

**Town of Kittery
 Planning Board Meeting
 May 12, 2016**

ITEM 2

93 Picott Road – Right of Way Plan Review

Action: 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	Granted
NO	Site Visit	4/12/2016	Held
NO	Public Hearing	4/14/2016	Held
YES	Preliminary/Final Plan Review and Approval	Scheduled for 5/12/2016	Pending

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: (4/14/2016) 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.

UPDATE: (5/12/2016)

The following review is from the 3/10 and 4/14/2016 plan review notes, with updated information for this meeting.

Staff Review

1. 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.
2. 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.

3. **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:** (4/14/2016) 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.
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 MRSA 13 § 1371-A. **UPDATE (5/12/2016):** The revised plan depicts a boundary around the existing cemetery that appears to meet the 16.2.2 definition of *Cemetery Burying Ground* and the requirement for determining the perimeter when no boundary is apparent. It also appears from the plan that the edge of pavement for the proposed street is 25 feet from the perimeter referenced above, however, it is not clear if this satisfies the state statute 13 § 1371-A "...construction or excavation may not be conducted within 25 feet of a known burial site or within 25 feet of the boundaries of an established cemetery, whichever is the greater..." As the roadway section depicts on sheet 2, there will likely be "construction" and probably some "excavation" within the 25-between the edge of payment and the cemetery's perimeter. The plan does denote (sheet 2 Road Construction Plan) that 37.9 feet between the headstone and the edge of pavement is required, however, this does not equate to 25 feet from the boundary of the cemetery. If the Board concurs that the required setback is measured from the perimeter of the cemetery and not the headstone in the cemetery, the Board may want to require the applicant to provide proposed grading in this area to demonstrate that the proposed construction will conform to the required setback. See condition of approval 6b.
6. The proposed ROW is 40-feet wide and is in conformance with design 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. **UPDATE (5/12/2016):** The applicant should be prepared to expand the wetland delineation performed to date to demonstrate that the small finger-type wetland shown is not contiguous with larger wetland thereby incurring a larger setback and if there are any neighboring wetlands on the abutting properties that would incur wetland setbacks that impact the future building envelopes. The latter is raised since the York County Soils Survey shows scantic soils exist on both abutting properties and the ROW plan for Tax Map 49 Lot 5b (to the west) indicates the existence of intermittent streams.
8. Per Title 16.8.4.3.I, the proposed ROW cannot be accepted by the Town as a public street. **UPDATE (5/12/2016):** Staff recommends a conditional of approval to this effect. See condition of approval 2.

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 (4/14/2016):** Revised plans continue to depict 1 inch = 50 feet. Final plans will need to show the actual scale of 1 inch = 40 feet. **UPDATE (5/12/2016):** The plan has been revised.
10. The applicant has provided a waiver request to Title 16.8.2 (Monuments), 16.10.5.2.C.6 (YCSWCD review) and 16.10.5.2.C.7 (Stormwater Management Report/Plan) with their application materials. **UPDATE (5/12/2016):** Staff supports the waivers for pipe rather than granite monuments since the street should not be allowed to become a public street and supports no YCSWCD review since the town-peer review is involved. With further review, however, staff found that per 16.10.7.2.T does not require the submittal of a stormwater management plan (16.10.5.2.C.7), though the applicant provided to the town's peer-review engineer the information they feel is warranted to determine that stormwater from the street will be managed appropriately. The town's peer-review engineer responded they are satisfied with the information provided and consider the issue resolved. The Board can make a positive finding on 16.10.8.3.4.K *Stormwater Managed*.
11. 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. **UPDATE (5/12/2016):** All items have been addressed with the exception of added d) and e)
 - 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
 - d) Revise ROW plan to include a note in vicinity of the depicted cemetery that "there will be no construction or excavation within 25 feet of the perimeter of the cemetery" and also include a dimension line that depicts the 25-foot setback. The Road Construction Plan (sheet 2) should be revised in the same manner.
 - e) Remove the property line north west of the existing building
 - 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. **UPDATE (5/12/2016)** Plan has been revised to address this.
 - 3) Revise the proposed ROW so it conforms to setback requirements in regard to the cemetery, or provide plan note suggested in staff note #5. **UPDATE (5/12/2016)** See revised staff comment #5 and item 1-d above.
 - 4) Submit peer-review fee to Town. **UPDATE (5/12/2016)** See condition of approval #4
 - 5) Submit a Street Naming Application to Town. **UPDATE (5/12/2016):** The applicant has submitted a street naming application for review. The application designates a street name of *Appletree Lane* with an alternate of *Cider Mill Lane*. Pertinent Department Staff have reviewed the application. Police and Fire have denied the use of the street name *Appletree Lane* since there is an *Applegate Lane* already existing in town. Staff agrees that *Appletree* "bears phonetic resemblance" to the existing *Applegate Lane* and recommends the *Cider Mill Lane* as a street name that conforms to the requirements of 16.8.3.1. See attached application.

- 6) Confirm that the future lots will conform to code standards including lot size, street frontage and minimum land area per dwelling unit. UPDATE: (4/14/2016) 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. . **UPDATE (5/12/2016):** The plan title has been revised to read: "Conceptual Division of Land", however, after further review Staff has an additional comment. Lot 2 as shown on the plan does not have sufficient street frontage, only 146.31 feet where 150 feet is required. The entire length of street frontage for lots 2 and 3 appears to be 301.04 feet, enough for two lots, however, staff in the past has interpreted street frontage as conforming to standards for lots per 16.8.16 and to definitions for front yard, lot width etc... The circumstances depicted on the conceptual plan appear to make it difficult to include the necessary street frontage for Lot 2 while still maintaining a side-lot line "substantially" perpendicular to the street as required in 16.8.16.4. So it appears that only one lot rather than two in the rear of the property would conforming.
- 7) Prepare and submit a standard boundary survey. UPDATE: (4/14/2016) The applicant has submitted a survey, 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. **UPDATE (5/12/2016):** Comment has not been addressed. At a minimum the plan title should include the term "Standard" to read *Standard Boundary Survey* and plan note #1 revised to include that the plan is "performed according to the standards recommended by the Maine State Board of Land Surveyors". In addition, the ROW plan should include this Standard Boundary Survey as a referenced plan.
- 8) Picott Road is classified as a category one scenic road in the 1999 update of the Kittery Comprehensive Plan. The existing vegetation within the front yard setback should be maintained to adequately preserves the scenic nature of the road, with the exception of any tree removal required for the ROW.

Recommendation

The proposed development appears to meet the requirements of Title 16, as described with the conditions identified by staff and CMA and in the draft Findings of Fact. After determining if staff and CMA's comments and suggested conditions are appropriate and required, the Board may move to approve with conditions (suggestion below) and proceed to reading and voting on the Findings of Fact.

Move to grant preliminary and final plan approval with conditions for the Right-of Way Plan for owner Herbert and Carolynn Marsh and applicant Graystone Builders, Inc 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 -

UNAPPROVED

for

93 Picott Road

Right-of-Way Plan

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. *Plan of Proposed Private Right-of-Way*, Anderson Livingston Engineers, Inc, revised 4/22/2016
8. *Road Construction Plan*, Anderson Livingston Engineers, Inc revised 4/22/2016
9. *Boundary Survey*, Anderson Livingston Engineers, revised 3/8/2016
10. *Conceptual Division of Land*, Anderson Livingston Engineers, revised 4/22/2016 (only reviewed as a concept not for approval)

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>Finding: The proposed Right-of-Way with noted conditions conforms to the design and performance standards in Title 16.8 as described in Plan Review Notes 5/12/2016 and does not appear to create or increase any nonconformances to the lot.</p>
<p>Conclusion: The Board finds this requirement to be met.</p>
<p style="text-align: right;">Vote of __ in favor__ against __ 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>Finding: Two wetlands are located at the rear of the lot and have been delineated on the plan. Wetland setbacks are depicted on the final plan and no development is proposed within the setbacks.</p>
<p>Conclusion The Board finds this requirement to be met.</p>
<p style="text-align: right;">Vote of __ in favor__ against __ 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 __ in favor__ against __ 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 __ in favor__ against __ 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 __ in favor__ against __ 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</i></p>

<i>solid waste, if municipal services are to be used.</i>
The proposed development will not produce an increase in solid waste. The Board finds this standard is not applicable.
Vote of __ in favor__ against __ abstaining
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 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>
Finding: The property is not located within a flood prone area.
Conclusion: 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.
Finding: The Board requires the applicant to submit additional stormwater information requested by the town's peer-review engineer for their review and approval.
Conclusion: 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).
Finding: The plans have been reviewed by the town's peer-review engineer and the proposed development appears to conform to Title 16.8.8 Surface Drainage and will provide for adequate erosion and sediment control measures on site.
Conclusion: The Board finds this standard has been met with condition of approval #3 and #5.
Vote of _ in favor _ against _ abstaining
M. Traffic Managed.
<i>The proposed development will:</i> <i>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</i> <i>2. Provide adequate traffic circulation, both on-site and off-site.</i>
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.
Finding: The plans have been reviewed by the town's peer-review engineer and the proposed development appears to conform to Title 16.8.9 Parking, Loading and Traffic and will provide for adequate traffic circulation.
Conclusion: The Board finds this standard has been met.
Vote of _ in favor _ against _ abstaining
N. Water and Air Pollution Minimized.
<i>The proposed development will not result in undue water or air pollution. In making this determination, the following must be considered:</i> <i>1. Elevation of the land above sea level and its relation to the floodplains;</i> <i>2. Nature of soils and sub-soils and their ability to adequately support waste disposal;</i> <i>3. Slope of the land and its effect on effluents;</i> <i>4. Availability of streams for disposal of effluents;</i> <i>5. Applicable state and local health and water resource rules and regulations; and</i> <i>6. Safe transportation, disposal and storage of hazardous materials.</i>
1. The development is located outside of a Flood Hazard Area. 2 thru 6. Not applicable to the proposed development.
Finding: It does not appear the proposed development will result in undue water or air pollution Conclusion: The Board finds this standard has been met.
Vote of _ in favor _ against _ abstaining

O. Aesthetic, Cultural and Natural Values Protected.
<i>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.</i>
Finding: Picott Road is classified as a category one scenic road in the 1999 update of the Kittery Comprehensive Plan. The existing vegetation within the front yard setback should be maintained to adequately preserves the scenic nature of the road, with the exception of any tree removal required for the ROW. The property does not include any significant historic, wildlife habitat or physical or visual access to the shoreline that require protection. Conclusion: This requirement appears to be 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>
Finding: The applicant is a developer who has constructed similar projects in the past. A performance guarantee must be provided. Conclusion: The Board finds this standard has been met.
Vote of __ in favor__ against __ 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
Finding: 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. Conclusion: The Board finds this standard has been met.
Vote of __ in favor__ against __ abstaining

Chapter 16.8 – Design and Performance Standards – Build Environment
Article III. Street Signage

16.8.3.1 Names
Streets which join or are in alignment with streets of abutting or neighboring properties must bear the same name. Names of new streets may not duplicate, nor bear phonetic resemblance to the names of existing streets within the municipality and are subject to the approval of the Planning Board.
Findings: The proposed street name Cider Mill Lane does not duplicative or bear phonetic resemblance to any existing street names in Kittery.
Conclusion: The Board finds this standard has been met.
Vote of __ in favor__ against __ 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.

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. The approved private street cannot be accepted by the Town as a public street
3. 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.
4. 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.
5. 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):

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 of final Mylar, including:
 - a. Revise street name to read: ‘Cider Mill Lane’
 - b. Plan note and depiction of 25-foot setback from cemetery perimeter on ROW plan
 - c. Add abutter information for properties across the street per 16.10.7.2.T.1.d.

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 May 12, 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.



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: STREET NAMING # 419808 RECIPT

<p style="color: red; font-weight: bold;">FOR YOUR SAFETY AND SERVICE, MUNICIPAL DEPARTMENT REVIEW AND TOWN PLANNING BOARD APPROVAL IS REQUIRED.</p>		<p style="text-align: center;">Fee for Review</p> <p style="text-align: center;"><input checked="" type="checkbox"/> \$20.00</p>	<p style="text-align: right;">Amount Paid:</p> <p style="text-align: right;">\$ <u>20.00</u></p> <p style="text-align: right;">Date: <u>4/27/16</u></p>
<p>APPLICANT/S PROPERTY OWNER'S INFORMATION</p>	<p>Name <u>WALTER O. WILCOX PRES.</u></p> <p>Phone <u>207 752-0062</u></p> <p>Email</p>	<p>Mailing Address</p>	<p><u>GRAYSTONE BUILDERS INC.</u> <u>764 US RT 1, SUITE 11</u> <u>YORK ME. 03909</u></p>
<p>APPLICANT'S AGENT'S INFORMATION</p>	<p>Name <u>BILL ANDERSEN</u></p> <p>Phone <u>207-363-4414</u></p> <p>Fax</p> <p>Email</p>	<p>Name of Business</p> <p>Mailing Address</p>	<p><u>ANDERSON/LIVINGSTON ENC. INC.</u> <u>281 YORK ST.</u> <u>YORK ME. 03909</u></p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">DESCRIPTION</p>	<p>EXISTING STREET NAME: <u>NEW</u></p> <p>PROPOSED STREET NAME: <u>APPLESTREE LANE OR 'CIDER MILL LANE'</u></p> <p>STREET LOCATION (e.g. off Haley Road, after # 157 between Norton and Bartlett Road "): <u>OFF PICOTT RD, 375' +/- FROM CUTTS RD</u></p>		

A Street Name application and departmental review and acceptance is required prior to Planning Board approval. In the case of active developments before the Planning Board, this application fee is waived.

FOR YOUR INFORMATION – TOWN CODE TITLE 16.8 ARTICLE III. STREET SIGNS.

16.8.3.1 Names – Streets which join or are in alignment with streets of abutting or neighboring properties must bear the same name. Names of new streets may not duplicate, nor bear phonetic resemblance to the names of existing streets within the municipality and are subject to the approval of the Planning Board.

16.8.3.2 Signs Provided – Street name signs are to be furnished and installed by the developer; the type, size and location to be approved by the Commissioner of Public Works.

INSTRUCTIONS FOR SUBMITTING A COMPLETE STREET NAME APPLICATION

The following information must be provided when submitting a request for Planning Board review:

- A copy of the Town Tax Map indicating the location of the proposed private drive or right-of-way and the Tax Map Lots affected (abutters).
- A specific written description of where the private drive or right-of-way is located (i.e. "off Haley Road, after # 157 between Norton and Bartlett Road").
- A list of the Town Tax Map/Lot numbers and names of all abutters to the right-of-way and obtain their signatures on the street name application.

TOWN OF KITTEERY MAINE TOWN PLANNING DEPARTMENT

STREET NAME APPLICATION (continuation)

FOR YOUR INFORMATION - ALL APPLICANTS - PLEASE READ:

- Due to emergency (911) services, similar sounding names will not be acceptable (i.e. Maple Lane, Naple Lane, William Drive and Williams Drive, etc.).
- Streets which join or are in alignment with streets of abutting or neighboring properties will bear the same name, i.e. more than one street name on a continuous street is not acceptable.
- After review and acceptance of a street name by municipal departments, and approval by the Planning Board, the Assessor will assign new street address numbers for adjacent properties. Any costs incurred due to an address change are the responsibility of the individual applicant(s) / property owner(s).
- After approval of a street name by the Town Planning Board, the applicant(s) must notify the Director of Public Works (phone: 207-439-0333) regarding ordering street numbers and installing street signs. Any costs incurred for a street sign(s) is the responsibility of the individual applicant(s) / property owner(s).

THANK YOU.

Chris DiMatteo

From: lvtosh2 <lvtosh2@yahoo.com>
Sent: Wednesday, April 27, 2016 5:08 PM
To: Chris DiMatteo
Subject: RE: Street naming application for 93 Picott

Hello Chris, another road name we like is Cider Mill Lane. Checked the Town of Kittery and nothing listed.

Walter

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Chris DiMatteo <CDiMatteo@kitteryme.org>
Date: 04/27/2016 7:48 AM (GMT-05:00)
To: lvtosh2@yahoo.com
Cc: David O'Brien <DO'Brien@kitteryme.org>, Rebecca Spitko <RSpitko@kitteryme.org>, Michelle McDonald <MMcDonald@kitteryme.org>
Subject: Street naming application for 93 Picott

Good morning Walter.

I got your voice mail. The Fire Chief mentioned yesterday that he has the application and plans to drop it off to me.

Not sure where the confusion started but as with other applications staff administers the process after the applicant pays the fee.

This application has a \$20 fee. Please provide a check made out to the town of Kittery for that amount and we will process the application.

In addition, you probably should provide some alternative names for consideration.

Staff will get the required signatures prior/in time for the May meeting.

Thanks

Chris

File No. 6703
February 16, 2016
Revised April 21, 2016

**DRAINAGE ANALYSIS
PRIVATE RIGHT OF WAY APPLICATION
for Graystone Builders
Kittery, Maine**

Project Description:

The subject site is a 6.1934 acre parcel of land on Picott Road in the Town of Kittery. Herbert and Carolynn Marsh have resided on the property for over 5 years and would like to divide off two new lots which will be conveyed to Graystone Builders. As the lot does not have sufficient road frontage to do this, they would like to construct a private way to create the necessary frontage. The entrance location was sited to create more than adequate site distances and all of the Town's dimensional requirements for a private way are met as shown on the attached plans.

Existing Site Conditions:

The site is currently almost entirely open field except for the wetland at the rear of the site. A wetlands delineation was completed on site by Kenneth Gardner, C.S.S. #61. The contours slope gently down away from Picott Road draining stormwater towards the large wetland at the rear of the parcel. Based on the SCS soil mapping the wetland is in Scantic silty loam soils and area where the road and house sites will be located is on Marlow and Skerry fine sandy loam. There is limited contour information for the site with the Town GIS mapping showing only a 40 elevation contour line crossing the site in a couple of areas indicating the site is relatively flat in the east -west with the direction of flow of stormwater flowing northerly across moderately sloping land to the large wetland. Onsite contour mapping was done only in the area of the road only to verify the road grades and this confirms the gradual slope of the land towards the rear wetland.

Proposed Drainage:

The proposed road will be constructed entirely in the field and except for one tree at the intersection with Picott Road, no trees will need to be cut. The proposed road will not require any wetland crossings or fill. The existing drainage pattern will be maintained with a uniform flow across the moderately sloping land to the wetland without disturbing any abutting parcels. All of the new stormwater flow from the new road, driveways and houses will flow to the onsite wetland without crossing any abutting properties. The rear onsite wetland is over 82,000 square feet in area or about 1.9 acres. The wetland is much larger off site. The proposed gravel road is only 7,200 square feet and with three single family houses with relatively short driveways there would be only a small increase in impervious area relative to the almost 2 acres onsite wetland. The entire area of the proposed road and house construction is entirely field, so there would not be as large an increase in run-off as there would be if it was currently forested and lawn run-off is similar to the existing field. With the addition of a gravel road and the large disbursed lots on an already deforested site, there should be no measurable impact to any downstream properties.

April 25, 2015
File No. 6703

Town of Kittery Planning Department
P.O. Box 808
Kittery, ME 03904

Attn: Chris DiMatteo, Town Planner

RE: Appletree Lane Private Road Application - Plan Changes

Dear Chris;

We have been working with the review from CMA Engineers on the Marsh property private road application and have addressed their comments as follows:

- **Corner Lot Definition.** As we previously discussed I feel the ordinance contradicts itself by allowing a reduction of the front setback on side roads but then takes it away, this should be corrected. It is not critical to this application so we have modified the plan to show a front setback to all roads.
- **Street Signage.** The street name and sign have been added to the plans.
- **Sidewalks.** Again a conflict in the ordinance, Table 1 does list a 5 ft. sidewalk for a Class I private road but Figure 1 for Chapter 16.32 shows N/A under sidewalks for Private Ways and Lanes (Class I & II). We were going by Figure 1 and felt a sidewalk was not necessary for a short private road potentially serving only 3 houses. We will submit a waiver request if you feel this is needed.
- **Sight Distance.** This has been added to the plan.
- **Water Supply.** The Kittery Water District has determined that since they have a water main already crossing the property in the area of all of the potential houses no main extension would be required, only individual service connections to the existing main.
- **Sewage Disposal.** Soil test pits were done on the site but as the Board is not approving the lots they seemed to feel they did not want to see the results. The test pit logs can be provided if needed.
- **Surface Drainage.** We have proved additional detail in the drainage report and on the plans. We are still requesting a waiver to submitting an engineered drainage system and a pre and post drainage analysis for reasons given in the drainage report.

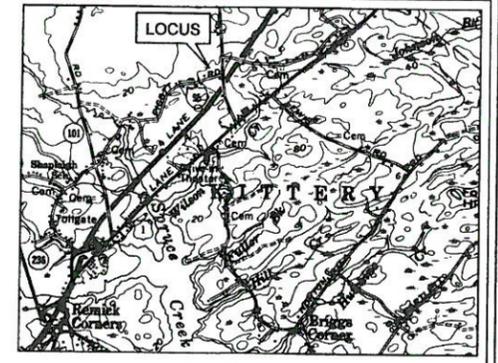
- Soil Suitability. We had submitted a medium intensity SCS soil map as opposed to the High Intensity map due to the size of the project and the expectation that it would not show significantly different information the SCS mapping. This was based on the soil test pits we did on site and that we were not submitting a subdivision application for approval of the individual lots at this time.
- Archaeological Sites. The only historic site we found is the old cemetery shown on the plans. This was given setbacks based on the new section of the ordinance regarding existing cemeteries. Access to the cemetery will be greatly improved with the construction of the private road.
- Table 16.9. I do not understand this comment as there are no stream crossings on this site and none of the proposed driveways will cross or be close to any stream or wetland (this may refer to some other project). Wetlands are shown with the required setbacks for any proposed structures that will be built.
- Culvert. Additional notes were added to the culvert detail to clarify this is for a typical driveway culvert, the location will be determined at the time of the house construction. There are no culverts required for the road construction.

Hopefully this answers all of the questions on this project. If there are any other questions or concerns or you need additional data, please let me know. Thank-you for help with this application.

Sincerely,



William H. Anderson Jr.



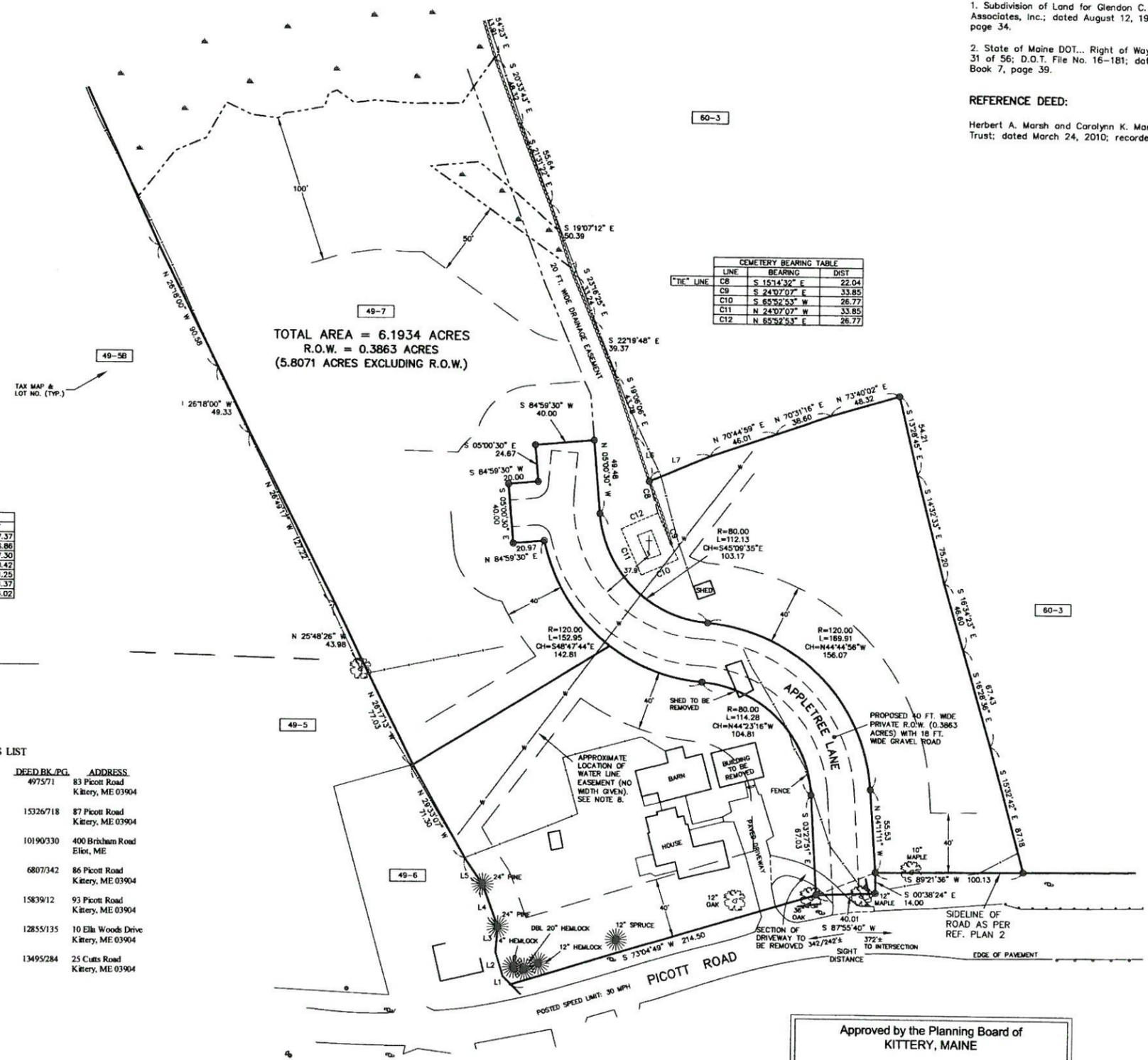
VICINITY MAP

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.



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

LINE	BEARING	DIST
C8	S 15°14'32" E	22.04
C9	S 24°07'07" E	33.85
C10	S 85°52'53" W	26.77
C11	N 24°07'07" W	33.85
C12	N 85°52'53" E	26.77

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
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

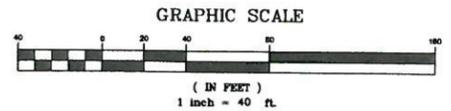
MAP/LOT NO.	ABUTTER	DEED BK./PG.	ADDRESS
49-05	Trevor J. & Lori A. Thayer	4975771	83 Picott Road Kittery, ME 03904
49-05A	Beverly J. Canon	15326718	87 Picott Road Kittery, ME 03904
49-05B	David A. & Linda E. Ayer	10190330	400 Brixham Road Eliot, ME
49-06	James K. Ayer	6807342	86 Picott Road Kittery, 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

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.
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.
9. The existing cemetery on the site was defined by a cattle fence so the boundaries of the cemetery were redefined as per Title 16.2.2 Cemetery in the Town of Kittery Zoning Ordinance.

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

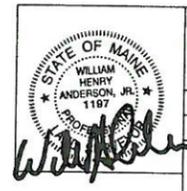
STATE OF MAINE
YORK. SS. REGISTRY OF DEEDS
RECEIVED _____
AT _____ H _____ M _____ M. AND
Filed in Plan Book _____ Page _____
ATTEST _____
REGISTER



Approved by the Planning Board of KITTERY, MAINE

CHAR _____	DATE _____
_____	_____
_____	_____

Approval is for Class 1 private road only.

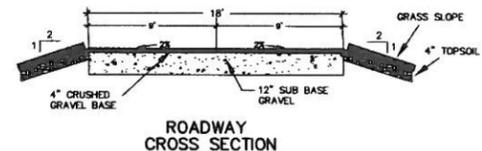
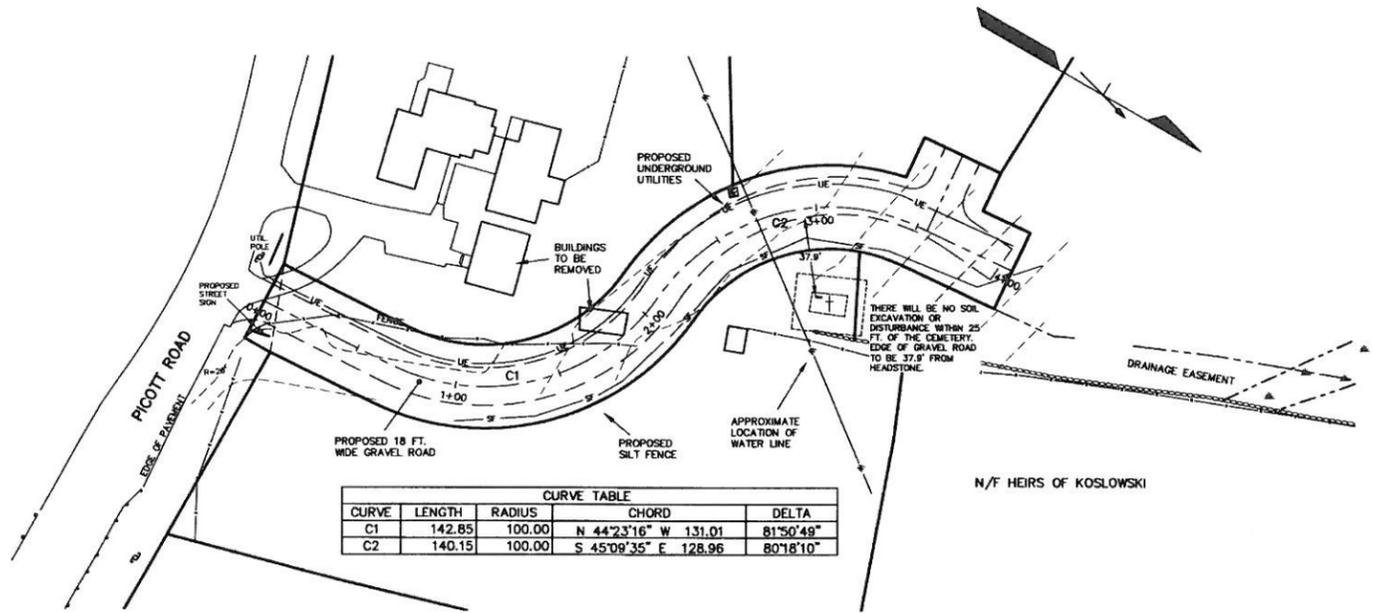


ANDERSON LIVINGSTON ENGINEERS, INC.
281 York Street
York, ME 03909
(207) 363-4414

Date: January 25, 2016

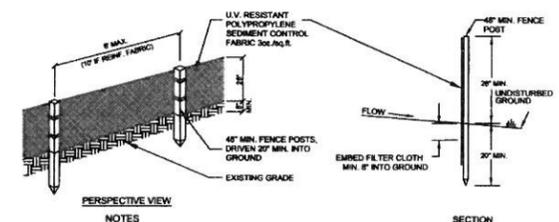
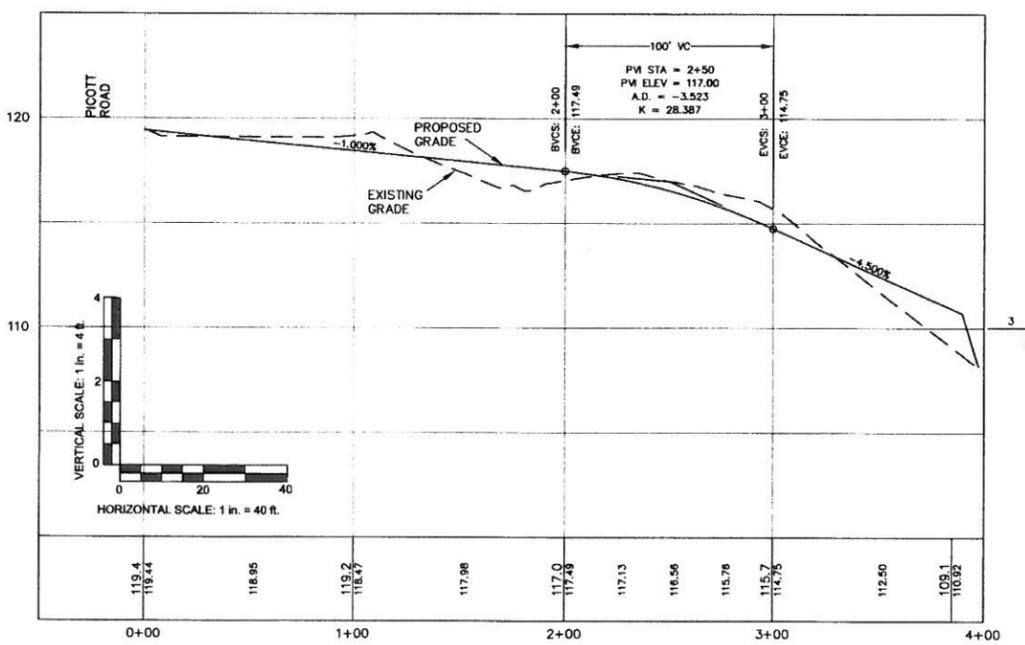
OWNER:
Marsh Family Revocable Trust
93 Picott Road
Kittery, ME 03904

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.



- 1.) 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.
- 2.) 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 12 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.
- 3.) 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.
- 4.)** All fill transported to the site for side slope or other use shall be clean fill free from organic plant material to prevent the introduction of any invasive plant species to the site.

- ### EROSION AND SEDIMENT CONTROL NOTES
1. After the area to be disturbed is cleared, hay bale barriers and/or siltation fence will be installed before the topsoil is stripped.
 2. 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.
 3. 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.
 4. Permanent stabilization must be implemented within 60 days of soil disturbance or by October 1, whichever is earlier.
 5. 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.
 6. The topsoil will be uniformly spread 4 inches deep over areas to be reclaimed.
 7. 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.
 8. 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.
 9. Any hay bale barriers can be removed upon stabilization of the finished grade and used as additional mulching material.
 10. 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.
 11. Ditch grades over 5%, the bottom and sides will be reinforced with a North American Green C350 or equivalent geotextile.

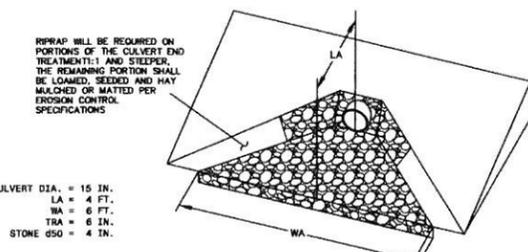
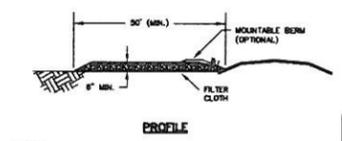
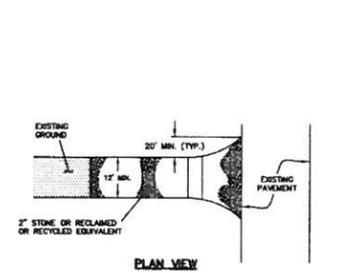
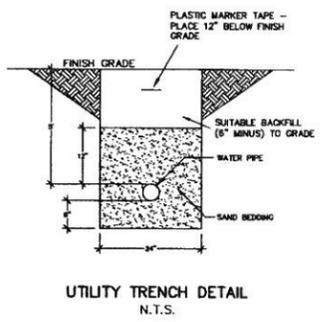


- ### NOTES
1. THE GEOTEXTILE FABRIC SHALL MEET THE DESIGN CRITERIA FOR BEST MANAGEMENT PRACTICE FOR SILT FENCES OF THE "HAIRY EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES" (BMP) MAINE DEP, DATED MARCH 2003.
 2. THE FABRIC SHALL BE EMBEDDED A MINIMUM OF 6 INCHES INTO THE GROUND AND THE SOIL COMPACTED OVER THE EMBEDDED FABRIC.
 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6 INCHES, FOLDED AND STAPLED.
 4. 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.
 5. MAINTENANCE SHALL BE PERFORMED AS NEEDED TO PREVENT BULGES IN THE SILT FENCE DUE TO DEPOSITION OF SEDIMENT.
 6. REMOVE BY HAND AND PROPERLY DISPOSE OF ALL SEDIMENT PRIOR TO REMOVING FENCE.
 7. SILT FENCE TO BE REMOVED WITHIN 30 DAYS OF THE SITE BECOMING STABLE.

SEEDING PRACTICES

AGRICULT. LINE	FERTILIZER TYPE	RATE	SEEDING TYPE	RATE	MULCH
PERMANENT SEEDING	10-20-20	19 lbs. per 1000 sq. ft.	SCS Mix. #2: red fescue 47% red top 6% tall fescue 47%	1 lb. per 1000 sq. ft.	Hay @ 2 bales per 1000 sq. ft.
DITCH SEEDING	10-20-10	19 lbs. per 1000 sq. ft.	See above	2 lb. per 1000 sq. ft.	July Mat
TEMPORARY SEEDING	10-10-10	14 lbs. per 1000 sq. ft.	Annual Rye	1 lb. per 1000 sq. ft.	July Mat

-
1. 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.
 2. 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:
 3. 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.
 4. 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 voids and bridges that would enable fines to wash under the barrier through the grass blades or plant stems.
 5. 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 of 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).



DRIVEWAY CULVERT END SLOPE TREATMENT
 ALL NEW DRIVEWAYS TO HAVE CULVERTS INSTALLED AT INTERSECTION WITH PRIVATE ROAD, EXACT LOCATIONS TO BE DETERMINED AT TIME OF HOUSE CONSTRUCTION

- ### NOTES
1. Geotextile: place filter cloth over entire area to be covered with aggregate. Filter cloth will not be required on a single family residential lot.
 2. 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 _____

Approval is for Class 1 private road only.

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

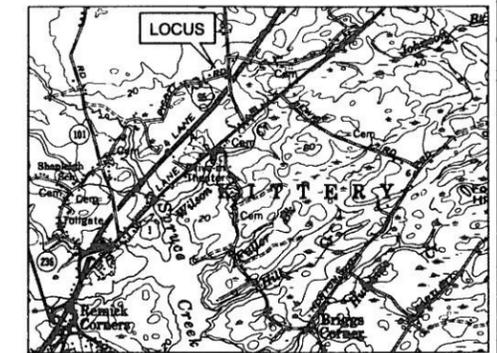
ANDERSON LIVINGSTON ENGINEERS, INC.
 Suite 401 Cottage Place
 433 II U.S. Route One
 York, Maine 03909

Scale: 1 in = 40 ft.
 Date: January 26, 2016

REVISIONS:
 03/08/16: NOTES
 04/14/16: CEMETERY
 04/22/16: LABELS, EASEMENT

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

Sheet 2 of 2



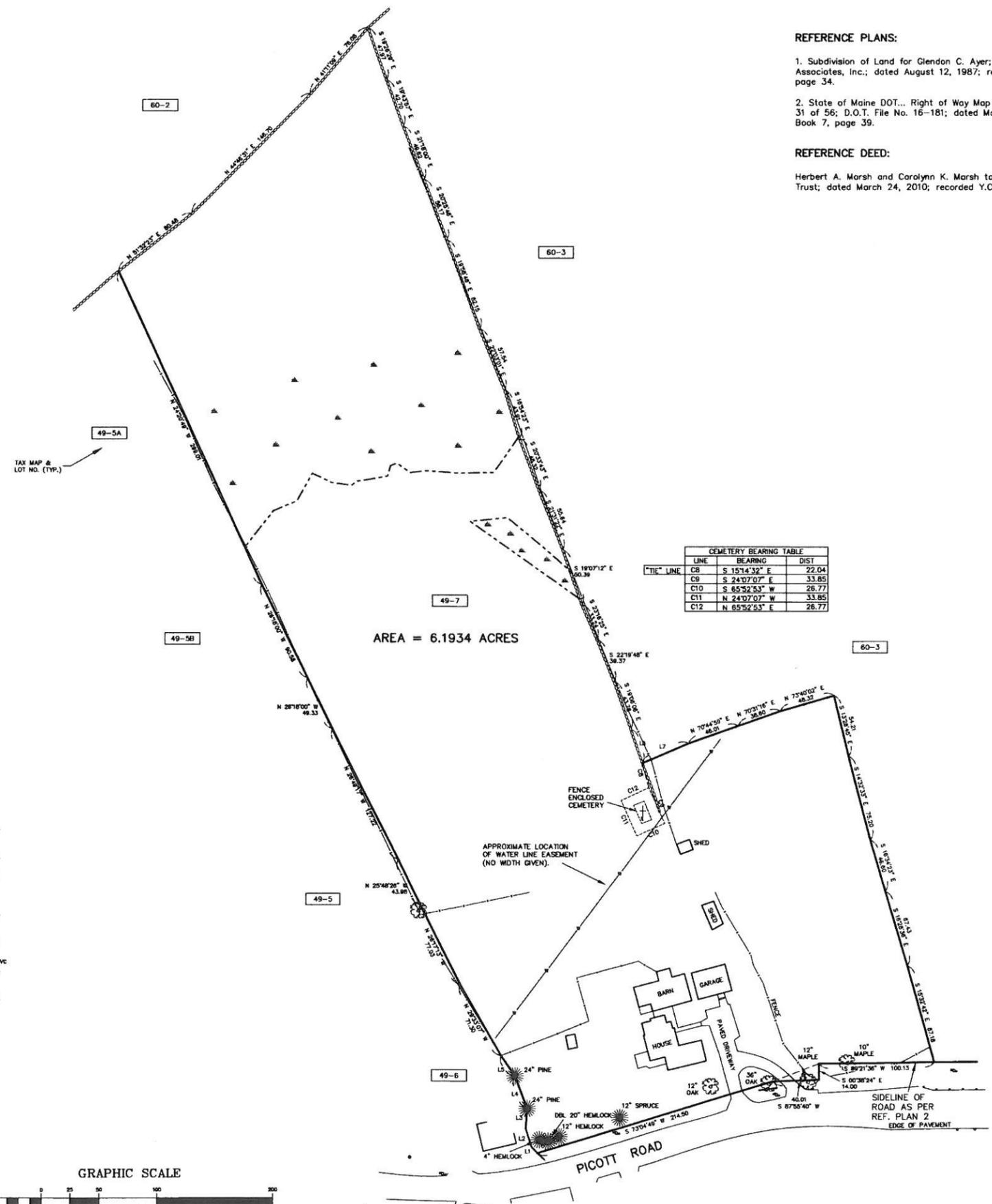
VICINITY MAP

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.



AREA = 6.1934 ACRES

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L1	N 41°53'40" W	7.37
L2	N 17°37'22" W	16.86
L3	N 04°29'45" E	17.30
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L5	N 34°34'11" W	21.25
L6	S 19°02'51" E	31.37
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LINE	BEARING	DIST
C8	S 15°14'32" E	22.04
C9	S 24°07'07" E	33.85
C10	S 65°52'53" W	26.77
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- LEGEND
- UTILITY POLE
 - 3/4" IRON PIPE TO BE SET

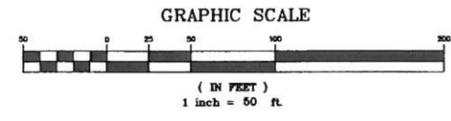
ABUTTERS LIST

MAP/LOT NO.	ABUTTER	DEED BK./PG.	ADDRESS
49-05	Trevor J. & Lori A. Thayer	497571	83 Picott Road Kittery, ME 03904
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49-05B	David A. & Linda E. Ayer	10190330	400 Brixham Road Eliot, ME
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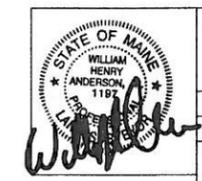
STATE OF MAINE
YORK, SS. REGISTRY OF DEEDS

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

REGISTER



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



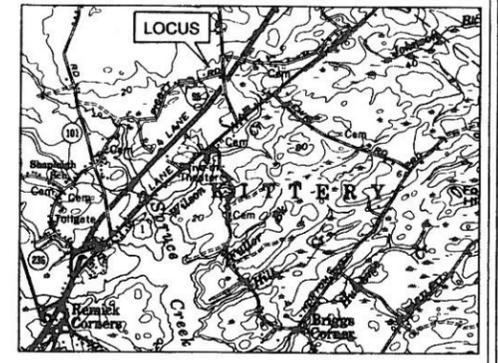
ANDERSON LIVINGSTON ENGINEERS, INC.	281 York Street York, ME 03909 (207) 363-4414
Scale: 1 in = 50 ft.	OWNER: Marsh Family Revocable Trust 93 Picott Road Kittery, ME 03904
Date: January 25, 2016	
REVISIONS: 03/08/16: NOTES 04/14/16: CEMETERY	

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: 2506.160103

TAX MAP 49, LOT 7 Sheet 1 of 2



VICINITY MAP

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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.

AREA = 6.1934 ACRES
 AREA OF R.O.W. = 0.3863 AC.
 AREA EXCLUDING R.O.W. = 5.8071 AC.

TABLE OF ADDRESSES

PLAN LOT NO.	TAX MAP & LOT NO.	STREET ADDRESS
1	497-1	93 Picott Road
2	497-2	1 Appletree Lane
3	497-3	3 Appletree Lane
4	497-4	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 "reco." 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 frontages: 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.

BEARING TABLE

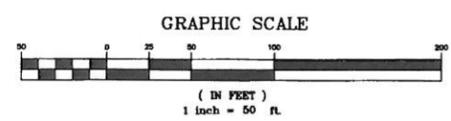
LINE	BEARING	DIST
L1	N 41°53'40" W	7.37
L2	N 17°37'22" W	16.66
L3	N 04°29'45" E	17.30
L4	N 20°58'15" W	32.42
L5	N 34°54'11" W	31.25
L6	S 19°02'51" E	31.37
L7	N 68°56'01" E	44.02

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 Ellet, 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. Nieben	12855135	10 Elm Woods Drive Kittery, ME 03904
60-3	Heirs of Joseph Koskowski	13495284	25 Cutts Road Kittery, ME 03904



FILE NO: 6703
 PLAN NO: 2506.160104

CONCEPTUAL DIVISION OF LAND
 PREPARED FOR
GRAYSTONE BUILDERS, INC.
 93 PICOTT ROAD
 KITTERY, MAINE

ANDERSON LIVINGSTON ENGINEERS, INC. Scale: 1 in = 50 ft. Date: January 25, 2016 REVISIONS: 03/06/16: NOTES 04/22/16: TITLE, EASEMENT	281 York Street York, ME 03909 (207) 363-4414
	OWNER: Marsh Family Revocable Trust 93 Picott Road Kittery, ME 03904
TAX MAP 49, LOT 7	
Sheet 1 of 2	

CERTIFICATION:

This survey conforms to the Maine Board of Licensure for Professional Land Surveyors Chapter 80 Standards of Practice, effective April 1, 2001 except as noted on this plan.