Town of Kittery Maine
Town Planning Board Meeting
August 11, 2016

156 Haley Road – Shoreland Development Plan Review

Action: Accept or deny application. Approve or deny plan. Owner, Lifetime Homes, Inc., and applicant, Dorothy Ahlgren, requests approval to demolish a one-car garage and construct an attached two-car garage to an existing single family dwelling located at 156 Haley Road (Tax Map 39 Lot 4) in the Residential-Rural (R-RL) and Shoreland Overlay (SH-OZ-250') Zones. Agent is Ken Markley, North Easterly Surveying.

PROJECT TRACKING

REQ'D	DESCRIPTION	COMMENTS	STATUS
YES	Determination of Completeness	Scheduled for 8/11/2016	PENDING
NO	Public Hearing	At the Board's discretion	
NO	Site Walk	At the Board's discretion	
Yes	Final Plan Review and Decision	Feasible for 8/11/2016	TBD

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 review of this project is required by 16.10.3.2 Other Development Review, because it is located in the Shoreland Overlay Zone. The parcel located at 156 Haley Road is a conforming lot with two, nonconforming structures, a single-family dwelling and a detached one-car garage. The garage and a corner of the residence are located within the 100-foot setback from a wetland greater than one acre in size.

The proposed development will demolish the detached one-car garage, and construct an attached two-car garage in an expanded footprint.

Staff Review

1. Staff spoke with the applicant's agent who confirmed the only tidal wetland on the lot is located along the property line abutting Spruce Creek. The elevation on the property increases quickly from the tidal zone, thus stopping the tide from entering the mouth of the stream. The wetlands on the northerly and southerly edges of the property are not tidal. The plan needs to be revised to differentiate the two 100-foot setbacks between coastal wetland and non-coastal wetland and include the extent of the tidal/coastal wetland as delineated by the wetland scientist.

2. The proposed development includes relocating an existing garage in an expanded footprint. Title 16.7.3.6.A states any structure in the Shoreland Development Overlay zone that is less than the required setback from the normal high-water line of a water

body, tributary stream or the upland edge of a wetland is subject to the no greater than 30% floor area and volume expansion limits. Title 16.3.2.17.A.2 defines the following as protected wetlands requiring Shoreland Overlay zone restrictions: a coastal wetland, including all areas affected by tidal action and a freshwater wetland connecting to a protected stream, as identified on the zoning map. The wetland setback in which the garage is associated with is neither s coastal, tidal nor freshwater wetland. Therefore, Staff concludes the no greater than 30% volume and floor area limitations do not apply to this structure.

3. The existing garage is located 37-feet from the wetland. The wetland setback for buildings or structures is 100-feet. The proposed garage is located 63-feet from the wetland setback. Although this continues to have a nonconforming distance to the wetland, the proposed development does not increase nonconformity to any structure on the property.

4. Total wetland size is not depicted on the plan. The applicant should include total wetland size on the final plan.

5. When relocating a nonconforming structure, the new location must conform to all dimensional requirements to the greatest practical extent, as determined by the Planning Board; and the present subsurface sewage disposal system meets the requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules. The location of the proposed garage does not conform to the required wetland setback. The Board should determine whether another location on the property that is more conforming than the proposed location exists, or whether the proposed location is the greatest practical alternative. Factors to consider while determining “greatest practical extend” are attached for the Board’s reference. The location of the proposed garage is no closer to the present subsurface sewage disposal system than what currently exists with the principal dwelling.

6. The maximum devegetated area for the Shoreland Overlay Zone is 20%. The existing devegetated area is 16.3%. The proposed devegetated area is reduced to 13%, due to the gravel area next to the existing garage that the applicant proposes to revegetate. The plan should be revised to reflect not just the removal, but also the “revegetation” of this area.

7. That maximum building coverage for the R-RL zone is 15%. Existing and proposed building coverages are not depicted on the plan, however, Staff calculates the existing and proposed building coverages are 3.9% and 4.5%, respectively. The applicant should confirm building coverage percentages, and include on the final plan.

8. The applicant has included a warranty deed demonstrating ownership of the property for Lifetime Homes, Inc. The Shoreland Development application lists Dorothy Ahlgren as the property’s owner. The Shoreland Development Plan depicts Lifetime Homes, Inc. as the property owner, and Dorothy Ahlgren as the client. The agent informed Staff Dorothy Ahlgren is “one and the same” as Lifetime Homes, Inc., although evidence to support this has not been provided. The Board may want to require documentation to prove ownership of the property by Dorothy Ahlgren, and, may want to update either the final plan or plan application to show consistency with regards to property ownership.

9. The code reference for the space and dimensional standards for the base zone is outdated and should be revised to Title 16.3.2.17, instead of Title 16.12.040.

Recommendations

It appears the application is complete and, with the recommended revisions listed above, conforms to the standards of Title 16. If the Board is satisfied with the information presented by the applicant, Staff recommends the Board accepts the application (suggested motion below)…

Move to accept the Shoreland Development Plan dated July 21, 2016 from owner, Lifetime Homes, Inc. and applicant, Dorothy Ahlgren, for 156 Haley Road (Tax Map 39 Lot 4) in the Residential-Rural and Shoreland Overlay Zones.

The Board should determine whether a site walk and/or public hearing is warranted. If a site walk and/or public hearing is not warranted, Staff recommends the Board approve with conditions (suggested motion provided below) and proceed to reading and voting on the Findings of Fact.

Move to approve with conditions the Shoreland Development Plan dated July 21, 2016 from owner, Lifetime Homes, Inc., and applicant, Dorothy Ahlgren, for 156 Haley Road (Tax Map 39 Lot 4) in the Residential-Rural and Shoreland Overlay Zones, upon the review and voting, in the affirmative, on the Findings of Fact.

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

Kittery Planning Board **UNAPPROVED**

Findings of Fact
For 156 Haley Road
Shoreland Development Plan Review

WHEREAS: Owner, Lifetime Homes, Inc., and applicant, Dorothy Ahlgren, requests approval to demolish a nonconforming one-car garage and construct an attached two-car garage to an existing single family dwelling located at 156 Haley Road (Tax Map 39 Lot 4) in the Residential-Rural (R-RL) and Shoreland Overlay (SH-OZ-250') Zones., hereinafter the "Development" and

Pursuant to the Plan Review meetings conducted by the Town Planning Board as noted {in the plan review notes prepared for 8/11/2016}

Shoreland Development Plan Review	8/11/2016	HELD
Shoreland Development Plan Approval	8/11/2016	GRANTED

And pursuant to the application and plan and other documents considered to be a part of a plan review decision by the Planning Board in this Finding of Fact consisting of the following (hereinafter the "Plan"): {as noted in the plan review notes prepared for 8/11/2016}

1. Shoreland Development Plan Application, received 7/21/2016
2. Shoreland Development Plan, North Easterly surveying, dated 7/21/2016
3. Warranty Deed, received 7/21/2016

NOW THEREFORE, based on the entire record before the Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the 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 existing devegetated area is 16.3%. The proposed devegetated area is reduced to 13%, due to the removal of a gravel area next to the existing garage that the applicant proposes to revegetate. 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

Finding: The existing garage is located 37-feet from the wetland. The wetland setback for buildings or structures is 100-feet when the wetland is greater than 1-acre in size. The proposed garage is located 63-feet from the wetland setback. Although this continues to be nonconforming to the wetland setback, the proposed development does not increase nonconformity to any structure on the property.

Conclusion: The requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

16.7.3.5.6 Nonconforming structure reconstruction

A. In the Shoreland or Resource Protection Overlay Zone(s), any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, damaged or destroyed, by any cause, by more than 50% of the market value of the structure before such damage destruction or removal, may be reconstructed or replaced provided that a permit is obtained with in 18 months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board.

Finding: The location of the proposed garage does not conform with the required wetland setback. However, the Board has determined no other location on the property exists that is more conforming than the proposed location and the proposed development is in compliance with the required setback to the greatest practical extent.

Conclusion: The requirement appears to be met.

Vote: ___ in favor ___ against ___ 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: Title 16.3.2.17.A.2 defines the following as protected wetlands requiring Shoreland Overlay zone restrictions: a coastal wetland, including all areas affected by tidal action; and a freshwater wetland connecting to a protected stream, as identified on the zoning map. The wetland setback in which the garage is associated with is neither a coastal, tidal nor freshwater wetland. Therefore, the no greater than 30% volume and floor area limitations do not apply.

Conclusion: This requirement is not applicable.

Vote: ___ in favor ___ against ___ 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, as represented in the plan and application, does not appear to have an adverse impact on safe and healthful conditions.

Conclusion: This requirement appears to be met

Vote: ___ in favor ___ against ___ 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 to avoid impact on adjacent surface waters.

Conclusion: This requirement appears to be met

Vote: ___ in favor ___ against ___ abstaining

3. Adequately provide for the disposal of all wastewater;

Finding: The proposed development does not have an impact on the existing wastewater disposal system.

Conclusion: This requirement is not applicable.

Vote: ___ in favor ___ against ___ abstaining

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

Finding: The proposed development does not appear to have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ 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: ___ in favor ___ against ___ abstaining

6. Protect archaeological and historic resources;

Finding: There does not appear to be any archaeological or historic resources on the property.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

Finding: The proposed development is not located in the commercial fisheries/maritime activities district.

Conclusion: This requirement is not applicable.

Vote: ___ in favor ___ against ___ abstaining

8. Avoid problems associated with floodplain development and use;

Finding: The proposed development is not located within a floodplain.

Conclusion: This requirement is not applicable.

Vote: ___ in favor ___ against ___ abstaining

9. Is in conformance with the provisions of this code; Finding: The proposed development complies with the zoning and design/performance standards of Title 16. Conclusion: This requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining
10. Be recorded with the York county Registry of Deeds. Finding: With consideration of condition #5, a plan suitable for recording has been prepared. 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. Conclusion: This requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining

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 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. No trees are to be removed without prior approval by the Code Enforcement Officer or the Shoreland Resource Officer. Efforts to protect existing trees must be in place prior to construction.
4. All Notices to Applicant contained herein (Findings of Fact dated 8/11/2016).

Conditions of Approval (not to be depicted on 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 on final Mylar.

The Planning Board authorizes the Planning Board Chair, or Vice Chair, to sign the Final Plan and the Findings of Fact upon confirmation of required plan changes.

Vote of ___ in favor___ against ___ abstaining

APPROVED BY THE KITTERY PLANNING BOARD ON _____August 11, 2016

_____

Ann Grinnell, Planning Board Chair

Notices to Applicant:

1. Incorporate any plan revisions on the final plan as required by Planning Board 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

May 18, 2016

Kittery Planning Board
c/o Chris DeMatteo - Town Planner
200 Rogers Road
Kittery, ME 03904

Planning Board Review – Shoreland Development – Dorothy Ahlgren – 156 Haley Road – Kittery, ME
Job# 07672

Dear Planner and Planning Board Members,

The owner of the above described property, Dorothy Ahlgren would like to apply to build an attached 2 car garage at her home that is located within the Shoreland Overlay Zone. The lot currently has a single family residence on it with a detached one car garage which is 37 feet from the wetland. We are proposing removing the one car garage and replacing it with an attached two car garage which would be 63 feet from the wetland. The proposed devegetated area within the shoreland zone will decrease from 16.3% to 13.0%. The grounds are available from this date until the meeting for interested parties to visit.

Attached you will find the following:

1) A Shoreland Development Plan Application
2) An Expansion/Construction Analysis within the Shoreland Overlay Zone.
3) Sketchs of the proposed attached 2 car garage.
4) A copy of the deed.
5) A Shoreland Development Plan.

As you can see the objectives of the code are being met by the owner and would like the planning board to approve this plan within the Shoreland Zone.

Please feel free to contact me should you have any questions.

Sincerely:

Kenneth D. Markley R.L.S.
President – North Easterly Surveying, Inc.

SHORELAND DEVELOPMENT PLAN APPLICATION

TOWN OF KITTERY

Planning & Development Department

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1323 Fax: 207-439-6806

MAP ___ LOT ___

DATE: _____

FEE: $ 200.00

ASA*: _____

PROPERTY DESCRIPTION	Physical Address	156 HALEY ROAD KITTERY, MAINE 03904		
	Base Zone		Overlay Zone (s)	SHORELAND
OWNER INFORMATION	Name	DOROTHY AHLGREN	Mailing Address	PO BOX 104 KITTERY POINT, ME 03905
	Phone	439-1460		
	Email	DOROTHYAHLGREN@COMCAST.NET		
AGENT INFORMATION	Name	KEN MARKLEY	Company	
	Phone	439-6333	Mailing Address	EASTERLY SURVEYING 191 STATE ROAD KITTERY, ME 03904
	Email	KEN@EASTERLYSURVEYING.COM		
	Fax	439-1354		
APPLICANT INFORMATION	Name	SAME AS AGENT	Mailing Address	
	Phone			
	Email			

PROJECT DESCRIPTION

Existing Use: SINGLE FAMILY 4 BEDROOM RESIDENCE WITH DETACHED ONE CAR GARAGE.

Proposed Use (describe in detail):

SAME AS ABOVE REMOVING ONE CAR GARAGE AND ADDING ATTACHED TWO CAR GARAGE INCREASING SETBACK FROM WETLAND.

PROJECT DECSCRIPTION	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)
	REMOVE ONE CAR DETACHED GARAGE ADD ATTACHED TWO CAR GARAGE INCREASE SET BACK FROM WETLAND

I certify I have provided, to the best of my knowledge, information requested for this application that is true and correct and I will not deviate from the Plan submitted without notifying the Planning and Development Department of any changes.

Applicant's Signature:	Kent D. [illegible]	**Owner's Signature:**	Dorothy Ahlgren
Date:	7/21/16	**Date:**	7/21/16

**Applicant Service Accounts*: Fees to *pay other direct costs necessary to complete the application process, not including application fees.* Title 3, Chapter 3.3.

MINIMUM PLAN SUBMITTAL REQUIREMENTS

☐ **15 Copies of this Application Form, all supporting documents, and the Development Plan and Vicinity Map**
12 plan copies may be half-size (11"x17") and 3 must be full-size (24"x36")

Shoreland Development Plan format and content:

A) Paper Size; no less than 11" X 17" or greater than 24" X 36"

B) Plan Scale
☐ Under 10 acres: no greater than 1" = 30'
☐ 10 + acres: 1" = 50'

C) Title Block
☐ Title: Shoreland Development Plan
☐ Applicant's name and address
☐ Name of preparer of plan with professional information
☐ Parcel's Kittery tax map identification (map – lot) in bottom right corner
☐ **Vicinity Map or aerial photo showing geographic features 5,000 feet around the site.**

D) Signature Block
☐ Area for signature by Planning Board Chair and Date of Planning Board Approval

Development Plan must include the following existing and proposed information:

Existing:

☐ Land Use Zones and boundaries
☐ Topographic map (optional)
☐ Wetlands and flood plains
☐ Water bodies and water courses
☐ Parcel area
☐ Lot dimensions
☐ Utilities (Sewer/septic, water, electric, phone)
☐ Streets, driveways and rights-of-way
☐ Structures
☐ Distance from structure to water body and property lines
☐ Floor area, volume, devegetated area, and building coverage

Proposed: (Plan must show the lightened existing topography under the proposed project plan for comparison.)

☐ Recreation areas and open space
☐ Setback lines and building envelopes
☐ Lot dimensions
☐ Utilities (Sewer/septic, water, electric, phone)
☐ Streets, driveways and rights-of-way
☐ Structures
☐ Floor area, volume, devegetated area, and building coverage

Distance to:
☐ Nearest driveways and intersections
☐ Nearest fire hydrant
☐ Nearest significant water body; ocean, wetland, stream

AN APPLICATION THE TOWN PLANNER DEEMS SUFFICIENTLY LACKING IN CONTENT WILL NOT BE SCHEDULED FOR PLANNING BOARD REVIEW.

Expansion/Construction Analysis within the Shoreland Overlay Zone[1]
(see Table 16.9)

Size of water body or wetland: ☐ <500 sf ☐ <501 sf-1 acre ☒ >1 acre

Structure distance from water body: 37 feet PROPOSED 63 FEET

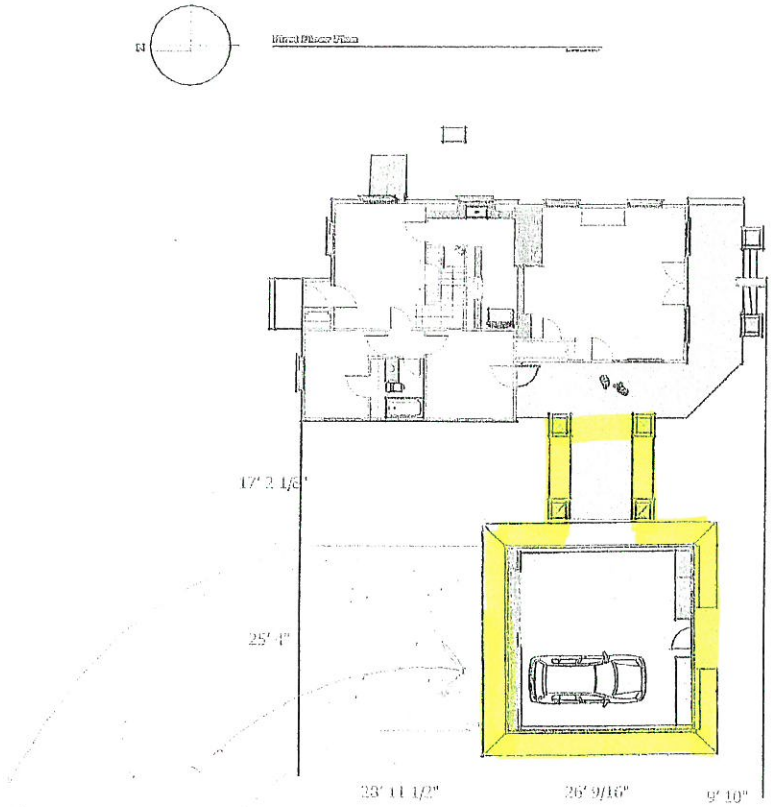
STRUCTURES	Existing	Proposed	% Increase*	
SF (Area)	2267 sf	2576 sf	13.6 %	
CF (Volume) N/A	cf	cf	%	
Construction:	New: ☐ Demo/Rebuild: ☒ Maintenance/repair: ☐			Value: $100,000
*Total increase in area and/or volume may not exceed 30% for any new construction since 1/1/1989.				

PARCEL DE-VEGETATION	% Allowed*	Existing SF	Proposed SF	% Proposed*
Lot Size (sf) 58,200 SQ. FT.	20 %	6092 sf	4845 sf	13.0%
*See underlying zone standards for de-vegetated area percent allowed within a Shoreland Overlay.				

BUILDING COVERAGE	% Allowed*	Existing SF	Proposed SF	% Proposed*
Lot Size (sf)	15 %	2267 sf	2576 sf	4.4 %
*See underlying zone standards for building coverage percent allowed.				

[1]Calculations for area, volume, and de-vegetated areas must be included on the final plan and certified by a State of Maine registered architect, landscape architect, engineer, or land surveyor.

Schedule "A"



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Received York SS
08/27/2004 10:05AM
REGISTER OF DEEDS
Debra L. Anderson

MAINE R.E. TRANSFER TAX PAID

WARRANTY DEED

JOY K. PIERCE of 76 Crockett Neck Road, Kittery Point in the Town of Kittery, County of York and State of Maine 03905, and DEIDRE K. HANSON of 5949 County Road 230, Albin, County of Laramie and State of Wyoming 82050, for consideration paid, grant to LIFETIME HOMES, INC., a Maine corporation, with a place of business at 1184 Post Road, Wells, County of York and State of Maine 04090, with Warranty Covenants, the land in Kittery, County of York, State of Maine, more particularly described as follows:

A certain tract of land, together with the buildings thereon, situate in said Town of Kittery on Spruce Creek and the Haley Road, so-called, known as the Caroline P. Emery lot. Said lot is bounded by said Spruce Creek; land formerly of Elroy Moulton; land formerly of Joanna Trafton or known as "The Joanna Trafton Place"; and said Haley Road, so-called.

BEING the same premises conveyed to Joy K. Pierce and Deidre K. Hanson by Deed of Distribution from Joy K. Pierce, Personal Representative of the Estate of Helen B. Kauffman, dated May 31, 2001 and recorded in the York County Registry of Deeds at Book 10697, Page 74.

WITNESS our hands and seals this 23rd day of August, 2004.

Christa deJong
Witness

Joy K. Pierce
Joy K. Pierce

Robert Anderson
Witness

Deidre K. Hanson
Deidre K. Hanson

The State of Maine
York, ss.

August 25th, 2004

Then personally appeared the above-named JOY K. PIERCE and acknowledged the foregoing instrument to be her free act and deed,

Before me, Christa deJong
Notary Public
Print Name:
My commission expires:

CHRISTA DEJONG, Notary Public
My Commission Expires February 14, 2008

EXISTING NONVEGETATED COVERAGE CALCULATION:

BUILDING	1,901 SQ. FT.
PAVEMENT/GRAVEL	3,540 SQ. FT.
WALKWAY	285 SQ. FT.
GARAGE	366 SQ. FT.
TOTAL	6,092± SQ. FT. (6,092 SQ. FT /37,388 SQ. FT. = 16.3%)

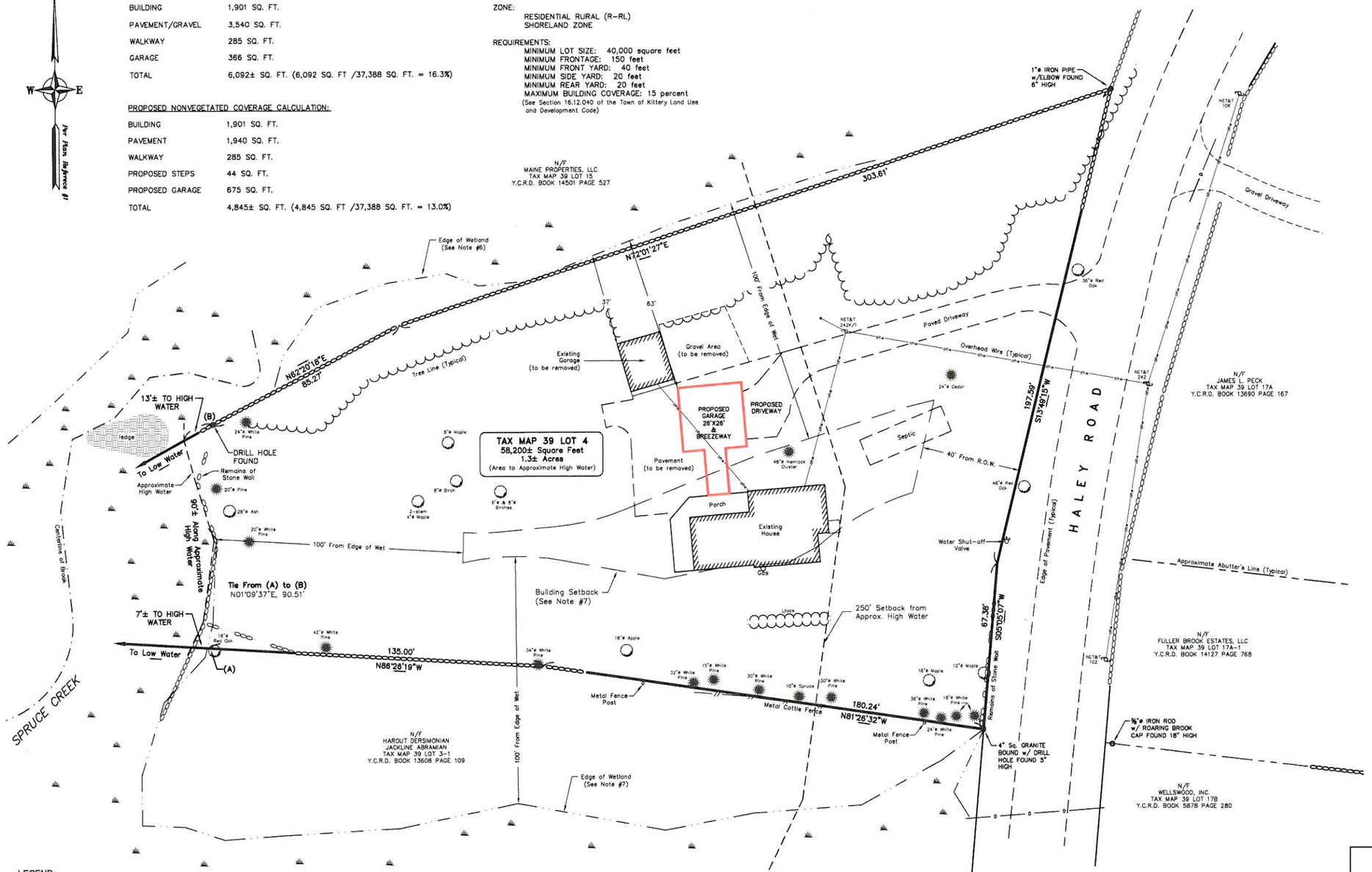
PROPOSED NONVEGETATED COVERAGE CALCULATION:

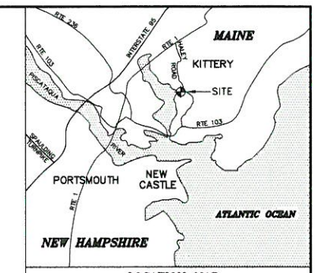
BUILDING	1,901 SQ. FT.
PAVEMENT	1,940 SQ. FT.
WALKWAY	285 SQ. FT.
PROPOSED STEPS	44 SQ. FT.
PROPOSED GARAGE	675 SQ. FT.
TOTAL	4,845± SQ. FT. (4,845 SQ. FT /37,388 SQ. FT. = 13.0%)

PARCEL DATA:

ZONE:
RESIDENTIAL RURAL (R-RL)
SHORELAND ZONE

REQUIREMENTS:
MINIMUM LOT SIZE: 40,000 square feet
MINIMUM FRONTAGE: 150 feet
MINIMUM FRONT YARD: 40 feet
MINIMUM SIDE YARD: 20 feet
MINIMUM REAR YARD: 20 feet
MAXIMUM BUILDING COVERAGE: 15 percent
(See Section 16.12.040 of the Town of Kittery Land Use and Development Code)





LOCATION MAP
(not to scale)

NOTES:

1. OWNER OF RECORD:
LIFETIME HOMES, INC.
Y.C.R.D. BOOK 14204 PAGE 477
AUGUST 23, 2004

2. TOTAL PARCEL AREA:
58,200± Square Feet or 1.3± Acres
(Area to approximate High Water)

3. BASIS OF BEARING PER PLAN REFERENCE #1.

4. THE BOUNDARY AND RIGHT OF WAY DETERMINATIONS HEREIN ARE BASED UPON RECORD INFORMATION AND PHYSICAL EVIDENCE FOUND, AND IS THE OPINION OF THIS SURVEYOR.

5. THE HALEY ROAD RIGHT OF WAY IS BASED UPON A VARIABLE WIDTH RIGHT OF WAY AND WAS ESTABLISHED USING EXISTING MONUMENTS, STONE WALLS AND THE PLAN REFERENCES.

6. WETLAND DELINEATION WAS PERFORMED BY JOSEPH NOEL, MAINE CERTIFIED WETLAND SCIENTIST.

7. BUILDING SETBACKS MUST BE VERIFIED BY THE TOWN OF KITTERY CODE ENFORCEMENT OFFICE.

PLAN REFERENCES:

1. "REVISED PLAN OF HUTCHINS COVE DEVELOPMENT PREPARED FOR JAMES AUSTIN, KITTERY, MAINE" PREPARED BY THOMAS F. MORAN INC., DATED MAY 10, 1990 AND RECORDED Y.C.R.D. PLAN BOOK 201 PAGE 21.

2. "DIVISION OF LAND & SITE PLAN FOR PROPERTY AT 2 TRAFTON LANE (PARCEL "A") AND 11 TRAFTON LANE (PARCEL "B") KITTERY, MAINE 03904 OWNED BY SCOTT J. CURRIER" PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED MAY 8, 2001 AND RECORDED AT Y.C.R.D. PLAN BOOK 273 PAGE 33.

3. "STATE OF MAINE DEPARTMENT OF TRANSPORTATION BUREAU OF HIGHWAYS RIGHT OF WAY MAP, STATE AID HIGHWAY NO. 2, KITTERY, YORK COUNTY, SPECIAL STATE AID PROJECT 802(2)", SHEET NO. 1 OF 1, DOT FILE NO. 5-16 389, DATED MARCH 1975 AND RECORDED Y.C.R.D. PLAN BOOK 100 PAGE 16.

4. "STANDARD BOUNDARY SURVEY & SITE PLAN FOR PROPERTY AT 156 HALEY ROAD, KITTERY, YORK COUNTY, MAINE." PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED JUNE 15, 2007. NOT RECORDED.

LEGEND:
UTILITY POLE
IRON PIPE
YORK COUNTY REGISTRY OF DEEDS Y.C.R.D.
NOW OR FORMERLY N/F
WETLAND
BUILDING SETBACK
TREELINE
PROPERTY LINE
EDGE OF DELINEATED WETLAND
APPROXIMATE ABUTTERS PROPERTY LINE
CENTERLINE STREAM
CULVERT/DRAINAGE PIPE
OVERHEAD WIRES
STONEWALL

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

YORK,ss REGISTRY OF DEEDS
Received _____
at ____h____m____M., and
Filed in Plan Book _____ Page _____
ATTEST:
_____
Register

REV.	DATE	STATUS	BY	CHKD	APPD.

SHORELAND DEVELOPMENT PLAN

FOR PROPERTY AT
156 Haley Road
Kittery, York County, Maine

OWNED BY
Lifetime Homes, Inc.
P.O. Box 1649
Kittery, Maine 03904

CLIENT
Dorothy Ahlgren
P.O. Box 104
Kittery Point, Maine 03905-0104

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

SCALE:	PROJECT NO.	DATE:	SHEET:	DRAWN BY:	CHECKED BY:
1" = 20'	07672	7/21/16	1 OF 1	P.J.T.	K.D.M.

DRAWING No: 07672_SHORELAND_DEV
FIELD BOOK No: "Kittery 18"

Tax Map 39 Lot 4