOT... Right of Way Map State Highway No. "95" Sheet 31 of 56; D.O.T. File No. 16-181; dated March 1971; recorded Y.C.R.D. Plan Book 7, page 39.

REFERENCE DEED:

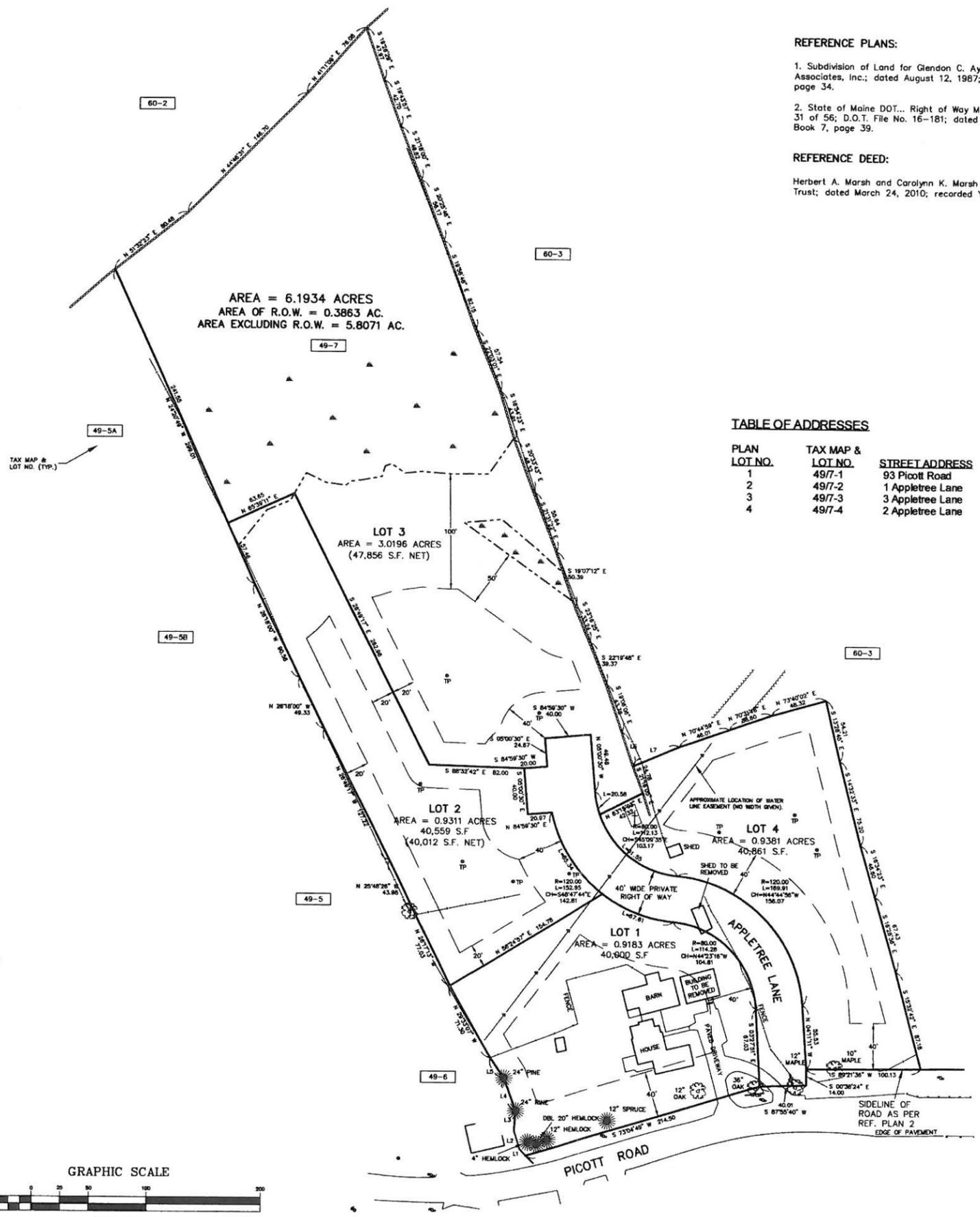
Herbert A. Marsh and Carolyn K. Marsh to The Marsh Family Revocable Trust; dated March 24, 2010; recorded Y.C.R.D. Book 15839, page 12.

TABLE OF ADDRESSES

PLAN LOT NO.	TAX MAP & LOT NO.	STREET ADDRESS
1	49/7-1	93 Picott Road
2	49/7-2	1 Appletree Lane
3	49/7-3	3 Appletree Lane
4	49/7-4	2 Appletree Lane

NOTES:

1. The boundaries as delineated are the opinion of this surveyor and are based on record information and physical evidence. This plan does not purport title or ownership.
2. Field measurements for this survey were made using a Leica total station with electronic data collection. The relative precision of the unadjusted control traverse is better than 1 in 15,000.
3. The existence or non-existence, depth, size, and location of underground utility lines, tanks, and structures was not verified by this survey. Any locations and sizes shown are approximate. Exact location should be further investigated before any excavation takes place on this lot.
4. All iron pipes marked "set" or "recoy." are identified with yellow caps stamped "Anderson PLS 1197".
5. Tract zone: Residential - Rural (R-RL). Dimensional requirements at the time of approval:
 Minimum lot size: 40,000 sq. ft.
 Lot frontage: 150 feet
 Front setback: 40 feet
 Side and rear setback: 20 feet
 Maximum building coverage: 15%
6. Most of the site is open field. There are no flood zones or shoreland zones currently mapped on the parcel.
5. Wetlands shown on this plan were delineated by Kenneth Gardner CSS #61, and field located by Anderson-Livingston Engineers, Inc. in December 2015.



BEARING TABLE

LINE	BEARING	DIST
L1	N 41°53'40" W	7.37
L2	N 17°37'22" W	16.86
L3	N 04°29'45" E	17.30
L4	N 20°08'19" W	30.42
L5	N 34°54'11" W	21.25
L6	S 19°02'51" E	31.37
L7	N 66°56'01" E	44.02

LEGEND

- UTILITY POLE
- 3/4" IRON PIPE TO BE SET

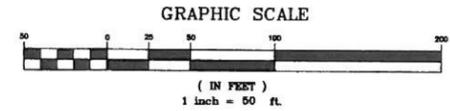
ABUTTERS LIST

MAP/LOT NO.	ABUTTER	DEED BK./PG.	ADDRESS
49-05	Trevor J. & Lori A. Thayer	497571	83 Picott Road Kittery, ME 03904
49-05A	Beverly J. Canoni	15326718	87 Picott Road Kittery, ME 03904
49-05B	David A. & Linda E. Ayer	10190330	400 Brixham Road Eliot, ME
49-06	James K. Ayer	6807342	86 Picott Road Kittery, ME 03904
49-07	Marsh Family Revocable Trust	1583912	93 Picott Road Kittery, ME 03904
60-2	Jodie L. & James R. Nielsen	12855135	10 Ella Woods Drive Kittery, ME 03904
60-3	Heirs of Joseph Kosowski	13495284	25 Cuts Road Kittery, ME 03904

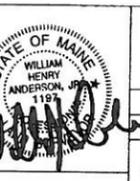
STATE OF MAINE
YORK, SS. REGISTRY OF DEEDS

RECEIVED _____
AT _____ H _____ M _____ M. AND
Filed in Plan Book _____ Page _____
ATTEST _____

REGISTER



FILE NO: 6703
PLAN NO: 2506.160104

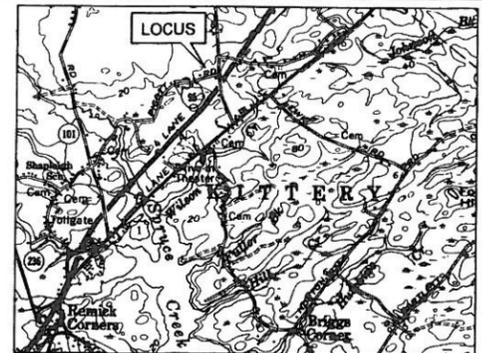


ANDERSON LIVINGSTON ENGINEERS, INC.
281 York Street
York, ME 03909
(207) 363-4414

Scale: 1 in = 50 ft.
Date: January 25, 2016

OWNER:
Marsh Family Revocable Trust
93 Picott Road
Kittery, ME 03904

CERTIFICATION:
This survey conforms to the Maine Board of Licensure for Professional Land Surveyors Chapter 90 Standards of Practice, effective April 1, 2001 except as noted on this plan.



VICINITY MAP

REFERENCE PLANS:

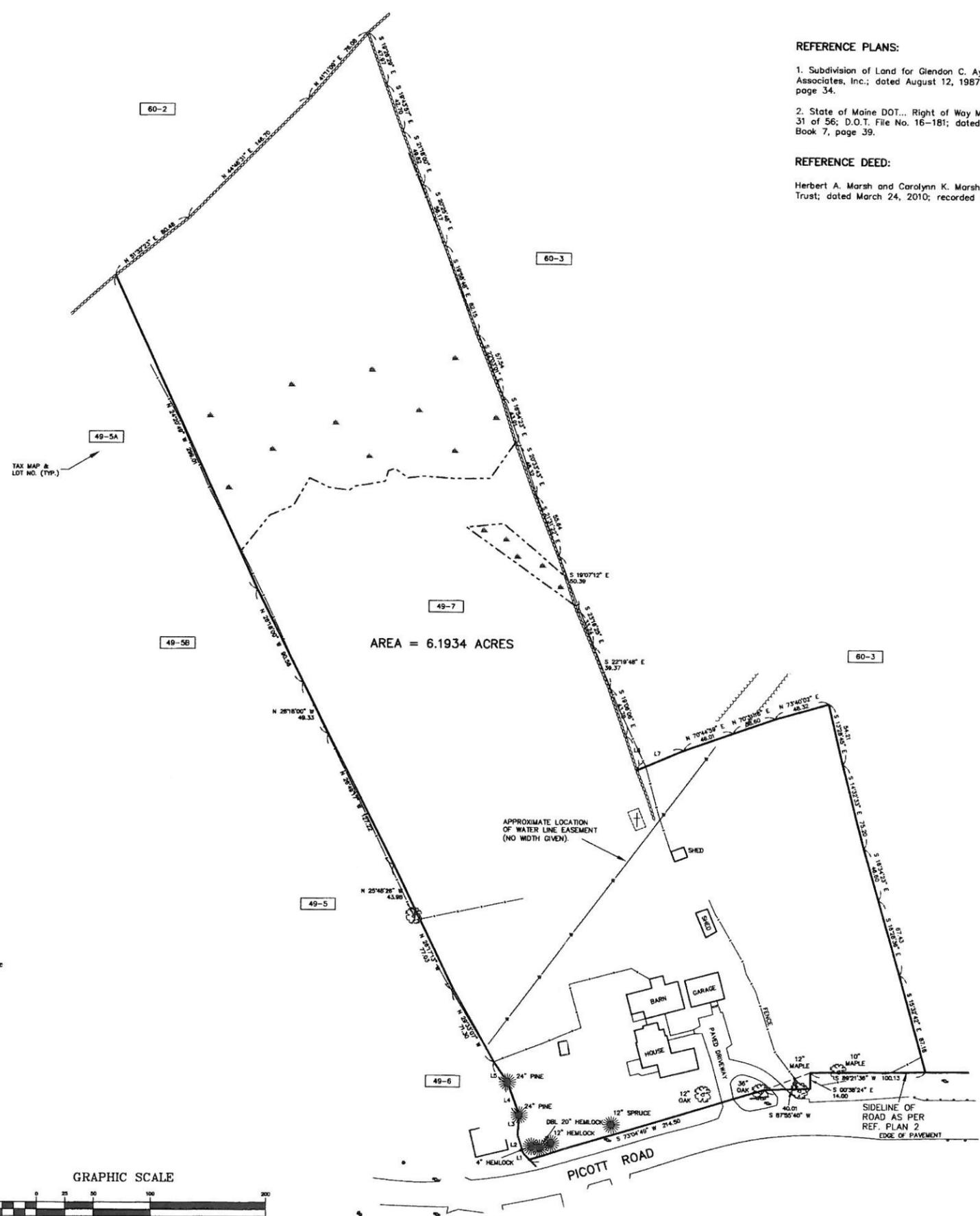
1. Subdivision of Land for Glendon C. Ayer; by Seacoast Engineering Associates, Inc.; dated August 12, 1987; recorded Y.C.R.D. Plan Book 160, page 34.
2. State of Maine DOT... Right of Way Map State Highway No. "95" Sheet 31 of 56; D.O.T. File No. 16-181; dated March 1971; recorded Y.C.R.D. Plan Book 7, page 39.

REFERENCE DEED:

Herbert A. Marsh and Carolyn K. Marsh to The Marsh Family Revocable Trust; dated March 24, 2010; recorded Y.C.R.D. Book 15839, page 12.

NOTES:

1. The boundaries as delineated are the opinion of this surveyor and are based on record information and physical evidence. This plan does not purport title or ownership.
2. Field measurements for this survey were made using a Leica total station with electronic data collection. The relative precision of the unadjusted control traverse is better than 1 in 15,000.
3. The existence or non-existence, depth, size, and location of underground utility lines, tanks, and structures was not verified by this survey. Any locations and sizes shown are approximate. Exact location should be further investigated before any excavation takes place on this lot.
4. All iron pipes marked "set" or "reco." are identified with yellow caps stamped "Anderson PLS 1197".
5. Tract zone: Residential - Rural (R-RI). Dimensional requirements at the time of approval:
Minimum lot size: 40,000 sq. ft.
Lot frontage: 150 feet
Front setback: 40 feet
Side and rear setback: 20 feet
Maximum building coverage: 15%
6. Most of the site is open field. There are no flood zones or shoreline zones currently mapped on the parcel.
7. Wetlands shown on this plan were delineated by Kenneth Gardner CSS #61, and field located by Anderson-Livingston Engineers, Inc. in December 2015.



AREA = 6.1934 ACRES

LINE	BEARING	DIST
L1	N 41°53'40" W	7.37
L2	N 17°37'22" W	16.86
L3	N 04°29'45" E	17.30
L4	N 20°08'19" W	30.42
L5	N 34°34'11" W	21.25
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LEGEND

- UTILITY POLE
- 3/4" IRON PIPE TO BE SET

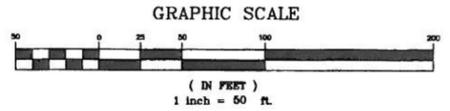
ABUTTERS LIST

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60-3	Heirs of Joseph Koslowski	13495284	25 Cuts Road Kittery, ME 03904

STATE OF MAINE
YORK. SS. REGISTRY OF DEEDS

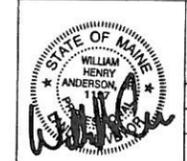
RECEIVED _____
AT _____ H _____ M _____ A. AND
Filed in Plan Book _____ Page _____
ATTEST _____

REGISTER



FILE NO: 6703
PLAN NO: 2506.160103

BOUNDARY SURVEY
PREPARED FOR
GRAYSTONE BUILDERS, INC.
93 PICOTT ROAD
KITTERY, MAINE

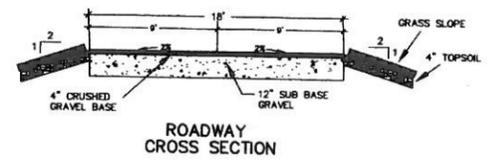
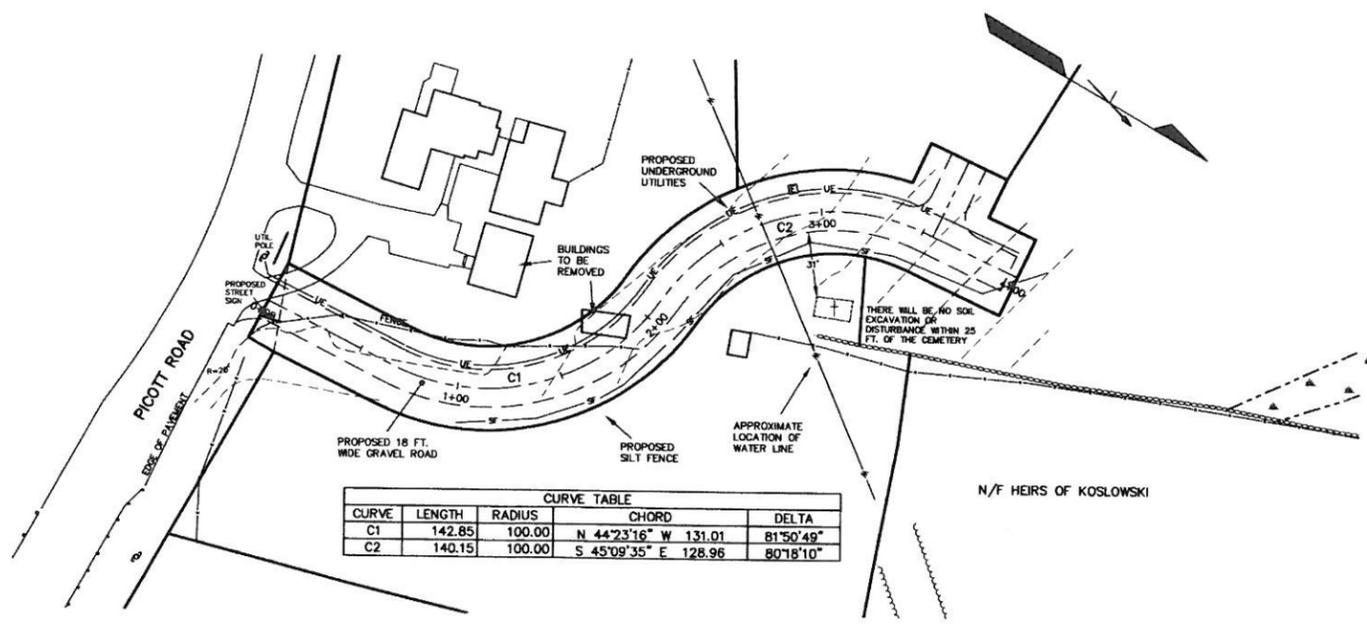


ANDERSON LIVINGSTON ENGINEERS, INC.	281 York Street York, ME 03909 (207) 363-4414
Scale: 1 in = 50 ft. Date: January 25, 2016	OWNER: Marsh Family Revocable Trust 93 Picott Road Kittery, ME 03904
REVISIONS: 03/08/16: NOTES	

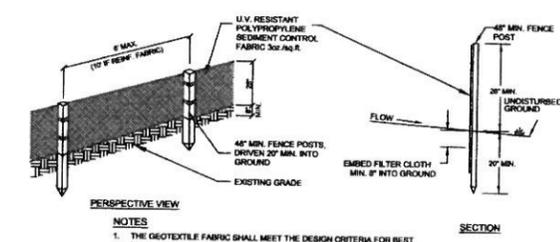
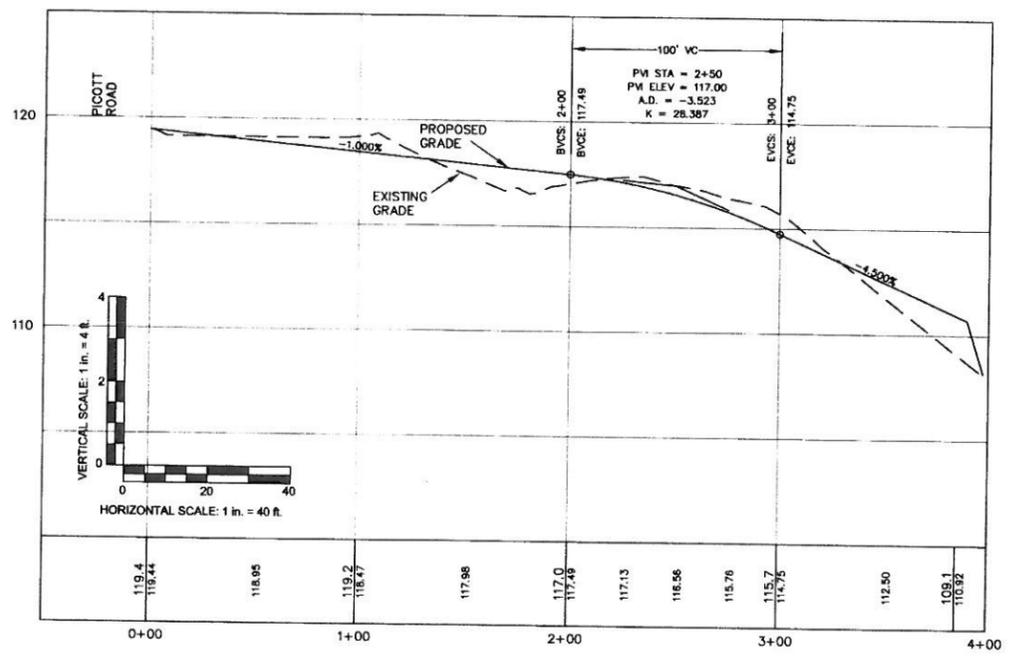
CERTIFICATION:

This survey conforms to the Maine Board of Licensure for Professional Land Surveyors Chapter 90 Standards of Practice, effective April 1, 2001 except as noted on this plan.

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- SUBGRADE PREPARATION:** No stumps, wood debris, or organic matter shall be covered in the road bed at any depth and no ledge shall be left within 18 inches of the finished grade. Rocks and boulders shall be removed to a depth of 18 inches below the subgrade of the roadway. Soils which are designated as being Poor or Very Poor for road fill by the York County Soil Service shall be removed from the street site to a depth of 18 inches below the subgrade and shall be replaced where necessary with soils listed by the Soil Suitability Guide as being Good or Fair for road fill.
- SUB BASE GRAVEL:** Gravel shall comply with M.D.O.T. grade D (contain no stones larger than 4 inches in diameter) and be placed not less than 4 inches in depth and extend not less than 18 feet. Sub base to be applied in two lifts, and is to be vibratory roll compacted each lift.
- CRUSHED GRAVEL BASE:** Gravel shall comply with M.D.O.T. grade A (contain no stones larger than 2 inches in diameter) and shall be placed not less than 4 inches in depth over sub base gravel. Gravel base to be vibratory roll compacted and graded.
- All fill transported to the site for side slopes or other use shall be clean fill free from organic plant material to prevent the introduction of any invasive plant species to the site.



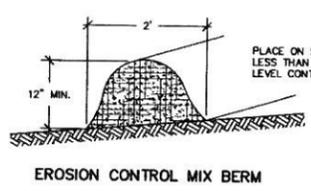
- SILT FENCE**
NOT TO SCALE
- THE GEOTEXTILE FABRIC SHALL MEET THE DESIGN CRITERIA FOR BEST MANAGEMENT PRACTICE FOR SILT FENCES, OF THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES" (BMP'S) MAINE DEP, DATED MARCH 2003.
 - THE FABRIC SHALL BE EMBEDDED A MINIMUM OF 8 INCHES INTO THE GROUND AND THE SOIL COMPACTED OVER THE EMBEDDED FABRIC.
 - WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6 INCHES, FOLDED AND STAPLED.
 - FENCE POSTS SHALL BE A MINIMUM OF 48 INCHES LONG AND DRIVEN A MINIMUM OF 20 INCHES INTO THE GROUND. WOOD POSTS SHALL BE OF SOUND QUALITY HARDWOOD AND SHALL HAVE A MINIMUM CROSS SECTIONAL AREA OF 3.0 SQ. IN.
 - MAINTENANCE SHALL BE PERFORMED AS NEEDED TO PREVENT BULGES IN THE SILT FENCE DUE TO DEPOSITION OF SEDIMENT.
 - REMOVE BY HAND AND PROPERLY DISPOSE OF ALL SEDIMENT PRIOR TO REMOVING FENCE.
 - SILT FENCE TO BE REMOVED WITHIN 30 DAYS OF THE SITE BECOMING STABLE.

EROSION AND SEDIMENT CONTROL NOTES

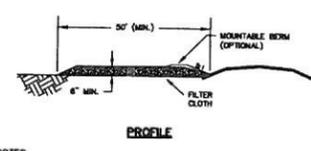
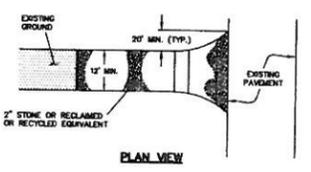
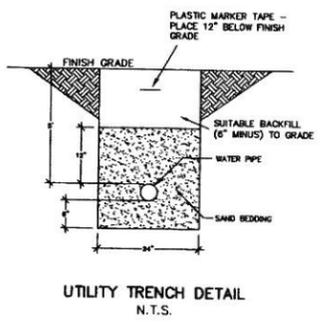
- After the area to be disturbed is cleared, hay bale barriers and/or siltation fence will be installed before the topsoil is stripped.
- The developer or contractor shall, at all times, strip and grade areas no larger than the minimum size necessary for the requirements of immediately pending construction activities. All disturbed areas must be stabilized by temporary measures within 5 days of initial disturbance and stabilized by permanent measures immediately after final grading.
- All topsoil stripped from the area will be stockpiled, temporarily mulched with hay, and surrounded by a hay bale barrier until it is spread and final grading is complete.
- Permanent stabilization must be implemented within 60 days of soil disturbance or by October 1, whichever is earlier.
- Permanent seeding will be done as early as possible in the growing season. Permanent seedings should be made prior to August 15. If seeding cannot be done prior to October 1, dormant seeding will be done according to the latest edition Best Management Practices (BMP) Handbook with temporary mulching or anchored netting and matting.
- The topsoil will be uniformly spread 4 inches deep over areas to be reclaimed.
- Lime shall be applied as far in advance of seeding as possible. Work lime and fertilizer into the soil to a depth of 4 inches either before or during final seed bed preparation.
- If seeding does not take (at least 80% cover) in any area within 30 days, it should be reseeded immediately or temporarily mulched and reseeded in one planting season.
- Any hay bale barriers can be removed upon stabilization of the finished grade and used as additional mulching material.
- The seeded areas shall be inspected every 15 days and maintained by watering, weeding, mowing, trimming, regrading and replanting as required to establish a lawn free of erosion or bare areas. At this time silt barriers will be inspected and repaired as necessary until such time as the seeding has taken hold and they are no longer needed.
- Ditch grades over 5%, the bottom and sides will be reinforced with a North American Green C350 or equivalent geotextile.

SEEDING PRACTICES

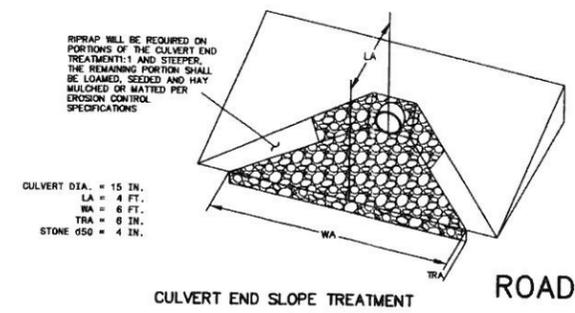
	AGRI. LIME	FERTILIZER	SEEDING	MULCH
		TYPE	TYPE	
		RATE	RATE	
PERMANENT SEEDING	138 lbs. per 1000 sq. ft.	10-20-20 19 lbs. per 1000 sq. ft.	SCS Mix #2: red fescue 47% red top 6% tall fescue 47%	Hay at 2 bales per 1000 sq. ft.
DITCH SEEDING	138 lbs. per 1000 sq. ft.	10-20-10 19 lbs. per 1000 sq. ft.	See above	Jute Mat
TEMPORARY SEEDING	138 lbs. per 1000 sq. ft.	10-10-10 14 lbs. per 1000 sq. ft.	Annual Rye	Jute Mat



- Erosion control mix can be manufactured on or off the project site. It must consist primarily of organic material, separated at the point of generation, and may include: shredded bark, stump grindings, composted bark, or acceptable manufactured products. Wood and bark chips, ground construction debris or reprocessed wood products will not be acceptable as the organic component of the mix.
- Composition Erosion control mix shall contain a well-graded mixture of particle sizes and may contain rocks less than 4" in diameter. Erosion control mix must be free of refuse, physical contaminants, and material toxic to plant growth. The mix composition shall meet the following standards:
- The organic matter content shall be between 80 and 100% dry weight basis. Particle size by weight shall be 100% passing a 6" screen and a minimum of 70% maximum of 85% passing a 0.75" screen. The organic portion needs to be fibrous and elongated. Large portions of silts, clays or fine sands are not acceptable in the mix. Soluble salts content shall be < 4.0 mmhos/cm. The pH should fall between 5.0 and 8.0.
- Installation. The barrier must be placed along a relatively level contour. It may be necessary to cut tall grasses or woody vegetation to avoid creating the grass blades or plant stems.
- On slopes less than 5% or at the bottom of steeper slopes (<2:1) up to 20 feet long, the barrier must be a minimum of 12" high, as measured on the uphill side of the barrier, and a minimum of two feet wide. On longer or steeper slopes, the barrier should be wider to accommodate the additional runoff. Frozen ground, outcrops of bedrock and very rooted forested areas are locations where berms of erosion control mix are most practical and effective. Other BMPs should be used at low points of concentrated runoff, below culvert outlet aprons, around catch basins and closed storm systems, and at the bottom of steep perimeter slopes that are more than 50 feet from top to bottom (i.e., a large up gradient contributing watershed).



- NOTES:
- Geotextile: place filter cloth over entire area to be covered with aggregate. Filter cloth will not be required on a single family residential lot.
 - Piping of surface water under entrance shall be provided as required. If piping is impossible, a mountable berm with a 5:1 slope will be permitted.



Approved by the Planning Board of
KITTERY, MAINE

CHAIR _____ DATE _____

ROAD CONSTRUCTION PLAN
FOR
GRAYSTONE BUILDERS, INC.
93 PICOTT ROAD
KITTERY, MAINE

ANDERSON LIVINGSTON ENGINEERS, INC.

Suite 401 Cottage Place
433 U.S. Route One
York, Maine 03909

Scale: 1 in. = 40 ft.

Date: January 26, 2016

REVISIONS:
03/08/16: NOTES

OWNER:
Marsh Family Revocable Trust
93 Piccott Road
Kittery, ME 03904