

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

24 Williams Ave – Shoreland Development Plan; Major Modification to an Approved Plan
Action: Accept or deny application; Approve or deny plan. Owner/Applicants Doug and Karen Beane request to modify an approved plan to include a larger breezeway located at 24 Williams Ave (Tax Map 9 Lot 16) in the Residential-Urban (R-RU) and Shoreland Overlay (OZ-SL-250') Zones. Agent is Ken Markley, North Easterly Surveying

PROJECT TRACKING

REQ'D	DESCRIPTION	COMMENTS	STATUS
YES	Determination of Completeness		Scheduled for 4/14/2016
NO	Site Walk	At the Board's discretion	
NO	Public Hearing	At the Board's discretion	
Yes	Final Plan Review and Decision		Feasible for 4/14/2016

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions or denies final plans. 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 recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN ¼: 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 reviewed this project on 10/22/2015. The existing use is a nonconforming single-family dwelling on a nonconforming lot. The majority of the existing deck is located within the 100-foot setback from the waterbody and a portion of the house is within the 100-foot setback from the waterbody and the 15 foot side setback on the westerly side of the property. Both the easterly side setback and front setbacks are met. The lot does not meet minimum square footage for the R-U zone.

The original proposal was to construct a 24'x24' garage and a 10-foot wide breezeway to attach the existing dwelling to the newly constructed garage. Both the breezeway and garage are outside the 100-foot, front and side yard setbacks.

Applicant is requesting to increase the width of the approved breezeway from 10 to 14 feet wide. This impacts the lot's devegetated area and building coverage. Updated staff review notes are from 10/22/2015, with updates highlighted in yellow.

Staff Review

The proposal is to replace the deck with a larger 336 square foot deck and construct a decorative pergola. After speaking to the MDEP, it was determined that the decorative pergola is considered part of the deck and not an extension of the principal structure. To determine the setback for the deck the applicant applied Title 16.3.2.17.D.2.B.

b. Accessory patios or decks no larger than five hundred (500) square feet in area must be set back at least seventy-five (75) feet from the normal high water line of any water bodies, tributary streams, the upland edge of a coastal wetland, or the upland edge of a freshwater wetland. Other patios and decks must satisfy the normal setback required for principal structures in the Shoreland Overlay Zone.

The proposed deck and pergola are outside the 75' setback and are therefore permissible.

Maximum devegetated area in the zone is 20%. The plan depicts the property's existing devegetated coverage is 2,260 square feet, 12.9% of the total property. The proposed development would create 627 square feet of new devegetated area. Total proposed devegetated coverage is 16.4% of the total property. **UPDATE – The proposed development increases the devegetated area to 16.8%**

Maximum building coverage in the zone is 20%. The proposed development will increase the building coverage from 6.2% to 11.3%. **UPDATE – The proposed development increases the building coverage to 11.7%.**

The proposal for the construction of the garage, breezeway and deck appear to meet the standards of Title 16. All structures exist outside of the required setbacks, do not increase the nonconformity of the dwelling and do not exceed devegetation or building coverage levels for the property.

Staff recommends the approval of this plan with minor changes to the plan

- Update plan to include the dimensions of existing structures & vegetation
- Update plan to identify existing and proposed building coverage square footage and property percentiles
- Identification, location and addresses for abutter residing across Williams Ave (M9 L7)

Recommendations

The proposed modifications appear to meet the requirements of Title 16. Staff recommends the Board accept and approve the application (suggested motion provided below)

Move to accept the Major Modification to the Approved Plan application dated April 4, 2016 for the previously approved Shoreland Development Plan dated September 24, 2015 from Doug & Karen Beane for 24 Williams Avenue (Tax Map 9, Lot 16) in the Residential-Urban and Shoreland Overlay Zones...

And...

Move to grant approval for the Major Modification to the Approved Plan application dated April 4, 2016 for the previously approved Shoreland Development Plan dated September 24, 2015 from Doug & Karen Beane for 24 Williams Avenue (Tax Map 9, Lot 16) in the Residential-Urban and Shoreland Overlay Zones, and to amend the Findings of Fact dated 10/22/2015.

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

Kittery Planning Board

Findings of Fact For 24 Williams Ave Shoreland Development Plan Review

WHEREAS: Doug & Karen Beane, owner and applicant, to construct a garage and breezeway; and a 336 square foot accessory structure deck to an existing, non-conforming single family dwelling located at 24 Williams Ave (Tax Map 9, Lot 16) in the Residential-Urban (R-U) and Shoreland Overlay (OZ-SL-250') zones, hereinafter the "Development" and

Pursuant to the Plan Review meetings conducted by the Town Planning Board as noted;

Shoreland Development Plan Review	10/22/2015
Approval	10/22/2015
Major Modification to an Approved Plan	4/14/2016

And pursuant to the application and plan and other documents considered to be a part of a plan review decision by the Town Planning Board in this Finding of Fact consisting of the following (hereinafter the "Plan"):

1. Shoreland Development Plan Application, received September 24, 2015.
2. Site Plan, Easterly Surveying, Inc., September 17, 2015
3. Major Modification to an Approved Plan Application, received 4/4/2016
4. Shoreland Development Plan, North Easterly Surveying, revised 4/1/2016

NOW THEREFORE, based on the entire record before the Town Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the Town Planning board makes the following factual findings and conclusions:

FINDINGS OF FACT

Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.17.D Shoreland Overlay Zone

1.d The total footprints of the areas devegetated for structures, parking lots and other impervious surfaces, must not exceed twenty (20) percent of the lot area, including existing development, except in the following zones...

Findings: The proposed development creates a devegetated area of 16.4%

Conclusion: The requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

A. Except as otherwise provided in this Article, a nonconforming conditions must not be permitted to become more nonconforming

16.7.3.5 Types of Nonconformance

16.7.3.5.5 Nonconforming Structure Repair and/or Expansion

A. A nonconforming structure may be repaired or maintained and may be expanded in conformity with the dimensional requirements, such as setback, height, etc., as contained in this Code. If the proposed expansion of a nonconforming structure cannot meet the dimensional requirements of this Code, the Board of Appeals or the Planning Board (in cases where the structure is located in a Shoreland Overlay or Resources Protection Overlay Zone) will review such expansion application and may approve proposed changes provided the changes are no more conforming than the existing condition and the Board of Appeals or the Planning Board (in cases where the structure is located in a Shoreland overlay or Resources Protection Overlay Zone) makes its decision per section 16.6.6.2.

See 16.6.6.1 and its reference to 16.6.6.2 below.

16.6.6 Basis for Decision

16.6.6.1.B In hearing appeals/requests under this Section, the Board of Appeals [note: Planning Board is also subject to this section per 16.7.3.5.5 above] must use the following criteria as the basis of a decision:

1. Proposed use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use zones;
2. Use will not prevent the orderly and reasonable use of permitted or legally established uses in the zone wherein the proposed use is to be located, or of permitted or legally established uses in adjacent use zones;
3. Safety, the health, and the welfare of the Town will not be adversely affected by the proposed use or its location; and
4. Use will be in harmony with and promote the general purposes and intent of this Code.

The Board must also give consideration to the factors listed in 16.6.6.2.

Finding: The proposed garage and breezeway are located outside the required setbacks. The proposed deck and pergola is less than 500 square feet an area and allowed between the 100-foot and 75 foot setback from the HAT. The deck, however, is located within the side yard, though less than the existing 4.3 foot encroachment of the building.

The proposed development does not increase nonconformity.

Conclusion: The requirement appears to be met.

Vote: 7 in favor 0 against 0 abstaining

16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Zones

16.7.3.6.1 Nonconforming Structure Expansion

A nonconforming structure may be added to, or expanded, after obtaining Planning Board approval and a permit from the Code Enforcement Officer. Such addition or expansion must not increase the non-conformity of the structure and must be in accordance with the subparagraphs [A through C] below.

A. After January 1, 1989, if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream or the upland edge of a wetland, that portion of the structure will not be permitted to expand, as measured in floor area or volume, by thirty percent (30%) or more during the lifetime of the structure.

B. If a replacement structure conforms to the requirements of Section 16.7.3.6.1.A and is less than the required setback from a water body, tributary stream or wetland, the replacement structure will not be permitted to expand if the original structure existing on January 1, 1989, has been expanded by 30% in floor area and volume since that date.

C. Whenever a new, enlarged or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board, basing its decision on the criteria specified in Section 16.7.3.5.2 – Relocation, below. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 16.7.3.5.3, above, and the foundation does not cause the structure to be elevated by more than three (3) additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first floor sill), it will not be considered to be an expansion of the structure.

Finding: The existing nonconforming structure is not expanding within the 100-foot setback from the HAT. The proposal does not increase nonconformity.

Conclusion: Standards A-C are not applicable.

Vote: 7 in favor 0 against 0 abstaining

Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW

Article 10 Shoreland Development Review

16.10.10.2 Procedure for Administering Permits

D. An application will be approved or approved with conditions if the reviewing authority makes a positive finding based on the information presented. It must be demonstrated the proposed use will:

1. Maintain safe and healthful conditions;

Finding: The proposed development does not appear to have an adverse impact.

Conclusion: This requirement appears to be met

Vote: 7 in favor 0 against 0 abstaining

2. *Not result in water pollution, erosion or sedimentation to surface waters;*

Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction (see conditions #2 and #3) to avoid impact on adjacent surface waters.

Conclusion: This requirement appears to be met

Vote: 7 in favor 0 against 0 abstaining

3. *Adequately provide for the disposal of all wastewater;*

Finding: The development is connected to two sewer.

Conclusion: This requirement appears to be met.

Vote: 7 in favor 0 against 0 abstaining

4. *Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;*

Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction (see conditions #2 and #3) to avoid impact on adjacent surface waters. These conditions should be added to the plan.

Conclusion: The proposed development does not appear to have an adverse impact. With the suggested conditions #2 and #3, this standard appears to be met.

Vote: 7 in favor 0 against 0 abstaining

5. *Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;*

Finding: Shore cover is not adversely impacted

Conclusion: This requirement appears to be met.

Vote: 7 in favor 0 against 0 abstaining

6. *Protect archaeological and historic resources;*

Finding: There does not appear to be any resources impacted.

Conclusion: This requirement appears to be met.

Vote: 7 in favor 0 against 0 abstaining

7. *Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;*

Finding: The proposed development does not appear to have an adverse impact.

Conclusion: This requirement appears to be met.

Vote: 7 in favor 0 against 0 abstaining

<p>8. <i>Avoid problems associated with floodplain development and use;</i></p> <p><u>Finding:</u> the proposed development is not within the floodplain</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>Vote: <u>7</u> in favor <u>0</u> against <u>0</u> abstaining</p>
<p>9. <i>Is in conformance with the provisions of this code;</i></p> <p><u>Finding:</u> The proposed amendment increases the property's building coverage from 11.7%, within the zone limit of 20%. The development appears to comply with all other zoning and design standards of Title 16.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>10. <i>Be recorded with the York county Registry of Deeds.</i></p> <p><u>Finding:</u> A plan suitable for recording has been prepared.</p> <p><u>Conclusion:</u> As stated in the Notices to Applicant contained herein, shoreland Development plans must be recorded with the York County Registry of Deeds prior to the issuance of a building permit.</p>
<p>Vote: <u>7</u> in favor <u>0</u> against <u>0</u> abstaining</p>

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application of Doug & Karen Beane, owner and applicant, to construct a garage and breezeway; and a 336 square foot accessory structure deck to an existing, non-conforming single family dwelling located at 24 Williams Ave (Tax Map 9, Lot 16) in the Residential-Urban (R-U) and Shoreland Overlay (OZ-SL-250') zones and subject to any conditions or waivers, as follows:

Waivers: None

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

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. No trees are to be removed without prior approval by the Code Enforcement Officer or the Shoreland Resource Officer.
5. All Notices to Applicant contained herein (Findings of Fact dated 10/22/2015 & amended 4/14/2016).

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

6. 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 on final Mylar.

The Planning Board authorizes the Planning Board Chair 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 October 22, 2015
FINDINGS OF FACT AMENDED BY THE KITTERY PLANNING BOARD ON April 14, 2016

Ann Grinnell, Planning Board Chair

Notices to Applicant:

1. 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.
2. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
3. One (1) mylar copy of the final plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department for signing. Date of Planning Board approval shall be included on the final plan in the Signature Block. After the signed plan is recorded with the York County Registry of Deeds, a mylar copy of the signed original must be submitted to the Town Planning Department.
4. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating as elements the Development Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

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.

North
W  EASTERLY
SURVEYING, Inc.

191 State Road, Suite #1 • Kittery, Maine 03904 • (207) 439-6333 • Fax (207) 439-1354

April 4, 2016

Kittery Planning Board
Chris DiMatteo – Town Planner
200 Rogers Road
Kittery, ME 03904

Planning Board Review – Major Modification– Shoreland Overlay Zone – Doug & Karen Beane – 24
Williams Ave., Kittery - Tax Map 9 Lot 16 - Job# 14761

Dear Chairman and Planning Board Members,

Doug and Karen Beane would like to modify the width of the breezeway from 10 feet wide to 14 feet wide as shown on a plan approved by the planning board on 10/22/15. This modification is located within the 250 foot shoreland overlay zone but outside the 100 foot building setback. This modification would increase the proposed devegetated percentage from 16.4 percent to 16.8 percent. It would also increase the building coverage from 11.3 percent to 11.7 percent.

We would appreciate your review, comments and hopefully approval of this modification at your next Planning Board meeting. Please feel free to contact me should you have any questions.

Sincerely:



Kenneth D. Markley R.L.S. L.S.E
President – NorthEasterly Surveying, Inc.

TOWN OF KITTERY, MAINE

TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904
 PHONE: (207) 475-1323 FAX: (207) 439-6806

www.kittery.org

APPLICATION: MAJOR MODIFICATION TO AN APPROVED PLAN- SITE PLAN



FEE FOR SITE PLAN AMENDMENT REVIEW: (TITLE 16.10.9.3)	<input type="checkbox"/> \$300.00 PLUS THE GREATER OF	<input type="checkbox"/> \$50/ADDITIONAL USE OF UNIT; OR	<input type="checkbox"/> \$5.00/100 SQ FT OF ADDITIONAL GROSS FLOOR AREA	Application Fee Paid:
		<input type="checkbox"/> \$0.50/LINEAR FOOT OF ADDITIONAL DOCK, SLIP & FLOAT; OR	<input type="checkbox"/> \$20.00/ADDITIONAL UNIT INTENDED TO PROVIDE OVERNIGHT SLEEPING ACCOMODATIONS	\$ _____ Date: _____ ASA Fee Paid: (TITLE 3.3 TOWN CODE) \$ _____ Date: _____

PROPERTY DESCRIPTION	Parcel ID	Map	Lot	Zone(s):	Base:	Overlay:	MS4:	Total Land Area (Square Feet)	
	Physical Address	24 WILLIAMS AVE. KITTERY, ME 03904							

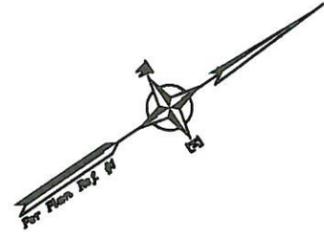
PROPERTY OWNER'S INFORMATION	Name	DOUG & KAREN BEANE		Mailing Address	24 WILLIAMS AVE. KITTERY, ME. 03909				
	Phone	603-937-0069							
	Fax								
	Email	DOUG@BLUEWATERCONSTRUCTION-NH.COM							

APPLICANT'S AGENT INFORMATION	Name	KEN MARKLEY		Mailing Address	NORTHEASTERLY SURVEYING INC. 191 STATE ROAD KITTERY, ME 03904				
	Phone	207-439-6333							
	Fax	207-439-1354							
	Email	KEN@EASTERLYSURVEYING.COM							

PROJECT DESCRIPTION	Project Name:								
	Existing Use:	SINGLE FAMILY RESIDENCE WITHIN THE SHORELAND OVERLAY ZONE							
	Proposed Amendment	Please describe how the approved plan is proposed to be amended. State any known areas of non-compliance to the Town Code and how this amendment will decrease or remove non-compliance, if applicable.							
		THE PROPOSED AMENDMENT IS TO INCREASE THE WIDTH OF THE BREEZEWAY FROM 10' TO 14'. THIS INCREASES THE PROPOSED DEVEGETATED PERCENTAGE FROM 16.4% TO 16.8% AND THE BUILDING COVERAGE FROM 11.3% TO 11.7%							

I certify, to the best of my knowledge, this application information is true and correct and I will not deviate from the plan submitted without notifying the Kittery Town Planning Department of any changes.

Applicant's Signature:	KEN MARKLEY <i>[Signature]</i>	Owner's Signature:	<i>[Signature]</i>
Date:	4/4/16	Date:	



N/F
"TRAP ACADEMY"
INHABITANTS OF THE TOWN OF KITTERY
TAX MAP 9 LOT 17
Y.C.R.D. BOOK 1517 PAGE 280

EXISTING DEVEGETATED COVERAGE CALCULATION:

BUILDING	950± SQ. FT.
DECK	140± SQ. FT.
PAVEMENT	1,040± SQ. FT.
WALKWAY	130± SQ. FT.
TOTAL	2,260± SQ. FT. (2,260 SQ. FT. / 17,580 SQ. FT. = 12.9%)

EXISTING BUILDING COVERAGE IS 1,090± SQ. FT. (6.2%)

PROPOSED DEVEGETATED COVERAGE CALCULATION:

BUILDING	950± SQ. FT.
PAVEMENT	810± SQ. FT.
WALKWAY	90± SQ. FT.
PROPOSED GARAGE	576± SQ. FT.
PROPOSED ADDITION	190± SQ. FT.
PROPOSED DECK	336± SQ. FT.
TOTAL	2,952± SQ. FT. (2,952 SQ. FT. / 17,580 SQ. FT. = 16.8%)

PROPOSED BUILDING COVERAGE IS 2,052± SQ. FT. (11.7%)

EXISTING STRUCTURE NONCONFORMANCE WITHIN 100' SETBACK:

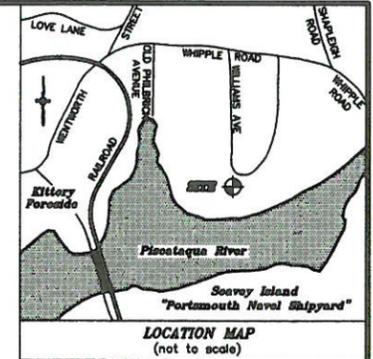
FLOOR AREA	280± SQ. FT.
STRUCTURE VOLUME	830± CU. FT.

30% EXPANSION CALCULATION:

NO EXPANSION TO A NON-CONFORMING STRUCTURE IS PROPOSED.

PLAN REFERENCE:

- "PLAN SHOWING PROPERTIES OF ELMER R. PRUETT, RUTH C. PRUETT, FRANCIS J. YUKL AND DOROTHY H. YUKL... ALSO PROPOSED RELOCATION OF WILLIAMS AVENUE... TOWN OF KITTERY, YORK COUNTY, MAINE", SURVEYED BY MOULTON ENGINEERING CO. JUNE, 1953 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 20 PAGE 32.
- "SHORELAND DEVELOPMENT PLAN FOR PROPERTY AT 24 WILLIAMS AVENUE, KITTERY, YORK COUNTY, MAINE, OWNED BY DOUGLAS J. BEANE AND KAREN E. BEANE", PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 9/17/15, LAST REVISED 11/2/15 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 379 PAGE 17.



ZONING DATA PER KITTERY TOWN CODE "TITLE 16 LAND USE AND DEVELOPMENT CODE" (LAST AMENDMENT 1/28/15) (SEE NOTE #4):

BASE ZONE: RESIDENTIAL - URBAN (R-U)
OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250')

R-U BASE ZONE REQUIREMENTS:

MINIMUM LAND AREA PER DWELLING UNIT: 20,000 SQ. FT.
MINIMUM LOT SIZE: 20,000 SQ. FT.
MINIMUM STREET FRONTAGE: 100 FT.
MINIMUM FRONT YARD: 30 FT.
MINIMUM REAR AND SIDE YARDS: 15 FT.
MAXIMUM BUILDING COVERAGE: 20%
MAXIMUM BUILDING HEIGHT: 35 FT.

MINIMUM SETBACK FROM WATER BODY AND WETLAND DEPENDENT USES: 0 FT.

OZ-SL-250' REQUIREMENTS (SEE 16.3.2.12):

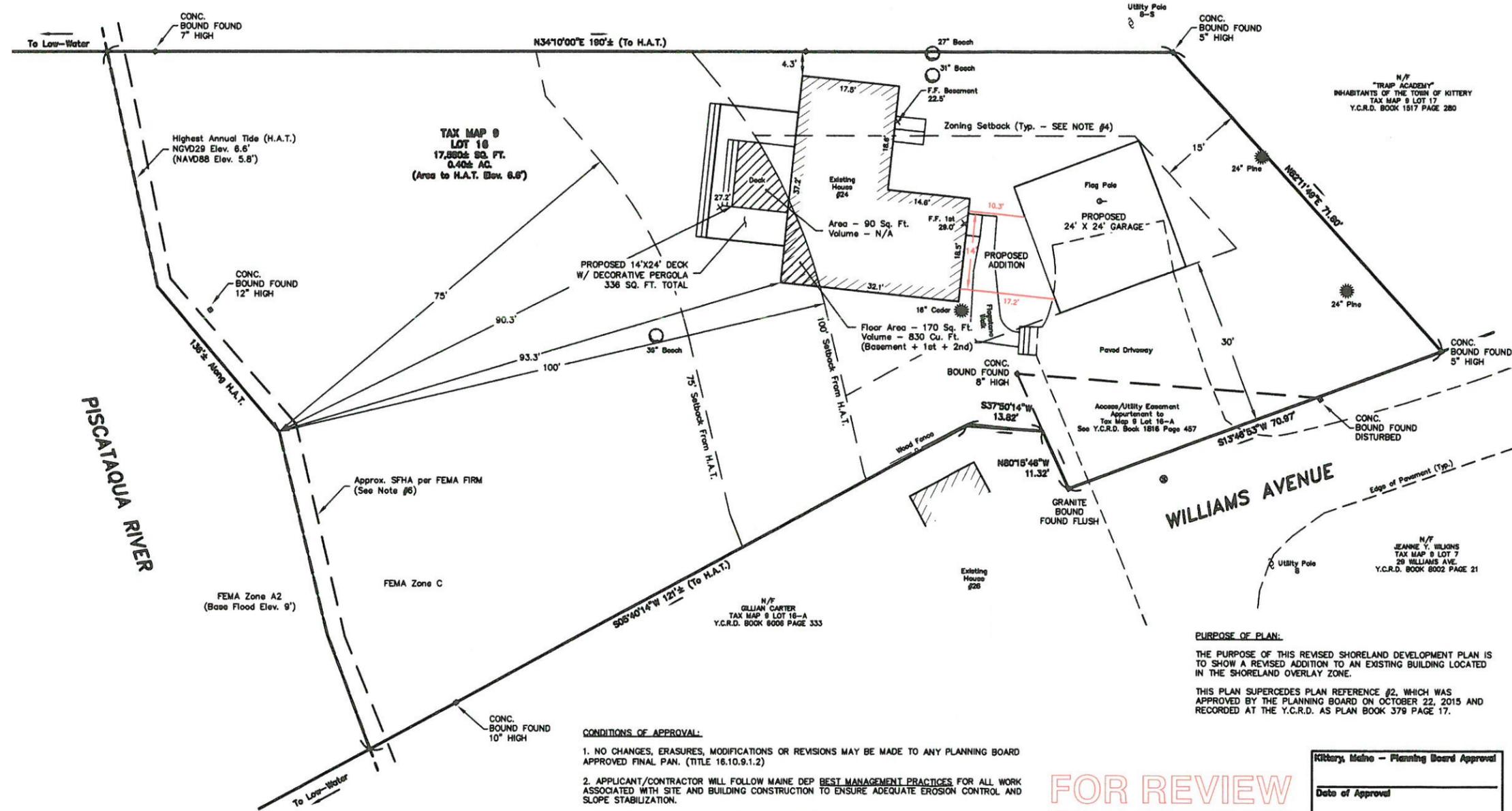
MINIMUM SHORE FRONTAGE: 50 FT.
MINIMUM SHORE FRONTAGE PER DWELLING UNIT: 50 FT.
MAXIMUM DEVEGETATED COVERAGE: 20%

PRINCIPAL AND ACCESSORY STRUCTURES SETBACK: 100 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND

ACCESSORY PATIO/DECK < 500 SQ. FT. SETBACK: 75 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND

NOTES:

- OWNERS OF RECORD:
DOUGLAS J. BEANE
KAREN E. BEANE
TAX MAP 9 LOT 16
Y.C.R.D. BOOK 16950 PAGE 846
DATED DECEMBER 30, 2014
- TOTAL EXISTING PARCEL AREA:
TAX MAP 9 LOT 16
17,580± SQ. FT.
- BASIS OF BEARING IS PER PLAN REFERENCE #1.
- ZONE REQUIREMENTS AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR DEVELOPMENT.
- EXTERIOR BOUNDARY BASED ON PLAN REFERENCES #1 AND FOUND MONUMENTATION.
- THE SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARY SHOWN HEREON IS APPROXIMATE PER FEMA FIRM 230171 0008 D, DATED 7/3/1986.
- NOT ALL THE TREES ON THE PROPERTY ARE DEPICTED ON THE PLAN.



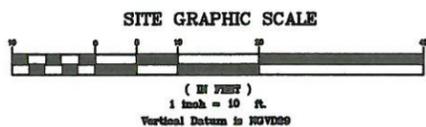
PURPOSE OF PLAN:

THE PURPOSE OF THIS REVISED SHORELAND DEVELOPMENT PLAN IS TO SHOW A REVISED ADDITION TO AN EXISTING BUILDING LOCATED IN THE SHORELAND OVERLAY ZONE.

THIS PLAN SUPERCEDES PLAN REFERENCE #2, WHICH WAS APPROVED BY THE PLANNING BOARD ON OCTOBER 22, 2015 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 379 PAGE 17.

CONDITIONS OF APPROVAL:

- NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN. (TITLE 16.10.9.1.2)
- 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.
- 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.
- NO TREES ARE TO BE REMOVED WITHOUT PRIOR APPROVAL BY THE CODE ENFORCEMENT OFFICER OR THE SHORELAND RESOURCE OFFICER.
- ALL NOTICES TO APPLICANT CONTAINED HEREIN (FINDINGS OF FACT, DATED 08/09/16).



YORK COUNTY REGISTRY OF DEEDS

Received _____

at _____ on _____ M., and

Filed in Plan Book _____ Page _____

ATTEST:

Register

FOR REVIEW

Kittery, Maine - Planning Board Approval

Date of Approval _____

Ann Grinnell, Chair

REV.	DATE	STATUS	BY	CHKD	APPD.
C	4/1/16	REVISE PROPOSED ADDITION / UPDATE CALCS	A.M.P.	A.M.P.	A.M.P.
B	11/2/15	ADD VEGETATION PER PLANNER REQUEST	A.M.P.	A.M.P.	A.M.P.
A	10/28/15	UPDATE PLAN PER PLANNING STAFF COMMENTS	A.M.P.	A.M.P.	A.M.P.

1ST AMENDED SHORELAND DEVELOPMENT PLAN

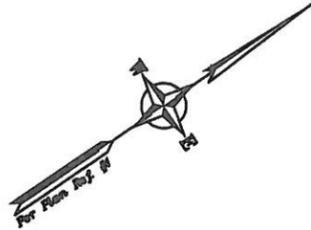
FOR PROPERTY AT
24 Williams Avenue
Kittery, York County, Maine
OWNED BY
Douglas J. Beane
Karen E. Beane
24 Williams Avenue, Kittery, ME 03904

North
W **EASTERLY** SURVEYING, Inc.

SURVEYORS IN N.H. & MAINE 191 STATE ROAD, SUITE #1
(207) 439-6333 KITTERY, MAINE 03904

SCALE: 1" = 10'
PROJECT NO. 14761 DATE: 9/17/15 SHEET: 1 OF 1 DRAWN BY: A.M.P. CHECKED BY: P.L.A.

DRAWING No: 14761_SITE
FIELD BOOK No: "Kittery #31" Tax Map 9 Lot 16



N/F
"TRAP ACADEMY"
INHABITANTS OF THE TOWN OF KITTERY
TAX MAP 9 LOT 17
Y.C.R.D. BOOK 1517 PAGE 280

EXISTING DEVEGETATED COVERAGE CALCULATION:

BUILDING	950± SQ. FT.
DECK	140± SQ. FT.
PAVEMENT	1,040± SQ. FT.
WALKWAY	130± SQ. FT.
TOTAL	2,260± SQ. FT. (2,280 SQ. FT. /17,580 SQ. FT. = 12.9%)

EXISTING BUILDING COVERAGE IS 1,090± SQ. FT. (6.2%)

PROPOSED DEVEGETATED COVERAGE CALCULATION:

BUILDING	950± SQ. FT.
PAVEMENT	810± SQ. FT.
WALKWAY	90± SQ. FT.
PROPOSED GARAGE	576± SQ. FT.
PROPOSED ADDITION	125± SQ. FT.
PROPOSED DECK	336± SQ. FT.
TOTAL	2,887± SQ. FT. (2,887 SQ. FT. /17,580 SQ. FT. = 16.4%)

PROPOSED BUILDING COVERAGE IS 1,987± SQ. FT. (11.3%)

EXISTING STRUCTURE NONCONFORMANCE WITHIN 100' SETBACK:

FLOOR AREA	260± SQ. FT.
STRUCTURE VOLUME	830± CU. FT.

30% EXPANSION CALCULATION:
NO EXPANSION TO A NON-CONFORMING STRUCTURE IS PROPOSED.



PURPOSE OF PLAN:
THE PURPOSE OF THIS SHORELAND DEVELOPMENT PLAN IS TO SHOW A PROPOSED ADDITION TO AN EXISTING BUILDING LOCATED IN THE SHORELAND OVERLAY ZONE. ALSO, TO SHOW A PROPOSED DECK UNDER 500 SQ. FT. OUTSIDE OF THE 75' RESOURCE SETBACK.

ZONING DATA PER KITTERY TOWN CODE "TITLE 16 LAND USE AND DEVELOPMENT CODE" (LAST AMENDMENT 1/28/15) (SEE NOTE #4):

BASE ZONE: RESIDENTIAL - URBAN (R-U)
OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250')

R-U BASE ZONE REQUIREMENTS:
MINIMUM LAND AREA PER DWELLING UNIT: 20,000 SQ. FT.
MINIMUM LOT SIZE: 20,000 SQ. FT.
MINIMUM STREET FRONTAGE: 100 FT.
MINIMUM FRONT YARD: 30 FT.
MINIMUM REAR AND SIDE YARDS: 15 FT.
MAXIMUM BUILDING COVERAGE: 20%
MAXIMUM BUILDING HEIGHT: 35 FT.

MINIMUM SETBACK FROM WATER BODY AND WETLAND DEPENDENT USES: 0 FT.

OZ-SL-250' REQUIREMENTS (SEE 16.3.2.17):

MINIMUM SHORE FRONTAGE: 50 FT.
MINIMUM SHORE FRONTAGE PER DWELLING UNIT: 50 FT.
MAXIMUM DEVEGETATED COVERAGE: 20%

PRINCIPAL AND ACCESSORY STRUCTURES SETBACK: 100 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND

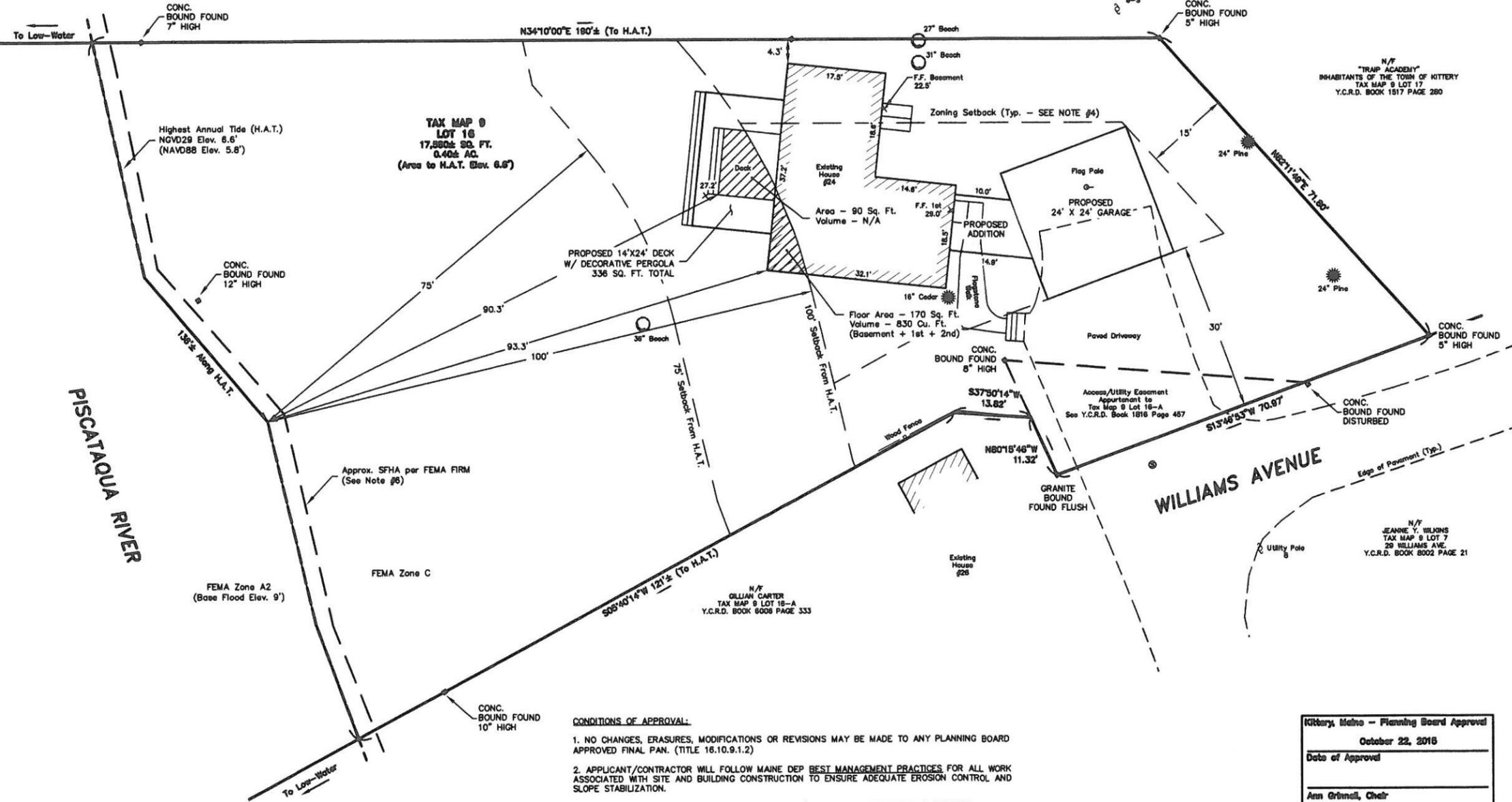
ACCESSORY PATIO/DECK < 500 SQ. FT. SETBACK: 75 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND

PLAN REFERENCE:

- "PLAN SHOWING PROPERTIES OF ELMER R. PRUETT, RUTH C. PRUETT, FRANCIS J. YUKL AND DOROTHY H. YUKL... ALSO PROPOSED RELOCATION OF WILLIAMS AVENUE... TOWN OF KITTERY, YORK COUNTY, MAINE". SURVEYED BY MOULTON ENGINEERING CO. JUNE, 1953 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 20 PAGE 32.

NOTES:

- OWNERS OF RECORD:
DOUGLAS J. BEANE
KAREN E. BEANE
TAX MAP 9 LOT 16
Y.C.R.D. BOOK 16950 PAGE 846
DATED DECEMBER 30, 2014
- TOTAL EXISTING PARCEL AREA:
TAX MAP 9 LOT 16
17,580± SQ. FT.
- BASIS OF BEARING IS PER PLAN REFERENCE #1.
- ZONE REQUIREMENTS AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR DEVELOPMENT.
- EXTERIOR BOUNDARY BASED ON PLAN REFERENCES #1 AND FOUND MONUMENTATION.
- THE SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARY SHOWN HEREON IS APPROXIMATE PER FEMA FIRM 230171 0008 D, DATED 7/3/1986.
- NOT ALL THE TREES ON THE PROPERTY ARE DEPICTED ON THE PLAN.



TAX MAP 9
LOT 16
17,580± SQ. FT.
0.40± AC.
(Area to H.A.T. Elev. 6.6')

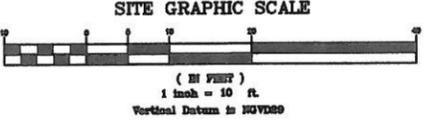
N/F
"TRAP ACADEMY"
INHABITANTS OF THE TOWN OF KITTERY
TAX MAP 9 LOT 17
Y.C.R.D. BOOK 1517 PAGE 280

N/F
GILLIAN CARTER
TAX MAP 9 LOT 15-A
Y.C.R.D. BOOK 6008 PAGE 333

N/F
JEANNE Y. WILKINS
TAX MAP 9 LOT 7
29 WILLIAMS AVE.
Y.C.R.D. BOOK 8002 PAGE 21

Kittery, Maine - Planning Board Approval
October 22, 2015
Date of Approval
Ann Grinnell, Chair

- CONDITIONS OF APPROVAL:**
- NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN. (TITLE 16.10.9.1.2)
 - 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.
 - 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.
 - NO TREES ARE TO BE REMOVED WITHOUT PRIOR APPROVAL BY THE CODE ENFORCEMENT OFFICER OR THE SHORELAND RESOURCE OFFICER.
 - ALL NOTICES TO APPLICANT CONTAINED HEREIN (FINDINGS OF FACT, DATED 10/22/15).



YORK, ME REGISTRY OF DEEDS
Received 8/17/15 8:50 AM
at 10 h 14 m A.M. and
Filed in Plan Book 899 Page 12
ATTEST: **COPY**
Registrar

REV.	DATE	STATUS	BY	CHKD	APPD.
B	11/2/15	ADD VEGETATION PER PLANNER REQUEST	A.M.P.	A.M.P.	A.M.P.
A	10/28/15	UPDATE PLAN PER PLANNING STAFF COMMENTS	A.M.P.	A.M.P.	A.M.P.

SHORELAND DEVELOPMENT PLAN
FOR PROPERTY AT
24 Williams Avenue
Kittery, York County, Maine
OWNED BY
Douglas J. Beane
Karen E. Beane
24 Williams Avenue, Kittery, ME 03904

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SHEET: 1 OF 1
DRAWN BY: A.M.P.
CHECKED BY: P.L.A.

DRAWING No: 14761_SITE
FIELD BOOK No: "Kittery 431"

Tax Map 9 Lot 16