



KITTERY TOWN PLANNING BOARD MEETING

Council Chambers – Kittery Town Hall 200 Rogers Road, Kittery, Maine 03904

Phone: 207-475-1323 - Fax: 207-439-6806 - www.kittery.org

AGENDA for Thursday, June 12, 2014

6:00 P.M. to 10:00 P.M.

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE – APPROVAL OF MINUTES – 5/22/2014

PUBLIC COMMENTS - Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate. Those providing comment must state clearly their name and address and record it in writing at the podium.

PUBLIC HEARING/OLD BUSINESS

ITEM 1 – (15 min.) – Work related to Pump Station 21 – Shoreland Development Plan Review.

Action: Hold a public hearing, approve or deny development plan. Owner Town of Kittery and applicant Kittery Wastewater Treatment Department, is requesting consideration of their plan to install a generator and associated concrete pad at a sewer pump station opposite 375 U.S. Route One on town property abutting the right-of-way, adjacent to Tax Map 47, Lot 24A, Commercial 3 (C-3) Zone and Shoreland Overlay Zone. Agent is George Kathios, Superintendent of Sewer Services.

ITEM 2 – (20 min.)– Shepard’s Cove Subdivision – Modification to an Approved Plan – Preliminary Plan Review.

Action: Hold a public hearing, approve or deny preliminary plan. Owner and applicant DLJ Corp., is requesting consideration of their plans to amend the previously approved 2004 subdivision plan, replacing a proposed 24 unit building with detached 5 single-unit buildings at their Elderly Housing Facility located off Rogers Road, Tax Map 22, Lot 21, Residential-Urban Zone and Shoreland Overlay Zone. Agent is Lewis Chamberlain, P.E., Attar Engineering, Inc.

OLD BUSINESS

ITEM 3 – (20 min.) – Watts Cluster Subdivision – Brave Boat Harbor Road — Sketch Plan Review

Action: Review and approve concept if in compliance with Town Code and provide direction to Applicant. Owner and Applicant Jonathon & Kathleen Watts is requesting consideration of their plans for a 4-lot cluster subdivision at 143 Brave Boat Harbor Road, Tax Map 63, Lot 19, Residential Rural Zone, with a portion in the Shoreland Overlay Zone. Agents are Ken Markley, Easterly Surveying, Inc.

ITEM 4 – (30 min.)–Pearson Meadow Cluster Subdivision –Final Plan Review.

Action: Review and grant or deny final plan. Owner Gail Beverly Burns and applicant Chinburg Builders, Inc, is requesting consideration of their plans for a cluster subdivision to include nine new lots and one reserved lot on a 24.5 acre parcel located at 60 Wilson Road., Tax Map 54, Lot 14, within the Residential-Rural Zone and Resource Protection Overlay Zone. Agent is Jeff Clifford, P.E., Altus Engineering, Inc.

ITEM 5 – (20 min.) – Old Armory Way Mixed Use Development — Sketch Plan Review

Action: Review and approve concept if in compliance with Town Code and provide direction to Applicant. Owner and Applicant Ken McDavitt is requesting consideration for plans to construct a 3-unit residential condominium with 12 commercial boat slips at the shorefront located at 15 Old Armory Way, Tax Map 4, Lot 51, and within the Mixed Use Kittery Foreside Zone and the Shoreland and Commercial Fisheries/Maritime Activities Overlay Zones. Agent is Edward Brake, Attar Engineering, Inc., Eliot, Maine.

ITEM 6 – (15 minutes) - Board Member Items / Discussion

ITEM 7 – (15 minutes) – Town Planner Items: A. MS4 Stormwater Questionnaire; B. Town Code Quality Improvement Overlay Zone; C. Memorial Circle Plan – Status; D. Kittery Foreside; E. Signs; F. FEMA – Flood Insurance Risk Maps Status; G. Capital Improvement Program Projects; H. Town Code Outdoor Seating Program Extension; and I. Other

NEW BUSINESS

ITEM 8– (15 minutes) - Knutel/56 Chauncey Creek Rd – Modification to an Approved Plan - Shoreland Development Review

Action: Accept or deny plan application and schedule site walk and/or public hearing. Owner and applicant Philip Knutel is requesting approval of their plans to expand an existing non-conforming building located on Chauncey Creek Rd., Tax Map 44, Lot 55, in the Kittery Point Village and Shoreland Overlay zones. Agent is Architect Tom Emerson, Studio B-E.

ITEM 9 – (20 minutes) - Beatrice Way –Subdivision– Sketch Plan Review

Action: Review and approve concept if in compliance with Town Code and provide direction to Applicant. Owner Operation Blessing LP, and applicant Richard Sparkowich, propose a 5-lot subdivision of remaining land from the previously approved 3-lot subdivision located between Highpoint Circle and Kittree Lane. The site identified as Tax Map 61 Lot 08, ±65 acres, in the Residential - Rural (R-RL) Zone. Agent is Ken Markley, Easterly Survey Inc.

ADJOURNMENT - (by 10:00 PM unless extended by motion and vote)

NOTE: ACTION LISTED IN ABOVE AGENDA ITEMS IS FOR REFERENCE ONLY AND THE BOARD MAY DETERMINE A DIFFERENT ACTION.
DISCLAIMER: ALL AGENDAS ARE SUBJECT TO REVISION ONE WEEK PRIOR TO THE SCHEDULED TOWN PLANNING BOARD MEETING.
TO REQUEST A REASONABLE ACCOMMODATION FOR THIS MEETING PLEASE CONTACT STAFF AT (207) 475-1323 OR (207) 475-1307.

1 TOWN OF KITTEERY, MAINE
2 PLANNING BOARD MEETING
3 Council Chambers

4
5 Meeting called to order at 6:05 p.m.
6 Board Members Present: Tom Emerson, Karen Kalmar, Deborah Driscoll Davis Davis, Susan Tuveson,
7 Mark Alesse, Bob Melanson, Ann Grinnell
8 Members absent: none
9 Staff: Gerald R. Mylroie, AICP, Town Planner; Chris DiMatteo, Assistant Planner

10
11 Pledge of Allegiance

12
13 Minutes:

14 April 10, 2014

15 Ms. Kalmar moved to accept the minutes of April 10, 2014 as submitted

16 Ms. Driscoll seconded

17 Motion carried with 6 in favor; 0 opposed; 1 abstention (Melanson)

18
19 May 8, 2014

20 Ms. Kalmar moved to accept the minutes of May 8, 2014 as amended

21 Ms. Tuveson seconded

22 Motion carried unanimously

23
24 Public Comment:

25
26 PUBLIC HEARING

27
28 ITEM 1 – Town Code Amendment - Title 16.10.9.1.4. Approved Plan Expiration, Title 16.10.9.1.5
29 Requests for Extension and Title 16.9.3.8 Expiration of Wetlands Alteration Approval. Action: hold
30 public hearing, review amendment and make recommendation to Town Council for adoption. Proposed
31 amendment reduces the period of time in which extensions can be granted and modifies the process for
32 extension requests.

33 Public Hearing opened and closed at 6:13 p.m. with no comment

34 Ms. Kalmar: requested consistency using the term 'applicant' throughout the amendment:

35 Line 26: ...date upon written request by the ~~developer~~ applicant for an inclusive period from the original
36 approval date....

37 Line 43: ...extensions to the approval, not to exceed period specified in 16.10.9.1.4.C provided the
38 applicant's request is....

39
40 Ms. Tuveson moved to approve as amended

41 Ms. Kalmar seconded

42 Motion carried unanimously

43
44 Board discussed the cover memo to Council for this amendment and requested approved changes be
45 included prior to the June 2 workshop.

46
47 ITEM 2 – Town Code Amendment - Title 16.8.10.1 Signs – Propose and Title 16.8.10.2 Signs – General
48 Requirements. Action: hold public hearing, review amendment and make recommendation to Town
49 Council for adoption. Proposed amendment requires adherence to Kittery Design Handbook.

50 Public Hearing opened at 6:21 p.m.

51 Chuck Denault, 11 Melanies Court: Concerned the amendment is creating an atmosphere where signs
52 would appear the same, without diversity or uniqueness. This takes away the rights of individuals to
53 reflect their business and its character as they wish, while trying to be business friendly. A chain business
54 could not meet the requirements of this amendment. It appears a small group of people arbitrarily
55 developed this language.

56 Public Hearing closed at 6:23 p.m.

57 Ms. Driscoll: In an earlier review it was requested removal of 'New England small, seacoast and historic
58 town character' from the amendment.

59 Ms. Grinnell: The Board has asked the Code Enforcement Officer be present to discuss this amendment.
60 The Town is making signs that all look the same, but this should not apply for business owners. The
61 report to council is different from the prior amendment.

62 Ms. Driscoll: There are other items in the sign ordinance that need to be reviewed and this should be
63 done by a larger group for input.

64 Board members discussed format for presentation to Council. Mr. Emerson: It was agreed to utilize the
65 Board designed format (Ordinance Revision Memorandum) unless Council found it to be inadequate.

66 Mr. Mylroie: This is for public hearing background information and the proper format will be used when
67 it goes to Council. The Comprehensive Plan vision references Kittery's New England small, seacoast and
68 historic town character. This was deleted from part of the original amendment, but remains as reference
69 to the Comp Plan vision. Discussion followed zone standards referencing the same, the Design
70 Handbook, and design standards already in place. The CEO would like clarification in the sign ordinance
71 when reviewing applications, which this amendment intends to do. If a company has a logo, the frame
72 establishes the uniqueness as referred to in the Comp Plan vision. There are other items in the sign
73 ordinance that will be presented for amending. The language regarding the Design Handbook, *hereby*
74 *adopted as part of this Town Code*, can be removed as the Handbook has been adopted. This is not an
75 effort to create same frames for all signs, choke business, or stifle creativity. It is intended to respond to
76 citizens and the Comp Plan.

77 Ms. Grinnell: The Code Enforcement Officer should be consulted, and any other issues listed prior to
78 Board action. Mr. Emerson: The Code and the Handbook do not line up and the Board should take an
79 opportunity to observe signs in town and review the sign ordinance. Requested Ms. Driscoll find the
80 Comp Plan update language regarding this vision statement.

81

82 Mr. Melanson moved with regard to Title 16.8.10 Design and Performance Standards, further review be
83 continued to the second meeting in June

84 Ms. Driscoll seconded

85 Motion carried unanimously

86

87

88 ITEM 3 – Quality Improvement Plan for Kittery Shore and Harbors

89 Action: review and make recommendation to Town Council for adoption. Town advisory committee is
90 transmitting draft plan for Town Planning Board review, hearings and recommendation to Town Council
91 for adoption. The QIP Plan is a specific plan that includes goals/policies and implementation strategies for
92 improving/protecting the Town's shores and harbors. Town Planner, Gerald R. Mylroie, AICP will make
93 a presentation.

94 Mr. Mylroie introduced John Edgerton, Wright-Pierce Engineers. A slide presentation followed,
95 outlining the planning process, development and components of the plan.

96

97 Melissa Paley: How might the Maine Island Trail Association work with the Plan to encourage
98 stewardship and access and involvement with other stakeholders?

99 Mr. Edgerton: It is conceivable that Ms. Paley's involvement would be beneficial in specific project
100 development under the Plan's general direction.

101 Mr. Melanson: Would Rogers Park be included in the Trail Association? Ms. Paley: Recently Fishings
102 Island, Smuttynose and Fort Foster have been included and they would like to include Eagle Point, which
103 Maine Island Trails could maintain and foster.

104 Mr. Mylroie: Another option would be for interested parties, such as Ms. Paley, could propose changes to
105 the Plan prior to adoption.

106 Earldean Wells: Read a prepared statement regarding ordinance changes to allow holding tanks in the
107 shoreland zone (Attached).

108 Mr. Melanson: Ms. Wells is referring to the request to include an additional tight tank at the Pepperrell
109 Pier as part of the BIG project. Pam Parker of the DEP has supported the use of a tight tank for this
110 purpose (marine related use), and the proposed amendment is for this intended use, not for entire
111 shoreland zone in Kittery. The DEP is encouraging this, and without it, the impact on disposal of
112 effluents at sea would be significant.

113 Ms. Grinnell: The Board should read the entire document and discuss prior to moving forward to
114 Council. There are areas of the town missing [i.e. Spinney Creek, Wood Island Advisory Committee].
115 Has the Comprehensive Plan Update Committee seen this document?

116 Mr. Alesse: This appears ready to move forward.

117 Ms. Driscoll: Has this document been reviewed and accepted by the Port Authority? There are a number
118 of items they will be primarily responsible for implementation. Is the name of the Planning Board (page
119 4), the Kittery Planning Board or the Town Planning Board? Mr. Emerson: Kittery Planning Board.

120 Mr. Melanson: The Port Authority has participated, but a formal acceptance has not been made. This plan
121 involves many groups within Kittery who will all be involved with program completion. It's ready to go.

122 Ms. Tuveson: Agrees, the plan appears ready to go forward.

123 Mr. Edgerton: This is a standalone document as a condition of grant funding.

124 Mr. Emerson: The Council will most likely ask these questions. He would like to see responses from the
125 Comp Plan Update Committee and Port Authority, inclusion of the Wood Island Advisory Committee and
126 Maine Island Trail Association (in note form), inclusion of other town areas not identified in the
127 document, accurate representation of meetings regarding rankings, i.e. access vs. maintenance. The
128 Comp Plan should reference this publication.

129 Peter Walsh, Project Coordinator, Shore and Harbor Plan: Provided at least two drafts for review and
130 provided continuous updates to the Port Authority during the Plan's development. This final plan was not
131 provided to Port Authority members, but has been posted on the web site.

132 Ms. Kalmar: Could the table of contents include page numbers?

133

134 Ms. Grinnell moved to continue discussion of the Quality Improvement Plan for Kittery Shore and
135 Harbors.

136 Ms. Tuveson seconded

137 Motion carried unanimously

138

139 Ms. Grinnell: When this comes back for review, a significant amount of time should be set aside for
140 discussion.

141

142 Break

143

144 **OLD BUSINESS**

145

146 ITEM 4 – Town Code Amendment – Chapter 2, Definitions, Chapter 3, Article 2, Section 17 Shoreland
147 Overlay Zone, Chapter 7, Article 3 Nonconformance and Chapter 8, Article 28 Single and Duplex Family
148 Dwellings in the Shoreland Overlay Zones in Title 16 Land Use Development Code. Action: review
149 amendment and make recommendation to Town Council for adoption. Amendment includes changes to
150 the town's Shoreland zoning to comply with the Maine Department of Environmental Protection 2000
151 and 2010 conditional approvals.

152 Mr. DiMatteo: Summarized the proposed changes to the ordinance, per DEP reviews; formatting, typo
153 and grammar changes and re-inclusion of a mistakenly removed section and re-numbering of notes
154 (16.3.2.13.D. Notes 1-3).

155 Ms. Kalmar moved to accept amendment with changes and contingent upon the DEP acceptance

156 Ms. Tuveson seconded

157 Motion carried unanimously

158

159

160 ITEM 5 – Board Member Items / Discussion

161 A. Action List: Need for consideration:

162 – Amendment language for major/minor field changes;

163 – Revisit DPW list;

164 – Board By-Laws;

165 – 1-3 acre minimum;

166 – Open Space Committee and subdivision review;

167 – Sea rise/climate change (add to Comp Plan list)

168

169 B. Committee Updates

170 – Comp Plan Update: No meeting in over one month; currently with Vern Gardner.

171 – KPA: BIG project on schedule; concerns raised by fishing community regarding use of
172 portion of structure, in discussions with engineers; website and live webcam.

173 – Economic Dev. Cmte: No report

174 – Foreside Parking: Considering changing Government St. to one-way; change in parking; bike
175 and pedestrian lanes; consider no left turns during shipyard p.m. traffic; impact of bridge
176 changes; Love Lane removable speed bumps;

177 C. Other

178 – Melanson: Requested agendas be shortened to avoid 4 hour meetings

179

180 ITEM 6 – Town Planner Items:

181 A. Town Code amendment related to Quality Improvement Overlay Zone - Work in progress.

182 B. Town Council/Planning Board joint workshop scheduled for June 2, 2014 at 6 p.m. Agenda and
183 time frame will be developed for workshop; Briefing Book .

184 – Chairman Thompson has agreed to consider a separate workshop on net residential density

185 – Foreside seating should be discussed as soon as possible

186 C. Memorial Circle: Cost analysis for improvements

187 D. Sarah Long Bridge: Landscaping and signage discussions; parking design; fishing pier;

188 E. CIP projects: CIP Committee to workshop with Council to discuss additional capital
189 improvement projects through bonding.

190 F. Dedication of Memorial Park on Monday, May 26, 2014.

191

192 Ms. Kalmar reviewed enactment language for Item 1 and noted errors to be corrected.

193

194 NEW BUSINESS

195

196 ITEM 7 – Town of Kittery MS-4 / Stormwater Discharges General Permit

197 Information regarding the Town's General Permit for Stormwater Discharges from Municipal Separate
198 Storm Sewer Systems (MS-4 permit) will be presented by the Town's Shoreland/Environmental Resource
199 Officer, Jessa Kellogg.

200

201 Not discussed; Board members will forward survey's to Mr. DiMatteo.

202 Ms. Tuveson moved to adjourn
203 Ms. Grinnell seconded
204 Motion carried by all members present
205
206
207
208 The Kittery Planning Board meeting of May 22, 2014 adjourned at 9:03. p.m.
209 Submitted by Jan Fisk, Recorder, May 31, 2014
210

211
212

ATTACHMENT

**Quality Improvement Plan for Kittery Shore and Harbors
Ordinance Change to Allow Holding Tanks in Shoreland Zone
May 22, 2014**

The Kittery Conservation Commission has concerns regarding the proposed change to the Kittery Land Use Ordinance to allow holding tanks in the Shoreland Zone for municipal facilities located within the Commercial Fisheries/Maritime Uses Overlay Zones.

1. KCC is concerned that this will 'open the door' for other maritime or related concerns to request holding tanks within the Shoreland Zone.
2. Many years of water quality testing done by volunteers for KCC, Spruce Creek Assn. and Shellfish Committee that have led to improving the water conditions in Kittery by locating failing septic systems, existing straight lined toilets and other situations that were polluting Spruce Creek and the waters around Kittery, could be undone with just one holding tank failure.
3. Since enforcement has been a problem in Kittery for some time, KCC has further concerns regarding proper installation; regular/timely inspections by a certified professional with a written report submitted to an authority in town; a proper maintenance schedule developed and adhered to; regular/timely proper emptying of the holding tank using all precautions to insure there is no spillage.
 - a. Who will be the responsible person for the above; who in authority will be named to make sure the responsible person is properly overseeing the holding tank.
 - b. What will be the repercussions if there is a failure or accident? Who will pay for the repairs and cleanup?
 - c. The danger of contamination is not limited to just Pepperill Cove and Spruce Creek, but could also involve Fort Foster, the Piscataqua River and Back Channel, the Foreside and beyond.

KCC is very concerned and request that the Planning Board take the time to carefully review the possible repercussions of allowing a holding tank in the Shoreland Zone.

Erica Waters, Chair

213

**Town of Kittery
 Planning Board Meeting
 June 12, 2014**

Work related to Pump Station 21 – Shoreland Development Plan Review.

Action: Hold a public hearing, approve or deny development plan. Owner Town of Kittery and applicant Kittery Wastewater Treatment Department, is requesting consideration of their plan to install a generator and associated concrete pad at a sewer pump station opposite 375 U.S. Route One on town property abutting the right-of-way, adjacent to Tax Map 47, Lot 24A, Commercial 3 (C-3) Zone and Shoreland Overlay Zone. Agent is George Kathios, Superintendent of Sewer Services.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		
NO	Site Visit		
Yes	Preliminary Review Completeness/Acceptance	Waiver Request for Submittal Content: 16.10.5.2.B.4 Standard Boundary Survey; 16.10.5.2.B.10.k. Topographic contours	
Yes	Public Hearing	SCHEDULED 6/12/14	
Yes	Preliminary/Final Plan Review Completeness/Acceptance		

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:

The Town is in the process of upgrading portions of the sewer system that includes one facility that is within the Shoreland Zone and is incurring new development. New development that is within the 100-foot setback in the Shoreland Overlay Zone required Planning Board approval.

Review:

Sewer Pump Station 21 located along U.S. Route One requires a new generator and associated concrete pad. This portion of Route One is located within the Shoreland Zone and the existing pump station and associated site work is located within the 100-foot setback of a regulated tidal wetland, see attached Vicinity Map.

The area proposed to be disturbed is limited in size and abuts an existing developed street corridor. In addition the generator is essential to the town’s sewer pump station, see attached 6/3/14 email. The proposed development is not likely to have an adverse impact to the adjacent tidal waters.

Recommendation/Action

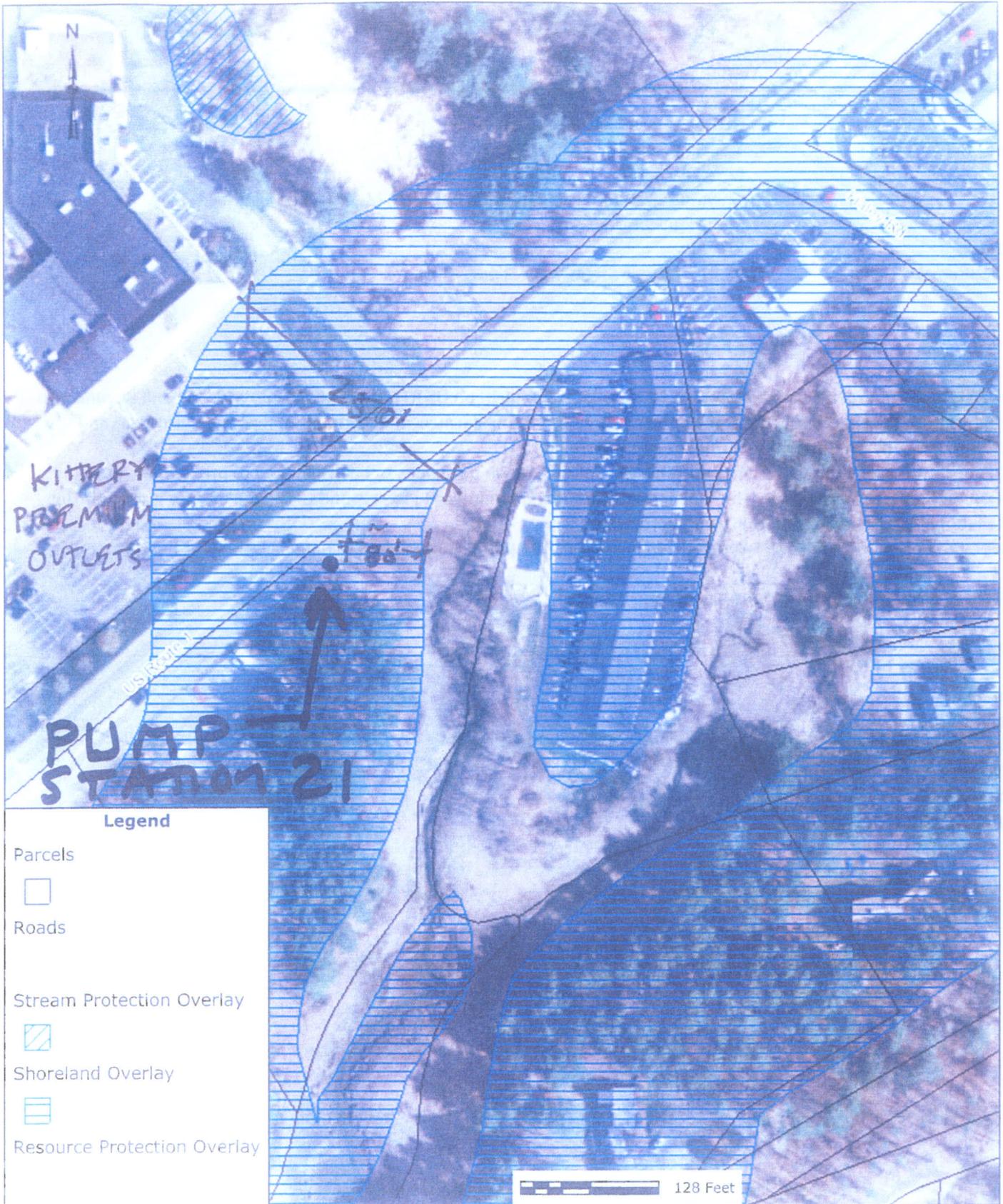
Due to the limited nature of disturbance within an already developed area, the unlikely adverse effect the proposed site work will have on the protected resource, and the essential nature of the work, Staff recommends the Planning Board grant Preliminary and Final Shoreland Development Plan Approval for the new generator and associated concrete pad for Sewer Pump Station 21.

Approval may be granted if the Board finds the impact is insignificant and the plan substantially meets the Shoreland Overlay review criteria, following:

16.10.10.2.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 that the proposed use will:

- 1. maintain safe and healthful conditions;*
- 2. not result in water pollution, erosion or sedimentation to surface waters;*
- 3. adequately provide for the disposal of all wastewater;*
- 4. not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;*
- 5. conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;*
- 6. protect archaeological and historic resources;*
- 7. not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/ maritime activities district;*
- 8. avoid problems associated with floodplain development and use*
- 9. is in conformance with the provisions of this Code; and*
- 10. recorded with the York County Registry of Deeds.*

Move to approve the Kittery Wastewater Treatment Department's plan to install a generator and associated concrete pad at a sewer pump station (PS 21) opposite 375 U.S. Route One on town property abutting the right-of-way, adjacent to Tax Map 47, Lot 24A, Commercial 3 (C-3) Zone and Shoreland Overlay Zone, finding the use meets the intent of Title 16.10.10.2.D.



**Town of Kittery,
Maine**

Pump Station 21 Vicinity Map

This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.

Chris DiMatteo

From: George Kathios
Sent: Tuesday, June 03, 2014 1:11 PM
To: Chris DiMatteo
Cc: Gmylroie; Heather Ross; Nancy Colbert Puff; Mark Thompson; Gus Oleary; Matt.Hight@maine.gov
Subject: PS# 21
Attachments: PS 21 - Google Street View[1].pdf

Chris

Pump Station #21 excepts all the sewerage from its location north on US RTE 1, to the Kittery/York line and beyond into York for future development. This is one of Kittery's vital stations because of its amount of flow. All businesses and residential depend on this station for uninterrupted service.

In the occurrence of a power fail, the portable generator that we have, has to be dispatched to provide power to the station for uninterrupted power. The time it takes for the person (on call) to respond to the emergency is critical. The installation of an (onsite generator) with automatic power generation will prevent sewerage from inundating the pump station and discharging into Spruce Creek.

Attached: is the Google site and proposed generator pad.

Thank You

George Kathios
Town of Kittery
Superintendent of Wastewater Services
1-207-439-4646
1-207-752-0689
gkathios@kitteryme.org



Wetlands

21
Pump
Station 21

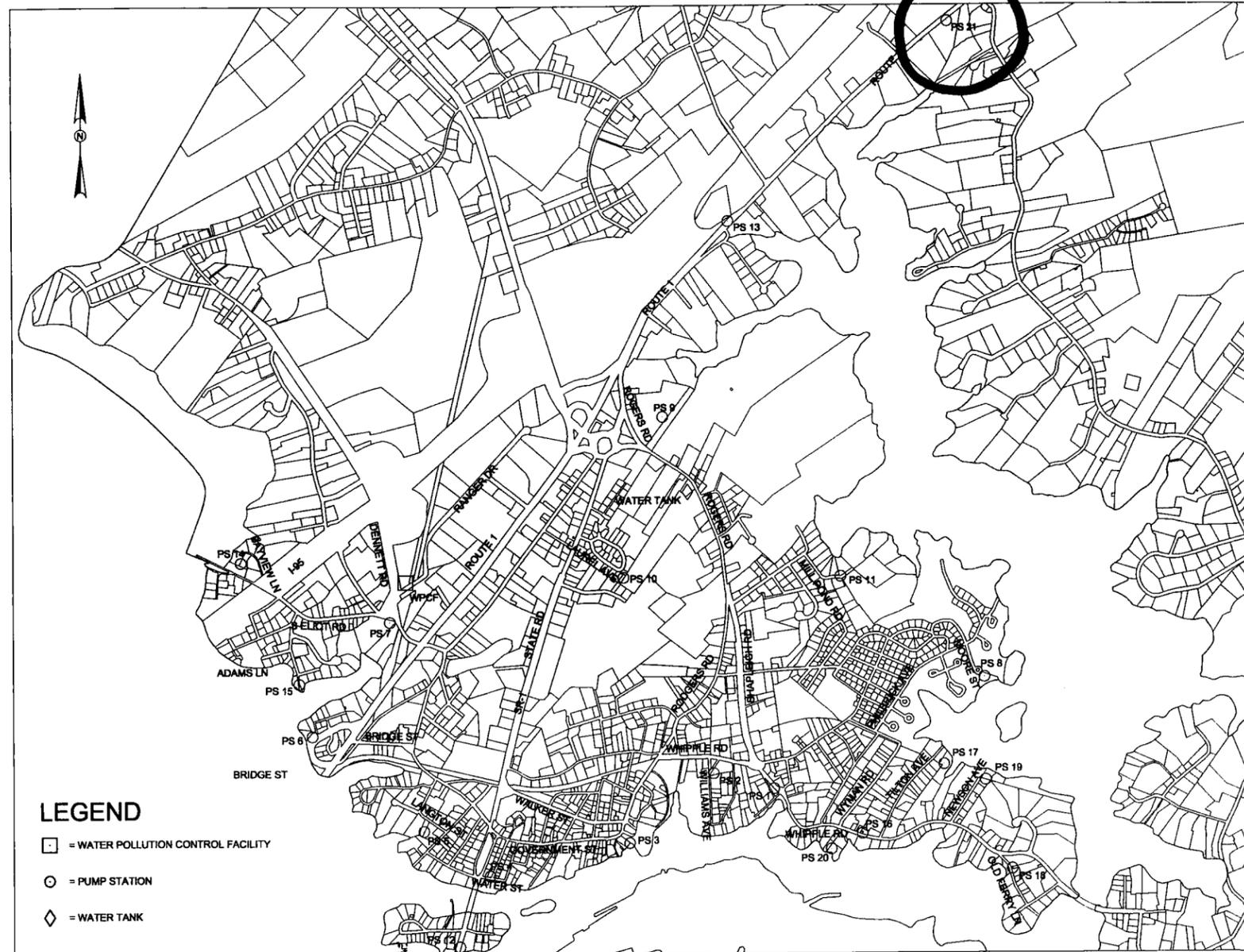
~~Proposed
Generator
Location~~

KITTERY WASTEWATER INFRASTRUCTURE IMPROVEMENTS

TOWN OF KITTERY, MAINE

MAY 2014

SITE



LOCUS PLAN
SCALE: 1" = 1000'

0 1000 2000 3000
SCALE: 1" = 1000' SCALE IN FEET



PLOTTED: 5/14/2014 3:14 PM BY: jrg/m/01/mey

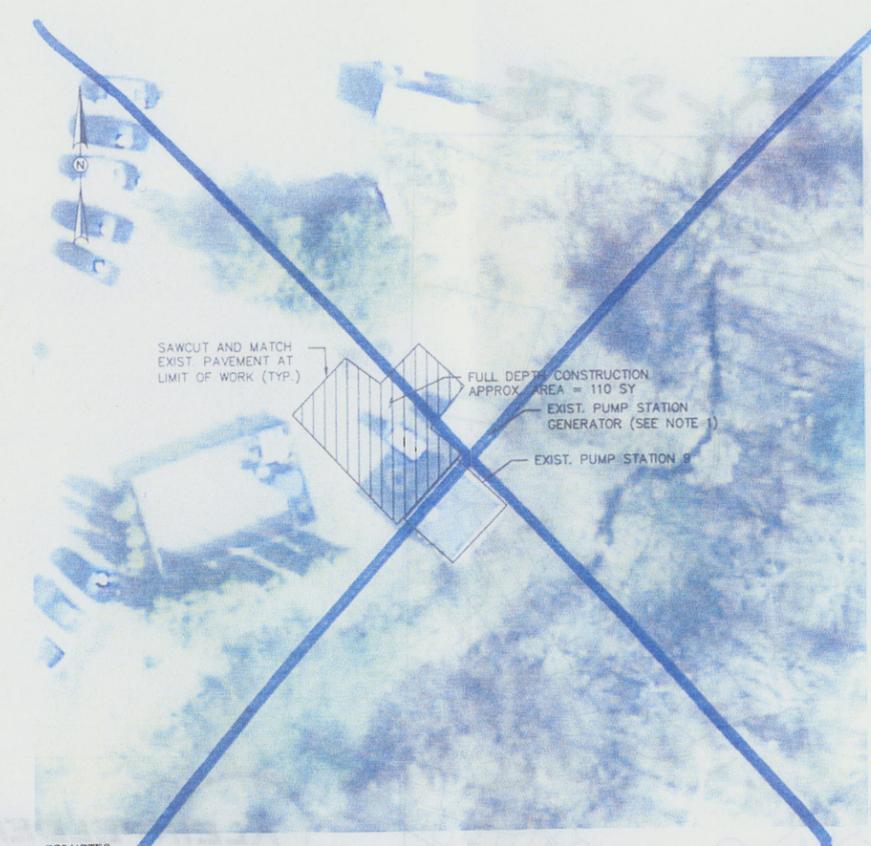
CAO FILE: G:\jrg\kittery_may2014\0005 Infrastructure Improvements Design\Drawings\Improvements\General\01-10005-COVER.dwg LAYOUT: Cover

PLOTTED: 11/04/2014 10:10 PM BY: JAMES.DUNN
 C:\Users\james.dunn\Documents\Infrastructure Improvements Design\Drawings\w\w\improvements\c\k20140055-C-PS MISC SITE PLAN LAYOUT - PUMP STATIONS PAVING AND SITE PLANS 3 OF 3



DATE	MAY 2014
PROJECT NO.	20140055
DRAWN BY	BIBERIE
CHECKED BY	WTHOMPSON
FILE NAME	20140055-C-PS MISC SITE
REVISIONS	

PUMP STATIONS PAVING AND SITE PLANS 3 OF 3
TOWN OF KITTEERY, MAINE
WASTEWATER INFRASTRUCTURE IMPROVEMENTS



PS9 NOTES:

- REMOVE AND STACK EXISTING PUMP STATION 9 GENERATOR AND APPURTENANCES AT TOWN OF KITTEERY WPCF YARD. THE TOWN WILL REMOVE THE PROPANE TANK AND DISPOSE OF THE PROPANE. EXISTING GENERATOR PAD IN ACCORDANCE WITH STRUCTURAL DETAIL AND INSTALL RELOCATED WPCF GENERATOR ON PAD.

PS 9 SITE PLAN
SCALE: 1" = 20'

BID SUB-ALT 4-1



PS21 NOTES:

- WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PERMIT BY RULE AS DESCRIBED IN SECTION 01060
- ALL DISTURBED SOILS MUST BE PERMANENTLY STABILIZED, AND WITHIN 30 DAYS OF FINAL STABILIZATION OF THE SITE ANY EROSION CONTROLS MUST BE REMOVED

PS 21 SITE PLAN
SCALE: 1" = 10'

BID SUB-ALT 4-1

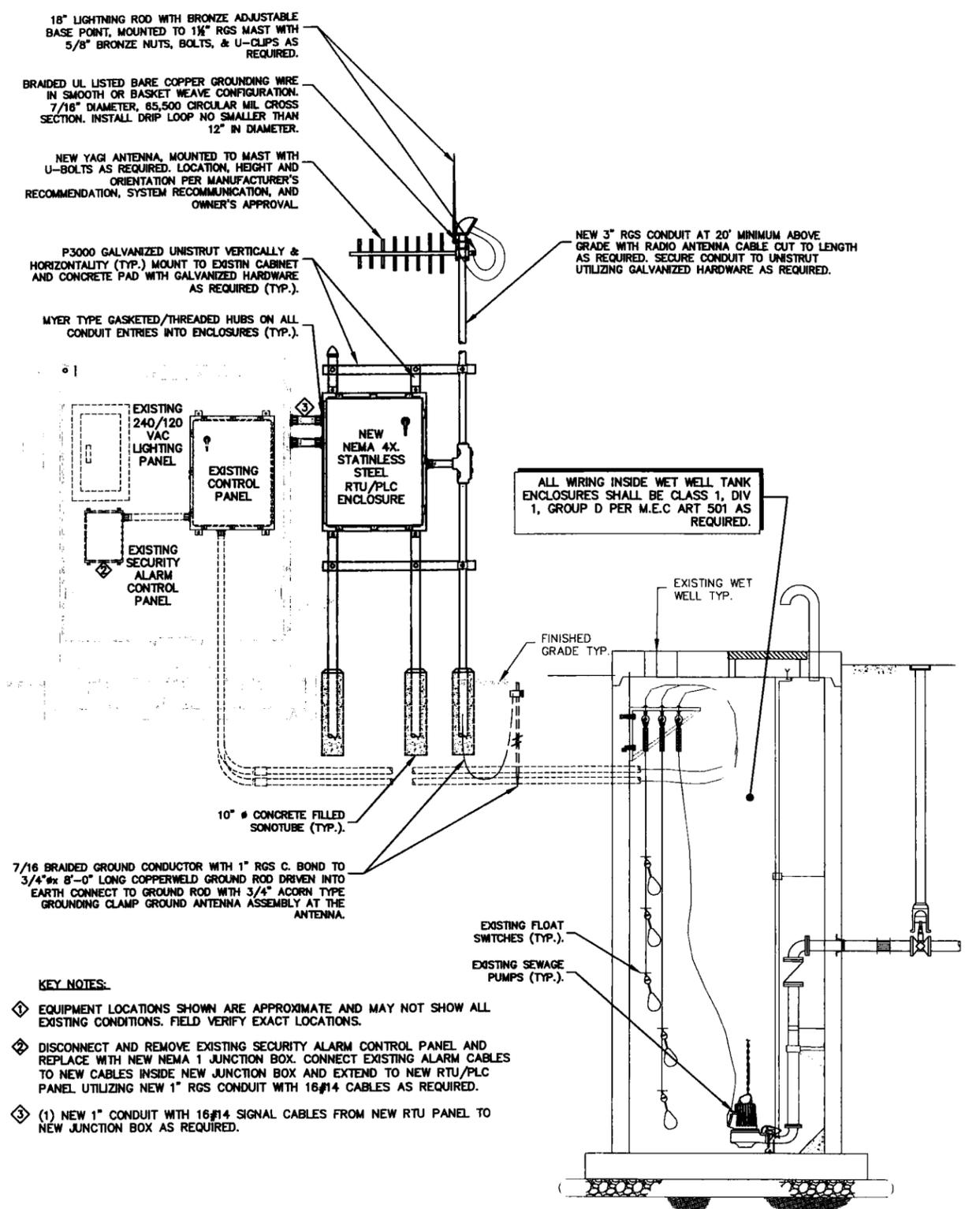


<100' FROM TIDAL WETLAND

WILSON CREEK

M47 L24A

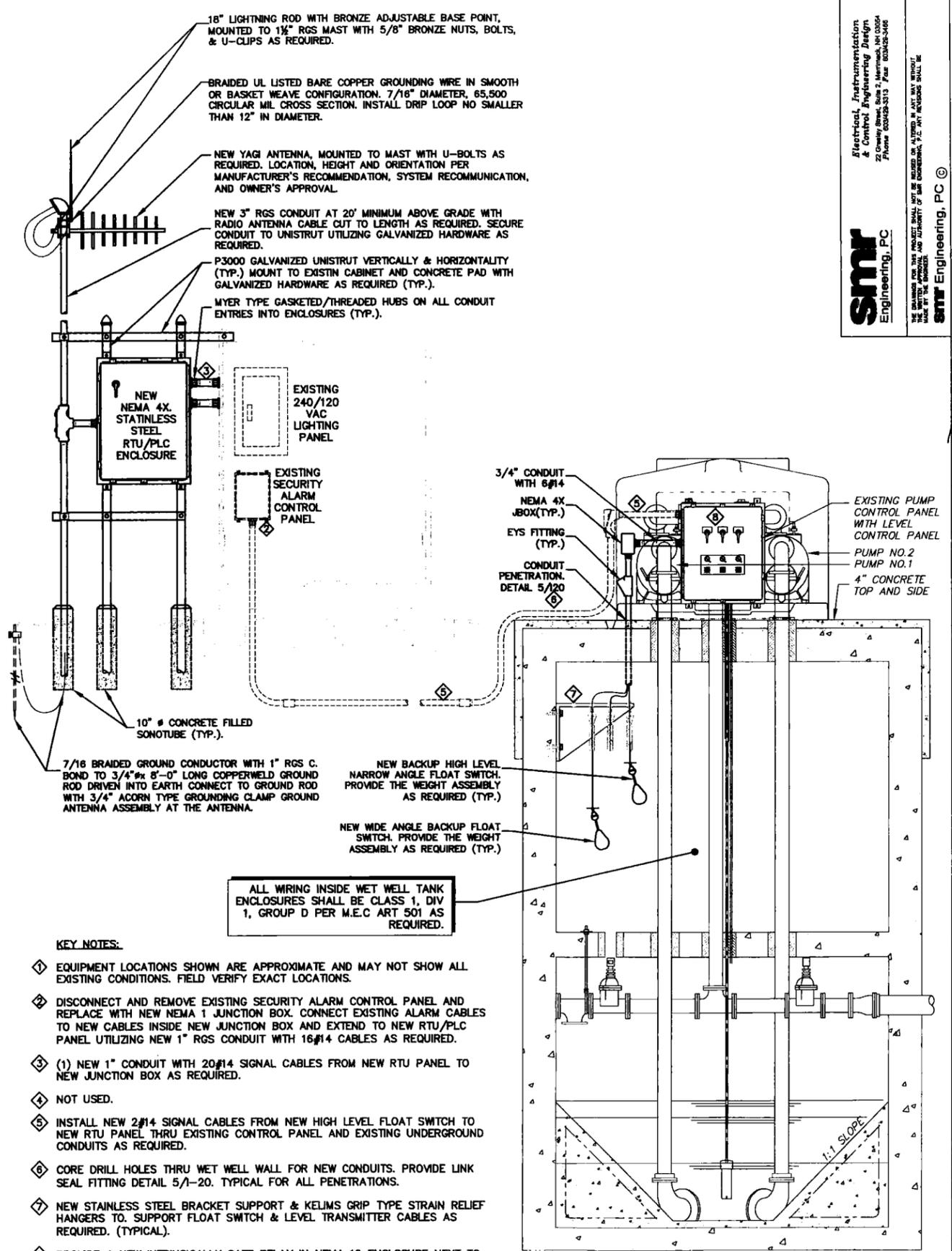
PLOTTED: 4/15/2014 8:02 PM BY: JMK
 CAD FILE: C:\SMR\Engineering\Kleinfelder\Incidary\ME\Bases\Upgrade\Instrumentation\2014\0003 - 19 - 119 - Pump Stations.dwg
 LAYOUT: 18-PR10



- KEY NOTES:**
- ① EQUIPMENT LOCATIONS SHOWN ARE APPROXIMATE AND MAY NOT SHOW ALL EXISTING CONDITIONS. FIELD VERIFY EXACT LOCATIONS.
 - ② DISCONNECT AND REMOVE EXISTING SECURITY ALARM CONTROL PANEL AND REPLACE WITH NEW NEMA 1 JUNCTION BOX. CONNECT EXISTING ALARM CABLES TO NEW CABLES INSIDE NEW JUNCTION BOX AND EXTEND TO NEW RTU/PLC PANEL UTILIZING NEW 1" RGS CONDUIT WITH 16#14 CABLES AS REQUIRED.
 - ③ (1) NEW 1" CONDUIT WITH 20#14 SIGNAL CABLES FROM NEW RTU PANEL TO NEW JUNCTION BOX AS REQUIRED.

PUMP STATION NO.20 INSTRUMENTATION PLAN 1
 SCALE: NONE

BID SUB-ALT 5-11



- KEY NOTES:**
- ① EQUIPMENT LOCATIONS SHOWN ARE APPROXIMATE AND MAY NOT SHOW ALL EXISTING CONDITIONS. FIELD VERIFY EXACT LOCATIONS.
 - ② DISCONNECT AND REMOVE EXISTING SECURITY ALARM CONTROL PANEL AND REPLACE WITH NEW NEMA 1 JUNCTION BOX. CONNECT EXISTING ALARM CABLES TO NEW CABLES INSIDE NEW JUNCTION BOX AND EXTEND TO NEW RTU/PLC PANEL UTILIZING NEW 1" RGS CONDUIT WITH 16#14 CABLES AS REQUIRED.
 - ③ (1) NEW 1" CONDUIT WITH 20#14 SIGNAL CABLES FROM NEW RTU PANEL TO NEW JUNCTION BOX AS REQUIRED.
 - ④ NOT USED.
 - ⑤ INSTALL NEW 2#14 SIGNAL CABLES FROM NEW HIGH LEVEL FLOAT SWITCH TO NEW RTU PANEL THRU EXISTING CONTROL PANEL AND EXISTING UNDERGROUND CONDUITS AS REQUIRED.
 - ⑥ CORE DRILL HOLES THRU WET WELL WALL FOR NEW CONDUITS. PROVIDE LINK SEAL FITTING DETAIL 5/1-20. TYPICAL FOR ALL PENETRATIONS.
 - ⑦ NEW STAINLESS STEEL BRACKET SUPPORT & KELJMS GRIP TYPE STRAIN RELIEF HANGERS TO SUPPORT FLOAT SWITCH & LEVEL TRANSMITTER CABLES AS REQUIRED. (TYPICAL).
 - ⑧ PROVIDE A NEW INTRINSICALLY SAFE RELAY IN NEMA 12 ENCLOSURE NEXT TO EXISTING STARTER FOR THE NEW WIDE ANGLE BACKUP FLOAT SWITCH. RECONFIGURE THE EXISTING PUMP STARTER CIRCUIT TO START ONE PUMP WHEN BACKUP FLOAT SWITCH IS ACTIVATED.

ELEVATION VIEW

PUMP STATION NO.21 INSTRUMENTATION PLAN 2
 SCALE: NONE

BID SUB-ALT 5-11

Electrical, Instrumentation
 & Control Engineering Design
 77 New Market Street
 Portland, ME 04108
 Phone 603-233-3113 Fax 603-233-3406
SMR Engineering, PC
 THE QUALITY OF OUR SERVICE SHALL BE MEASURED BY THE NUMBER OF CLIENTS WHO RECOMMEND US TO OTHERS.
 THE SKILL, KNOWLEDGE AND ATTENTION OF OUR ENGINEERS, P.E.'S AND TECHNICIANS SHALL BE MADE PER THE STANDARD.

DATE	APRIL 2014	DRAWN BY	JWC	CHECKED BY	SMR
PROJECT NO.	20140663.001	FILE NAME	20140003 - 19 - 119 - Pump Stations		

PUMP STATIONS INSTRUMENTATION PLANS

TOWN OF KITTERY, MAINE
 WASTEWATER INFRASTRUCTURE IMPROVEMENTS

REVISIONS

SHEET 1-18

PLOTTED: 5/14/2014 5:14 PM BY: angus o'hara
 FILE: G:\L\Library\Infostructure Improvements Design\Drawings\Improvements\20140006-G-NOTES.dwg LAYOUT: NOTES

GENERAL NOTES

- THE UTILITY INFORMATION SHOWN WAS COMPILED BASED ON FIELD SURVEY DATA AND RECORD INFORMATION. THE LOCATIONS OF UNDERGROUND UTILITIES HAVE BEEN ESTABLISHED FROM SURFACE FEATURES OBSERVED DURING THE SURVEY AND ON RECORD PLANS. THE LOCATION OF UNDERGROUND STRUCTURES ARE APPROXIMATE ONLY AND MAY VARY FROM THE LOCATIONS SHOWN HEREON. ADDITIONAL UNDERGROUND UTILITIES AND/OR STRUCTURES MAY BE ENCOUNTERED. SIZE, MATERIAL, AND LOCATION OF EXISTING UTILITIES IN PROJECT VICINITY SHALL BE FIELD VERIFIED BY THE CONTRACTOR. RECORD DRAWINGS PREPARED BY THE CONTRACTOR FOR THIS PROJECT SHALL INCLUDE THIS FIELD VERIFIED INFORMATION. THE TOWN ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE EXISTING UTILITY INFORMATION.
- ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29).
- UNLESS OTHERWISE INDICATED, PROPERTY LINES AND LAYOUT LINES SHOWN WERE TAKEN FROM TOWN ASSESSOR'S MAPS AND GIS AND ARE APPROXIMATE.
- PRE-CONSTRUCTION SURVEYS SHALL BE COMPLETED FOR EXTERIOR AREAS OF THE ADJACENT STRUCTURES, BUILDINGS, AND AREAS AFFECTED BY THE WORK PER THE SPECIFICATION SECTION 01390. SURVEY SHALL BE PERFORMED BY AN INDEPENDENT CONSULTANT NOT LESS THAN FOUR WEEKS PRIOR TO CONSTRUCTION ACTIVITIES. REFER TO PERFORMANCE REQUIREMENTS UNDER SPECIFICATION 01390 FOR SUGGESTED LIMITS OF SURVEY. COSTS SHALL BE INCIDENTAL TO CONTRACTOR'S OVERALL BID.
- CONTRACTOR SHALL LIMIT CONSTRUCTION ACTIVITIES INCLUDING STOCKPILING AND STORAGE OF MATERIALS AND VEHICLES TO THE BOUNDARY OF SEDIMENTATION BARRIERS AND EROSION CONTROLS. IF CHANGES TO THESE LIMITS MUST BE MADE TO ACCOMMODATE PROPOSED WORK, CONTRACTOR MUST RECEIVE PRIOR OWNER APPROVAL.
- PROVIDE TEMPORARY FENCING AND CONCRETE BARRIERS TO SHIELD OPEN EXCAVATIONS FROM VEHICLES AND PASSERSBY.
- CONTRACTOR IS REQUIRED TO COORDINATE WITH THE POLICE AND FIRE DEPARTMENTS IN ORDER TO MAINTAIN EMERGENCY VEHICLE ACCESS THROUGHOUT PROJECT DURATION.
- CONTRACTOR SHALL REMOVE AND REPLACE SIDEWALKS, DRIVEWAYS, AND BIT. CONC. BERMS, AND RESET GRANITE CURB AND REPLACE WITH NEW WHERE NECESSARY TO CONSTRUCT THE PROPOSED ITEMS OF WORK, AT HIS OR HER COST, EXCEPT WHERE DESIGNATED AS PART OF THE WORK OF THIS CONTRACT.
- EXISTING UTILITY POLES THAT FALL WITHIN 8 FEET OF THE PROPOSED EDGE OF EXCAVATION SHALL BE SUPPORTED BY THE UTILITY OWNER DURING EXCAVATION OF THE TRENCH. CONTRACTOR SHALL COORDINATE SUPPORT AND BE RESPONSIBLE FOR COSTS AND FEES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING TEST PITS TO LOCATE AND CONFIRM UTILITY SIZING AND MATERIAL AT ALL LOCATIONS, AND FOR LOCATING POTENTIAL UTILITY CONFLICTS. TEST PITS SHALL BE PERFORMED WELL IN ADVANCE OF CONSTRUCTION OPERATIONS SO THAT ANY CHANGES IN ALIGNMENT AND/OR GRADE OF THE PROPOSED WORK OR UTILITY LOCATIONS MAY BE DETERMINED.
- WHERE TEMPORARY OR PERMANENT UTILITY RELOCATION IS REQUIRED AT THE WPCF, THE CONTRACTOR SHALL NOTIFY THE TOWN 14 DAYS IN ADVANCE OF CONSTRUCTION AND SHALL COORDINATE THE NEW WORK WITH THE UTILITY RELOCATION.
- CONTRACTOR IS RESPONSIBLE FOR REPLACEMENT OF ANY SEWER, WATER OR DRAIN PIPING OR, PLANT PIPING, OR STRUCTURE HE OR SHE DAMAGES. ALL COSTS OF REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. INTERMEDIATE COUPLINGS SHALL BE ALLOWED ON A TEMPORARY BASIS ONLY.
- PRIOR TO BEGINNING WORK, CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS AND REPORT ANY DISCREPANCIES BETWEEN THE PLANS AND THE ACTUAL CONDITIONS TO THE ENGINEER.
- CONSTRUCTION TRAILER(S), STOCKPILING LOCATIONS, AND EQUIPMENT STORAGE AREAS ARE THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE COORDINATED WITH THE OWNER.
- THE CONTRACTOR SHALL CALL THE DIG-SAFE CENTER AT 1-888-344-7233 A MINIMUM OF 72 HOURS PRIOR TO ANY EXCAVATION, INCLUDING TEST PITS, TO LOCATE UNDERGROUND UTILITIES IN THE FIELD AND NOTIFY UTILITIES OF CONSTRUCTION.
- EXISTING PIPING SHALL BE RELOCATED FOR THE INSTALLATION OF PIPING OR STRUCTURES. PIPING TO BE ABANDONED SHALL BE DISCONNECTED AND CAPPED OR REMOVED AS DIRECTED BY THE ENGINEER.
- UPON COMPLETION OF THE WORK, ALL DISTURBED AREAS SHALL BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN THAT WHICH EXISTED PRIOR TO CONSTRUCTION.
- FENCES, WALLS, LANDSCAPING, TREES AND BUSHES ARE NOT ALL SHOWN ON THE PLANS. THE CONTRACTOR SHALL TAKE EXTRA CARE TO PRESERVE SUCH EXISTING FEATURES AT ALL TIMES DURING CONSTRUCTION PER THE SPECIFICATIONS. ALL EXISTING FEATURES IN CONFLICT WITH PROPOSED WORK SHALL BE RELOCATED OR REPLACED AS INDICATED ON THE CONTRACT DRAWINGS OR AS DIRECTED BY THE ENGINEER. ALL EXISTING FEATURES AND ALL ADJACENT AREAS DAMAGED, DESTROYED OR DISTURBED SHALL BE REPAIRED OR REPLACED. PAYMENT FOR THIS WORK IS TO BE INCLUDED IN THE GENERAL COST OF THE CONTRACT.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE OVERALL CONSTRUCTION SEQUENCE AND NOTE THAT IT IS OF EXTREME IMPORTANCE ON THIS PROJECT. THE WPCF SHALL REMAIN IN CONTINUOUS OPERATION DURING ALL CONSTRUCTION STAGES. OPERATION OF THE WPCF SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT AND USE OF PORTIONS OF THE NEW WORK WILL BE REQUIRED PRIOR TO OVERALL COMPLETION OF THE PROJECT, TO MAINTAIN EFFLUENT QUALITY, PERMIT COMPLIANCE AND COST EFFECTIVE PLANT OPERATION. REFER TO SPECIFICATION 01810-SEQUENCE OF CONSTRUCTION.
- ALL WORK IS INCLUDED IN THE BASE BID UNLESS NOTED AS AN ALTERNATE

PAVEMENT NOTES

- IT IS THE INTENT OF THE PROPOSED WORK TO DIRECT STORMWATER AWAY FROM PUMP STATION EQUIPMENT AND AVOID PONDING ON THE NEW PAVED ACCESSSES.
- THE PROPOSED PAVEMENT SHALL MATCH EXISTING GRADES TO THE MAXIMUM EXTENT PRACTICABLE. SLIGHT ADJUSTMENTS MAY BE NECESSARY TO ALLOW FOR POSITIVE DRAINAGE.
- MATCH EXISTING GROUND ELEVATIONS AT DOORWAYS, AND PROVIDE A 0.5% MINIMUM SLOPE AWAY FROM DOORWAYS.
- TACK COAT SHALL BE APPLIED TO ALL MILLED SURFACES PRIOR TO BEING OVERLAID AT A RATE OF 0.10 GALLONS PER SQUARE YARD AND TO ALL SMOOTH SURFACES AT 0.05 GALLONS PER SQUARE YARD.
- TACK COAT SHALL BE APPLIED TO ALL EDGES OF EXISTING PAVEMENT AT SAWCUT LINES PRIOR TO PAVING.
- THE CONTRACTOR SHALL PROVIDE FOR THE SAFE AND ORDERLY PASSAGE OF PEDESTRIANS AND VEHICLES AT ALL TIMES IN AREAS UNDER CONSTRUCTION.
- THE CONTRACTOR SHALL TAKE CARE DURING CONSTRUCTION ACTIVITIES TO AVOID DAMAGE TO EXISTING TREES AND SHRUBS NEAR THE WORK LIMITS.
- LANDSCAPED AREAS, FEATURES, AND PLANTINGS THAT ARE IMPACTED BY THE PROPOSED WORK SHALL BE REMOVED AND RESET TO MATCH THE EXISTING CONDITIONS. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT.
- THE CONTRACTOR SHALL TAKE CARE NOT TO DISTURB ANY PROPERTY BOUNDS OR LAYOUT BOUNDS. ANY BOUNDS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF MAINE AT NO ADDITIONAL COST TO THE TOWN.
- RETAIN EXISTING CASTINGS, HYDRANTS AND BOLLARDS WITHIN THE LIMITS OF WORK.
- REMOVED CURB SHALL BE DELIVERED TO AND STACKED AT THE TOWN OF KITTEERY DPW YARD.
- NEW WALKWAYS AND PEDESTRIAN RAMPS SHALL BE ADA COMPLIANT. PEDESTRIAN RAMPS SHALL HAVE A MAXIMUM RUNNING SLOPE OF 8.0%.

SOIL EROSION AND SEDIMENTATION CONTROL NOTES

- CONTRACTOR SHALL PROVIDE ALL EROSION AND SEDIMENT CONTROL DEVICES AS INDICATED ON THE PLANS, OR AS DIRECTED BY THE ENGINEER. CONSTRUCTION SHALL NOT COMMENCE UNTIL THESE MEASURES HAVE BEEN APPROVED BY THE ENGINEER AND LOCAL CONSERVATION COMMISSION. ALL SOIL EROSION AND SEDIMENTATION CONTROL COSTS SHALL BE INCIDENTAL TO CONTRACTOR'S OVERALL BID.
- ALL CONSTRUCTION ACTIVITIES SHALL BE PERFORMED IN COMPLIANCE WITH THE SPECIFICATIONS.
- STOCKPILED MATERIALS SHALL BE LOCATED AND MAINTAINED SO AS TO MINIMIZE THE POTENTIAL FOR EROSION. THE CONTRACTOR SHALL PLACE EROSION CONTROLS AROUND THE MATERIAL AND THE MATERIAL SHALL BE COVERED WITH SECURED POLY SHEETING AT THE END OF EACH WORK DAY AND DURING RAIN EVENTS.
- SILT SACKS SHALL BE FURNISHED, INSTALLED AND MAINTAINED IN ALL CATCH BASINS WITHIN THE PROJECT AREA. THROUGHOUT PROJECT DURATION, DEBRIS COLLECTED IN SILT SACKS SHALL BE REMOVED AND LEGALLY DISPOSED OF OFF-SITE ON A WEEKLY BASIS OR MORE FREQUENTLY IF NECESSARY TO MAINTAIN FLOW THROUGH THE SILT SACKS. UPON COMPLETION OF THE PROJECT AND AS DIRECTED BY THE ENGINEER, THE CONTRACTOR IS RESPONSIBLE FOR REMOVING AND LEGALLY DISPOSING OF THE SILT SACKS AND DEBRIS OFF-SITE.
- SEDIMENTATION BARRIERS SHALL BE FURNISHED, INSTALLED, AND MAINTAINED ALONG ALL WETLAND CORRIDORS ADJACENT TO PROJECT ACTIVITIES WHERE THE CONSTRUCTION IS NOT SEPARATED FROM THE WETLAND BY CURBING, AND AS DIRECTED BY THE TOWN OF KITTEERY CONSERVATION COMMISSION.
- CONTRACTOR SHALL STOCKPILE SUFFICIENT SOIL EROSION AND SEDIMENT CONTROL MATERIALS ON SITE TO REPAIR ANY AND ALL DAMAGE TO SOIL EROSION AND SEDIMENT CONTROL MEASURES.

DEMOLITION NOTES

- ALL ELECTRICAL AND MECHANICAL COMPONENTS TO BE REMOVED ARE PROPERTY OF THE TOWN, AND SHALL BE STACKED AT WPCF, UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL REMOVE AND STACK ALL ELECTRICAL CONTROLS, BOXES, CONDUITS, AND WIRING ASSOCIATED WITH DEMOLISHED EQUIPMENT. ELECTRICAL SUBCONTRACTOR SHALL DISCONNECT ALL EXISTING POWER BEFORE CONTRACTOR BEGINS DEMOLITION.
- CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EQUIPMENT FOOTINGS AND CONCRETE PADS ASSOCIATED WITH EQUIPMENT BEING REMOVED. CONTRACTOR SHALL RESTORE FLOORS TO CONDITION AND ELEVATION OF SURROUNDING FLOORS.
- CONTRACTOR SHALL REMOVE AND DISPOSE ALL PIPE HANGERS, BRACKETS, SUPPORTS AND OTHER APPURTENANCES ASSOCIATED WITH THE DEMOLISHED EQUIPMENT.
- CONTRACTOR SHALL CLEAN ALL DUST AND DEBRIS THAT IS A RESULT OF REMOVAL OR DEMOLITION OPERATIONS FROM THE BUILDING.
- CONTRACTOR SHALL PREPARE SURFACES TO PERFORM ADDITIONAL WORK AS SPECIFIED.
- SEE SPECIFICATION SECTION 01810 FOR PHASING RESTRICTIONS.
- SEE SPECIFICATION 02050 FOR SELECTIVE DEMOLITION.

SEWER AND WATER NOTES

- ALL EXISTING SEWER SERVICES SHALL REMAIN OPERATIONAL THROUGHOUT CONSTRUCTION. CONTRACTOR SHALL PREPARE A CONSTRUCTION SEQUENCE PLAN TO ENSURE THAT ALL SEWER CUSTOMERS HAVE CONTINUOUS SEWER SERVICE DURING CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH PROPERTY OWNERS AS NECESSARY TO COORDINATE CONSTRUCTION DURING LOW FLOW TIMES. CONTRACTOR IS RESPONSIBLE FOR ALL BYPASS PUMPING TO MAINTAIN CONTINUOUS SERVICE. CONTRACTOR SHALL SET UP BYPASS PUMPING PIPING TO ALLOW PROPERTY OWNER ACCESS TO THEIR DRIVEWAYS. CONSTRUCTION SEQUENCE AND BYPASS PUMPING PLANS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY EXCAVATION.
- SEWER SERVICE LOCATIONS ARE SHOWN AT APPROXIMATE LOCATIONS ON THE DRAWINGS BASED ON TELEVISION INSPECTION AND TOWN RECORDS. WHERE NO RECORDS WERE AVAILABLE, SERVICE LOCATIONS WERE APPROXIMATED. SEWER AND WATER SERVICE LOCATIONS SHALL BE VERIFIED BY THE CONTRACTOR. INACTIVE OR ABANDONED SERVICES SHALL BE CUT AND CAPPED.
- UNLESS APPROVED BY THE TOWN, ALL WATER LINES SHALL BE INSTALLED AT A DEPTH OF 5'-0" AS MEASURED FROM THE TOP OF PIPE TO THE FINISHED GRADE.
- CONTRACTOR TO FURNISH AND INSTALL BENDS AS REQUIRED TO INSTALL PROPOSED WATER MAINS AS SHOWN ON THE PLANS AND IN ACCORDANCE WITH SPECIFICATION SECTION 02815.
- ALL MECHANICAL JOINT FITTINGS SHALL BE RESTRAINED IN ACCORDANCE WITH SPECIFICATION SECTION 02815.

LOUVER (L) AND DAMPER (D) SCHEDULE

MARK NO.	MANUFACTURER	MODEL	LOCATION	SIZE	FREE AREA (SQ FT)	AIR FLOW (CFM)	S.P. (IN. W.G.)	HEAD	JAMB	SILL
L-1	GREENHECK	EAH-690	GARAGE	24"x24"	1.78	750	0.075	13/A5	13/A5	---
L-2	GREENHECK	EAH-690	GARAGE	24"x24"	1.78	750	0.075	13/A5	13/A5	---
L-3	GREENHECK	EAH-690	BLOWER ROOM	48" H x 44" W	5.38	5700	0.075	2/A10	3/A10	2/A10
L-4	GREENHECK	EAH-690	BLOWER ROOM	48" H x 44" W	5.38	5700	0.075	2/A10	3/A10	2/A10
D-1	GREENHECK	WD-320	BLOWER ROOM	32" H x 32" W	-	11,400	*	-	-	-
D-2	GREENHECK	VCD-23	SEPTAGE RECEIVING	10" X 10"	-	200	0.01	-	-	-
D-3	GREENHECK	VCD-23	SEPTAGE RECEIVING	10" X 10"	-	200	0.03	-	-	-

* PRESSURE LOSS THROUGH DAMPER AND WALL COLLAR = 0.35 IN. W.G.

FAN SCHEDULE

MARK NO.	MANUFACTURER	MODEL	LOCATION	TYPE	AIR FLOW (CFM)	S.P. (IN. W.G.)	DRIVE TYPE	MOTOR RPM	HP	VOLT	PH
EF-1	GREENHECK	GB-121	GARAGE	EXHAUST	1500	0.375	BELT	1725	1/3	120	1
EF-2	LOREN COOK	ACEB	SEPTAGE RECEIVING	EXHAUST	200	0.150	BELT	1725	1/6	120	1
EF-3 *	NEW YORK G.L.	-	SEPTAGE RECEIVING	ODOR	540	5	DIRECT	3500	2	460	3
EF-4	GREENHECK	SBE 3H30-30	BLOWER ROOM	EXHAUST	11400	0.490	BELT	1725	3	460	3

* REFER TO SPECIFICATION 11371 FOR EF-3 DATA

EXISTING CONDITIONS

- ○ ○ ○ ○ CHAIN LINK FENCE
- ● ● ● ● WIRE MESH FENCE
- OHW — OVERHEAD WIRES
- S — SEWER LINE
- W — WATER LINE
- D — DRAIN LINE
- E — UNDERGROUND ELECTRIC
- C — CHLORINE LINE
- C — CHLORINE LINE MANHOLE
- ⊙ SEWER MANHOLE
- CATCH BASIN
- ⊕ HYDRANT
- ⊕ ⊕ ⊕ PLUG VALVE WITH VALVE BOX
- ⊕ ⊕ ⊕ WATER SHUT OFF VALVE
- ⊕ ⊕ ⊕ CEMENT CONCRETE PAD
- ⊕ ⊕ ⊕ UTILITY POLE
- ⊕ ⊕ ⊕ LIGHT POLE
- ⊕ ⊕ ⊕ GUY
- ⊕ ⊕ ⊕ BOUND as DESCRIBED
- ⊕ ⊕ ⊕ BOLLARD
- ⊕ ⊕ ⊕ ELECTRICAL PANEL
- ⊕ ⊕ ⊕ CLEANOUT
- BFEF BIOFILTER EXHAUST FAN

PROPOSED LEGEND

- W — PROPOSED SEWER LINING
- W — PROPOSED WATER
- OC — PROPOSED ODOR CONTROL
- C — PROPOSED CHEMICAL
- — — — — EROSION CONTROLS
- — — — — PAVING LIMITS
- ⊕ TEST PIT
- BOLLARD
- ⊕ ITEM IN BASE BID
- ⊕ ⊕ ⊕ ITEM IN BID ALTERNATE INDICATED

VALVE & PIPING SYMBOLS

- ⊕ BUTTERFLY VALVE
- ⊕ PLUG VALVE
- ⊕ GATE VALVE
- ⊕ CHECK VALVE

DATE	PROJECT NO.	DRAWN BY	CHECKED BY	FILE NAME
MAY 2014	20140055	KRANTZ	MITCHELL	20140055-G-NOTES

GENERAL NOTES AND LEGEND

TOWN OF KITTEERY, MAINE

WASTEWATER INFRASTRUCTURE IMPROVEMENTS

SHEET

G-2

**Town of Kittery
 Planning Board Meeting
 June 12, 2014**

ITEM 2 – Shepard’s Cove Subdivision – Modification to an Approved Plan – Preliminary Plan Review.
Action: Hold a public hearing, approve or deny preliminary plan. Owner and applicant DLJ Corp., is requesting consideration of their plans to amend the previously approved 2004 subdivision plan, replacing a proposed 24 unit building with detached 5 single-unit buildings at their Elderly Housing Facility located off Rogers Road, Tax Map 22, Lot 21, Residential-Urban Zone and Shoreland Overlay Zone. Agent is Lewis Chamberlain, P.E., Attar Engineering, Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
No	Sketch Plan Review / Acceptance		
Yes	Site Visit	Title 16.10.5.1.3. Board elected not to conduct a site visit (Minutes: 5/8/14)	Not Held
Yes	Preliminary Plan Review Completeness/Acceptance	Accepted as complete	5/8/14
Yes	Public Hearing		6/12/14
Yes	Preliminary Plan Approval		
Yes	Final Plan Review		

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.

Note to applicant/agent: Provide the map and lot number in 1/4" high letters at the lower right border of all plan sheets.

BOARD MEMBERS: BRING YOUR MAY 8 PACKAGE TO JUNE 12 MEETING.

Staff Comments

The Shepard’s Cove elderly housing subdivision was approved on April 8, 2004 for 115 dwelling units. See copy of this approved plan (Sheet C-1 in application package).

See General Notes (Sheet 1):

The current proposal is to reduce the 115 total units approved to 96 units by replacing the approved 24-unit building (B) with 5 single, detached units in the same area. Per the agent's testimony (5/8/14), this modification will cause a 11,000 sf reduction in pavement area.

The following documentation was previously submitted:

Site and Subdivision Plan Amendment, Sheets 1-5, 4/16/14

Subdivision Plan Amendment Application, 4/16/14

Shepard’s Cove Condominium Association & DLJ Corp. Agreement, re: Subdivision Amendment, January, 2013

Stormwater Management Amendment, 4/16/14

DEP SLD Permit Application, 4/21/14

CMA comments (5/30/14) are enclosed and included in draft Findings.

There is no additional submittal information for your review at this time. Attar Engineering should be prepared to respond to Staff and CMA comments and questions. Following the public hearing, Board

members may direct the applicant to submit additional information, and/or plan inclusions. Copies of MDEP permits have not yet been received by Staff.

Minutes: May 8, 2014

Mr. Chamberlain summarized the modification to the previously approved plan:

Ms. Driscoll: Was this project phased; will proposed development meet wetland setbacks; will the secondary road be used by this new housing area? Asked that staff confirm prior approval period for modification consideration.

Mr. Chamberlain: The project was phased and all other areas have been built except this last area; 100' setbacks have been met; two driveways access the secondary road, but feed into Shepard's Cove Road to exit onto Rogers Road; emergency exit would be used only in an emergency, through a break-through gate; the gate has been open when he has been on site; no waivers anticipated at this time; three underdrain, grassed soil filters will be used for stormwater management BMPs; there is a reduction of 11,000 sf in paved area from the previously approved plan.

Ms. Kalmar: Would like to see site archaeological information submitted at next review.

Mr. Melanson moved to accept the application modification as complete and schedule a site walk

Ms. Tuveson seconded

Motion carried unanimously

Discussion followed regarding the use of the emergency access road. Members agreed a site walk was not needed, at this time.

Mr. Melanson moved to schedule a public hearing on the modification to the Shepard's Cove subdivision approved plan.

Ms. Grinnell seconded

Motion carried unanimously

Public Hearing will be held on June 12, 2014 if the applicant is ready.

May 30, 2014

Chris DiMatteo, Assistant Town Planner
Town of Kittery
P.O. Box 808
Kittery, Maine 03904

**RE: Town of Kittery, Planning Board Services
Shepard's Cove Subdivision Amendment
176 Rogers Road, Tax 22, Lot 21
CMA #591.78**

Dear Chris:

CMA Engineers has received the following information for Assignment #78 regarding the proposed amendment to the Shepard's Cove Subdivision at 176 Rogers Road Wilson Road (Tax Map 22, Lot 21).

- 1) Subdivision Plan Amendment Application for Shepard's Cove Condo Association, Tax Map 22, Lot 21, Rogers Road, Kittery, ME, prepared by Attar Engineering, Inc. of Eliot, ME dated April 16, 2014, on behalf of DLJ Corporation, York ME.
- 2) Stormwater Management Study by Attar Engineering, dated April 16, 2014.
- 3) Plan set "Site and Subdivision Plan Amendment, Shepard's Cove, 176 Rogers Road, Kittery ME" prepared by Attar Engineering, dated April 14, 2014 on behalf of DLJ Corporation, York ME.

We have reviewed the information submitted for conformance with the Kittery Land Use and Development Code (LUDC) and general engineering practices, and offer the comments below that correspond directly to the Town's Ordinances. This review is of a preliminary submittal per 16.10.5.

The project includes modification of a previously approved subdivision at Shepard's Cove, an elderly housing facility. The original subdivision was approved in the early 2000s. The original subdivision included condominiums and a condominium association, and included 115 housing units distributed among numerous multi-unit buildings of different sizes. The original subdivision included so-called Building B about mid-way on Shepard's Cove Road. Building B has not been constructed, and was planned to include 24 residential units.

The amendment proposes five single detached residential units in the area formerly approved for Building B, and elimination of Building B. Accordingly, a reduction of 19 residential units over the entire subdivision results.

The five residential units are proposed in an area that is approximately 360' by 280', although it is not a separate lot in the condominium subdivision. Three units are proposed of a joint

driveway off Shepard's Cove Road, and two are proposed off single driveways off a spur road off Shepard's Cove Road.

All units are proposed to be served by public water from existing Kittery Water District mains, and sewers service from existing sewer mains on Shepard's Cove Road. Site drainage is proposed with a combination of bio-retention basins, swales, piping, and discharges to uplands.

Overall Comment

As described below, it is assumed that the units will be condominiums, although this needs to be clarified by the applicant. It should be confirmed whether the applicant needs to include documents describing the modifications to the entire subdivision, including subdivision filings and approvals. The current application "amendment" is proposed and described more as a site plan modification of a small portion of the subdivision. The applicant should clarify, and the Planning Board should concur with, any final approach.

Staff Comment: Prior to final plan approval, the original subdivision plan with amended area included must be provided, with accompanying notes and conditions, if any. This will be required for plan signature and recording.

16.3 Zoning Regulations

16.3.2.1 Residential-Urban (R-U)

The proposed use (dwellings) is a permitted use.

Land area: Public water and sewer are available. The minimum land area per dwelling unit is 20,000 sf. There appears to be sufficient land area for 5 units, although there are not separate lots.

Lot size and configuration: In this zone, 15' side and rear yard setbacks, and 30' front yard setback is required. Each unit has at least 30' setback from roadways. Rear and sideyard setbacks are not defined.

It is assumed that these will be condominiums on the single Shepard's Cove lot. [See: *Agreement, #6, page 4*] If they are to be condominiums, the applicant should clarify what areas are common, shared, or individually controlled. Further, the overall relationship of the proposed units to the original subdivision should be described.

Staff Comment: The *Agreement Between Shepards Cove Condominium Association and DLJ Corp* will be reviewed by Town Counsel.

16.3.2.17 Shoreland Overlay Zone (OZ-SL) and 16.3.2.1 Resource Protection Overlay Zone (OZ-RP)

Are any portions of the subdivision, or the area being modified, within the Shoreland Overlay or Resource Protection Overlay zones?

16.8 Design and Performance Standards-Built Environment

Article IV. Streets and Pedestrian Ways

16.8.4.2.C. Street Layout:

No new streets are proposed. The units will generate an ADT of less than 100 trips per day, and less than the previously approved Building B.

Article VI. Water Supply, and Article VII Sewage Disposal

Use of Kittery Water District public water, and Kittery Sewer District sewers is proposed.

- Are the water and sewer pipes being connected to public or owned by Shepard's Cove with connections to the public utilities on Rogers Road?
- It is presumed that because the 5 units in total will use significantly less water than the originally proposed 24-unit Building B that adequate capacity exists.

Article VIII. Surface Drainage

The site design includes complete preliminary design of site drainage and stormwater management. Design includes comprehensive management, including application of BMPs for stormwater, including bio-retention features and distribution of outlets among the surrounding wetlands areas. The stormwater report appears comprehensive and satisfactory.

Questions/Comments:

- The modification of existing MEDEP permits will also address these issues (see below).
- Are level spreaders proposed at all three discharges? The drawings should be clarified.

Article XVIII. Landscaping

16.8.18.1. Does the Board require any street trees?

Article XXIV. Landscaping

16.824. Exterior Lighting

Is any exterior lighting proposed? If so, it should be describe per this section.

16.9 Design and Performance Standards-Natural Environment

Article I. General

16.9.1.3 Prevention of Erosion;

16.9.1.4 Soil Suitability

16.9.1.5 Water Quality and Wastewater Pollution

The project has an existing MEDEP Site Location of Development Permit that will require modification per the proposed amendment. The Town should be copied on the application and any permit action.

Article III. Conservation of Wetlands Including Vernal Pools

16.9.3.7 Wetlands Alteration Approval Criteria

There are wetlands in close proximity to the site on three sides. No direct impacts are indicated. Wetlands limits are depicted on the plans, and are referenced to delineations done as part of the

original subdivision over 10 years ago. The applicant should represent that the limits remain accurate, or provide further documentation of the applicable limits. Additionally, the applicant should determine whether further soils mapping within the site is warranted.

Other

Does the Planning Board desire to review, or does the applicant wish to provide typical building architectural elevations?

Should you have any questions, please do not hesitate to call.

Very truly yours,
CMA ENGINEERS, INC.

William A. Straub, P.E.
Project Manager

cc: Lew Chamberlain, PE, Attar Engineering

**KITTERY PLANNING BOARD
FINDINGS OF FACT**

D R A F T O N L Y

for
Shepard's Cove, Amendment to an Approved Subdivision

WHEREAS: Owner and applicant DLJ Corp., is requesting consideration of their plans to amend the previously approved 2004 subdivision plan, replacing a proposed 24 unit building with detached 5 single-unit buildings at their Elderly Housing Facility located off Rogers Road, Tax Map 22, Lot 21, Residential-Urban Zone and Shoreland Overlay Zone.

Hereinafter the "Development".

Pursuant to the Plan Review meetings conducted by the Planning Board as duly noted; 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 (Hereinafter the "Plan").

- Site and Subdivision Plan Amendment, Sheets 1-5, 4/16/14
- Subdivision Plan Amendment Application, 4/16/14
- Shepard's Cove Condominium Association & DLJ Corp. Agreement, re: Subdivision Amendment, January, 2013
- Stormwater Management Amendment, 4/16/14
- DEP SLD Permit Application, 4/21/14

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:

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. <i>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.</i>
Approved subdivision (2008) allowed for a 24-unit, single building, on identified site. Modification proposes to replaces 24 unit building with 5 single units, reducing the overall units by 19 for a total of 96 units overall. The proposed use, dwelling units, is a permitted use in the Residential-Urban zone. Setbacks: 30' front: 15' side and rear - Not delineated on plan Other: Lighting: Is street lighting proposed, or existing, along Shepard's Cove Road? Will lighting be installed along proposed interior driveways? If so, this should be indicated on the plan. conforming to Title 16.8.24. Landscaping: Is landscaping proposed along the existing roadway and/or interior development? (Title 16.8.18) Structures: Maximum building height is 35 feet in the R-U zone. Does the Board wish to see architectural renderings of the proposed structures prior to approval?
Vote of __ in favor__ against __ abstaining
B. Freshwater Wetlands Identified. <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>Wetlands are identified.</p> <p>CMA: No direct impacts are indicated. Wetlands limits are depicted on the plans, and are referenced to delineations done as part of the original subdivision over 10 years ago. The applicant should represent that the limits remain accurate, or provide further documentation of the applicable limits.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>C. River, Stream or Brook Identified.</p> <p><i>Any river, stream or brook within or abutting the proposed project area has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in 38 M.R.S. §480-B, Subsection 9.</i></p>
<p>GIS indicates there are no rivers, streams or brooks within or abutting the project area.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>D. Water Supply Sufficient.</p> <p><i>The proposed development has sufficient water available for the reasonably foreseeable needs of the development.</i></p>
<p>With reduction in units from 19 to 5, it is assumed municipal water is available for the proposed project. Applicant needs confirmation from the Kittery Water District.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</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>With reduction in units from 19 to 5, it is assumed municipal water is available for the proposed project. Applicant needs confirmation from the Kittery Water District.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>F. Sewage Disposal Adequate.</p> <p><i>The proposed development will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.</i></p>
<p>With reduction in units from 19 to 5, it is assumed municipal sewage disposal can accommodate the proposed project. Applicant needs confirmation from the Kittery Sewer District.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>G. Municipal Solid Waste Disposal Available.</p> <p><i>The proposed development will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be used.</i></p>
<p>With reduction in units from 19 to 5, it is assumed the proposed project will not cause an unreasonable burden on municipal solid waste disposal.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>H. Water Body Quality and Shoreline Protected.</p> <p><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></p>
<p>Portions of the development are located within 250 feet of wetlands but the development should not adversely affect the quality of the water body.</p>
<p>Vote of <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>I. Groundwater Protected.</p> <p><i>The proposed development will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.</i></p>

Vote of _ in favor_ against _ abstaining
<p>J. Flood Areas Identified and Development Conditioned.</p> <p><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></p>
<p>The proposed project area is outside of the FEMA identified flood prone areas (including the 2013 FEMA draft FIRM). This standard is not applicable.</p>
Vote of _ in favor_ against _ abstaining
<p>K. Stormwater Managed.</p> <p><i>Stormwater Managed. The proposed development will provide for adequate stormwater management</i></p>
<p>Per CMA Engineers: The site design includes complete preliminary design of site drainage and stormwater management. Design includes comprehensive management, including application of BMPs for stormwater, including bio-retention features and distribution of outlets among the surrounding wetlands areas. The stormwater report appears comprehensive and satisfactory.</p> <p>The project has an existing MEDEP Site Location of Development Permit. A modification was submitted 4/14 to the MDEP for review and approval.</p>
Vote of _ in favor_ against _ abstaining
<p>L. Erosion Controlled.</p> <p><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></p>
<p>The site design includes complete preliminary design of site drainage and stormwater management. Design includes comprehensive management, including application of BMPs for stormwater, including bio-retention features and distribution of outlets among the surrounding wetlands areas. The stormwater report appears comprehensive and satisfactory. The project has an existing MEDEP Site Location of Development Permit. A modification was submitted 4/14 to the MDEP for review and approval. Final Plan must include notes that reflect adherence to the Maine DEP <i>Best Management Practices</i> for all work associated with site and building renovations to ensure adequate erosion control and slope stabilization. [Condition #1]</p>
Vote of _ in favor_ against _ abstaining
<p>M. Traffic Managed.</p> <p><i>The proposed development will:</i></p> <ol style="list-style-type: none"> <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>
<p>CMA: No new streets are proposed. The units will generate an ADT of less than 100 trips per day, and less than the previously approved Building B. This standard appears to have been met.</p>
Vote of _ in favor_ against _ abstaining
<p>N. Water and Air Pollution Minimized.</p> <p><i>The proposed development will not result in undue water or air pollution. In making this determination, the following must be considered:</i></p> <ol style="list-style-type: none"> <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>

<p>4. <i>Availability of streams for disposal of effluents;</i> 5. <i>Applicable state and local health and water resource rules and regulations; and</i> 6. <i>Safe transportation, disposal and storage of hazardous materials.</i></p>
<p>1. Proposed project area is not located within a floodplain. 2. Municipal sewer will be utilized. Not applicable. 3. Stormwater management report appears comprehensive and satisfactory, including application of BMPs for stormwater, including bio-retention features and distribution of outlets among the surrounding wetlands areas. 4. There are no streams on site. Not applicable. 5. The Applicant has applied for a modification of the approved (2008) MDEP Site Location of Development permit. 6. No hazardous materials anticipated. Not applicable.</p>
<p>Vote of __ in favor__ against __ abstaining</p>
<p>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></p>
<p>Vote of __ in favor__ against __ abstaining</p>
<p>P. Developer Financially and Technically Capable. <i>Developer is financially and technically capable to meet the standards of this section.</i></p>
<p>Applicant has successfully built 91 condominium units since the original 2008 approval, including all associated infrastructure. It is anticipated the development of the proposed 5 single units is within the applicants technical and financial capability.</p>
<p>Vote of __ in favor__ against __ abstaining</p>

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 Preliminary and Final Approval for the Development at the above referenced property, including any waivers granted or conditions as noted.

Waivers:

Conditions: (All conditions must be included on the final plan prior to signature by the Planning Board Chairman)

1. Final Plan must include notes that reflect adherence to the Maine DEP *Best Management Practices* for all work associated with site and building renovations to ensure adequate erosion control and slope stabilization.
2. The Developer and Contractor(s) shall adhere to the Best Management Practices documented in the Stormwater Management and Site Plan for this site.
3. Prior to the commencement of grading and/or construction within a building envelope, as shown on the Plan, the owner and/or developer must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer determines construction is completed and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.
4. Plan Revisions after Approval. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan. See Title 16.10.9.1.2.
5. Instructions/Notice to Applicant.

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

APPROVED BY THE KITTERY PLANNING BOARD ON _____

Vote of in favor 0 against 0 abstaining

Thomas Battcock-Emerson, Planning Board Chairman

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. See Title 16.6.2.A.

Instructions/Notice to Applicant:

1. State law requires all subdivision plans, and any plans receiving waivers or variances, be recorded at the York County Registry of Deeds within 90 days of the final approval.
2. One (1) mylar copy and two (2) paper copies of the recorded Plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department.
3. 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.
4. Performance Guaranty Conditions. Prior to soil disturbance, the Developer must submit to the Planning Department a Performance Guarantee and/or an escrow account to pay for any required field inspections or improvements. See Title 16.10.8.2.2.
5. This approval by the Planning Board constitutes an agreement between the Town and the Developer, incorporating as elements the Development Plan and supporting documentation, the Planning Board Findings of Fact, any Conditions of Approval, and any requirements as set forth in Title 16, Land Use and Development Code of Ordinances.

**Town of Kittery
Planning Board Meeting
June 12, 2014**

Watts Cluster Subdivision – Brave Boat Harbor Road — Sketch Plan Review

Owner and Applicant Jonathon & Kathleen Watts is requesting consideration of their plans for a 4-lot cluster subdivision at 143 Brave Boat Harbor Road, Tax Map 63, Lot 19, Residential Rural Zone, with a portion in the Shoreland Overlay Zone. Agent is Ken Markley, Easterly Surveying, Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
	Sketch Plan Review/approval	Reviewed and not excepted on 12/12/2013, accepted on 5/8/14	PENDING
NO	Site Visit	Scheduled for 6/4/14	HELD
Yes	Preliminary Plan Review Completeness/Acceptance		
Yes	Public Hearing		
Yes	Final Plan Review		

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:

Jonathon & Kathleen Watts are requesting to create a cluster subdivision on a parcel off Brave Boat Harbor Road while preserving the original homestead built in the 1930's. A large portion of the property is wetland and not directly accessible. Access for the proposed four lots is planned via a new Right-Of-Way in the vicinity of the existing driveway. The existing dwelling is located on one of the four lots. The Sketch Plan along with a plan depicting soils found on the site was initially submitted for the Board's consideration at the 12/12/2013 meeting, where a motion to accept the sketch plan failed. The Applicant, represented by attorney Scott Anderson with Verrill Dana, has submitted a letter and revised sketch plan for the Board's consideration on the 5/8 meeting. The Planning Board held a site walk on 6/4/14.

Review:

Staff has reviewed the revised sketch plan submitted, REV date 6/4/14 and has revised the comments prepared for the 5/8/14 meeting. The concept shows the proposed development clustered in close proximity to the planned right-of-way in lots less than the base zone requirement of 40,000 SF in size but not less than 20,000 SF, the minimum state standard for lots on septic. Building envelopes are shown with setbacks and it appears that the 100 foot wetland setback can be maintained as a no-cut/no-disturb buffer.

The following are issues that were part of the prior review, some of which have been addressed:

- 1) **Shoreland Overlay Zone.** The revised Sketch Plan shows the Shoreland Overlay Zone boundary in a location that is now consistent with the Town's adopted Land Use Zoning Map. As stated at the last meeting, the State in past practice has allowed cluster subdivisions in the Shoreland zone with reduced lot size requirements as long as the reserved land in open space reflects the difference in required lot size and the proposed lot areas. The proposal appears to have enough open space conserved to meet this standard.

Shore frontage requirement can also be applied in a similar manner where the individual clustered lots do not have to have shore frontage as long as the total require frontage is located on the site. The

upland edge of a wetland is included as shore frontage. The site includes more than the 600 feet of shore frontage required.

The applicant is advised to review and address shoreland zoning standards for both the State Minimum guidelines and the Kittery's Title 16 prior to the preparation and submittal of the preliminary plan application to ensure lot and street development conforms. Two code sections of special importance include Title 16.8.4.14 for standards that apply to roads and driveways in the Shoreland Zone and Title 16.9.2.2 for clearing of vegetation within the Shoreland Zone.

- 2) **Soils.** Staff previously concluded that after deducting wetlands and floodplains and then applying the *Soil Suitability Guide* referenced in Title 16.7.8.1.5 to the remaining soils would result in a net residential area of 0. Staff assumed that any soil series name that included 'Lyman' listed in the *Guide* with a rating of Poor or Very Poor would constitute non-suitable land, to be deducted from the gross parcel area.

Staff suggested at the last meeting that the Applicant amend the Net Residential Acreage calculations by clearly deducting the *Lyman –Rock Outcrop Complex* and *Scantic* soils that are identified in the *Soil Suitability Guide*. The latter appears to be within the Site's delineated wetlands. *Lyman –Rock Outcrop Complex* is listed only once with a slope designation of C, designated on the soil map as *LrC*. The site includes this soil series with a slope class of C as well as B and D, which are not listed in the *Guide*. A more straight forward application of the *Guide* per Title 16.7.8.1.5 would be to subtract only those soil series that are specifically named.

The revised plan includes the above methodology and yields Net Residential Acreage that accommodates 4 dwelling units.

- 3) **Dimensional Standards.** The Applicant is requesting modifications to the dimensional standards, as allowed under cluster development, for lot size and yard setbacks.
- 4) **Open Space.** From the wetland delineation report, the property appears to include valuable wildlife habitat with respect to the likely amphibian breeding area identified in the northwestern portion of the parcel. This area, which consists of both wetland and upland, is included in the proposed reserved open space. A management plan will need to be prepared and submitted in the preliminary plan review phase. Staff recommends contacting the Kittery Land Trust since they own land in the same vicinity.

Recommendation/Action

Staff recommends the Board considers the direction outlined in Title 16.10.4.2.1 *Process - Planning Board Review and Decision*, and determine if the concept generally "complies" with applicable standards of the current Code. If the Board finds the concept does comply they can vote to grant approval of the Sketch Plan. Alternatively, if the Board finds the concept does not comply, the Board should identify what is not in conformance and deny approval or continue the application for additional information that may resolve the issues. In the same manner the Board can continue the application if they find required information (16.10.4.2.2) missing or not adequately addressed by applicant.

Staff finds the concept in general conformance with the current code and recommend the Board approve the Sketch Plan and direct the applicant to address comments the Board and Staff have raised prior to submitting a Preliminary Plan application.

Site Walk minutes

Watts Subdivision, Sketch Plan Review

June, 4 2014

Attendees:

All Planning Board members present except T. Battock-Emerson
Staff; G. Mylroie, C. DiMatteo

Applicant: Jon Watts and agent Ken Markley, NorthEasterly Surveying

Abutters: Ann Sauve, 150 Brave Boat Harbor Road; John Porter III, 2 Short Farm Road; and
Mark representing Helene Balkin, 121 Brave Boat Harbor Road.

Handouts: 8-1/2" x 11" reduction of the development area pertaining to the lots with test pit
information. Bug spray, water and snacks were offered.

Meeting called to order at 6:01 PM by and R. Melanson. (Vice-Chair S. Tuveson arrived at
6:02 PM)

K. Markley presented the information found in the plan exhibit. Pointed out the centerline of the
proposed street.

Walk commenced from the vicinity of the existing single family dwelling (Proposed Lot 1)
towards the end of the proposed right-of-way (ROW). Attendees dispersed and oriented
themselves with the test pit information on the plan with the stake and flagging in the field.

General observations and highlights include:

- 1) Site rises quickly away from Brave Boat Harbor and the wetland
- 2) Ledge present.
- 3) Heavily wooded with the exception of the latter half of the proposed ROW that was
recently cleared.
- 4) Located in the field the rear property line for Lots 18 and 19A, Tax Map 63, 139 and 141
Brave Boat Harbor Road.
- 5) Appears Lot 19A may be encroaching on the site with existing chicken coop.
- 6) Type and quality of home building was discussed.
- 7) The interest not to have a shared driveway to proposed lots 3 and 4 was noted. This
would require a driveway in the 100-foot setback.

Submitted by Chris DiMatteo, Assistant Planner

June 5, 2014

N/F
S G. ARSENAULT REVOCABLE TRUST
MYS G. ARSENAULT, Sr., TRUSTEE
TAX MAP 63 LOT 15
Y.C.R.D. BOOK 7766 PAGE 230

250'

Edge of Wetlands (Typ)
Per Joe Noel (SEE NOTE #6)

LOT 4
43,550 Sq. Ft.

FLOOD ZONE A
FLOOD ZONE C

APPROX. SFHA BOUNDARY (SEE NOTE #6)

Stone Wall (Typical)

LOT 3
22,050 Sq. Ft.

TAX
LO
511,979
11.7%

ATFIELD
LOT 17
5 PAGE 788

LOT 2
23,720 Sq. Ft.

LOT 1
23,240 Sq. Ft.

11,940 Sq. Ft. R.O.W.
"SAWYER LANE"

PROPOSED FENCE/VEGETATIVE BUFFER

PROPOSED RELOCATED GARAGE

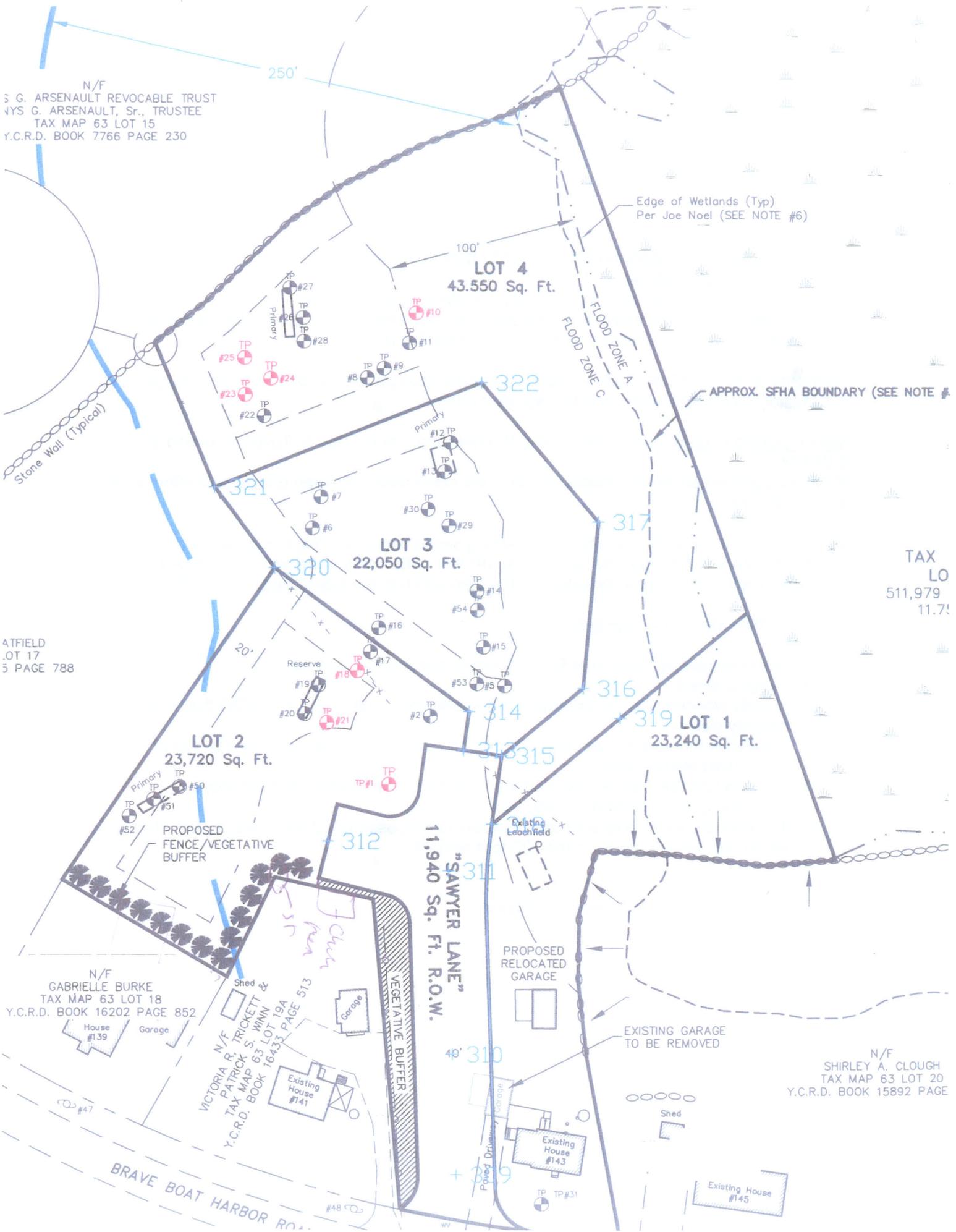
EXISTING GARAGE TO BE REMOVED

N/F
GABRIELLE BURKE
TAX MAP 63 LOT 18
Y.C.R.D. BOOK 16202 PAGE 852

N/F
VICTORIA R. TRICKETT &
PATRICK S. MINN
TAX MAP 63 LOT 19A
Y.C.R.D. BOOK 16433 PAGE 513

N/F
SHIRLEY A. CLOUGH
TAX MAP 63 LOT 20
Y.C.R.D. BOOK 15892 PAGE

BRAVE BOAT HARBOR ROAD



North
W  Easterly
SURVEYING, Inc.

6/4/14

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

June 2, 2014

Kittery Planning Board
200 Rogers Road
Kittery, ME 03904

Subject: Brave Boat Conservation at Sawyer Lane - John Watts

- Tax Map 63 Lot 19
- 143 Brave Boat Harbor Road
- Kittery Point, Maine

Job No.: 13696

Dear Chairman and Planning Board Members,

Enclosed you will find a plan showing some minor revisions to the existing proposed plan. One revision was a soils boundary that did not affect the net residential area calculation. The other revision was the addition of a few test pits which were not on the previous plan. The last revision was the updated net residential calculations to more accurately reflect the effect of using the soils suitability guide and the addition of note 7. I would appreciate your review and comments on this project at your next Planning Board meeting and look forward to seeing you at the site walk.

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

Sincerely:

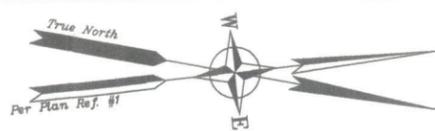

Kenneth D. Markley R.L.S. L.S.E.
President – NorthEasterly Surveying, Inc.

SAMPLES OF DIFFERENT WASTEWATER DISPOSAL AREAS (FOR A 3 BEDROOM HOME)

ELUEN IN-DRAINS
LEACHFIELD DIMENSIONS OF 11' X 28' OR 15' X 20'

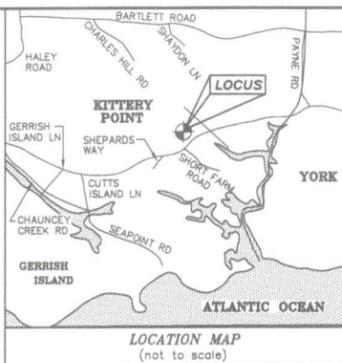
CLEAN SOLUTION
USING A PRE-TREATMENT TANK REQUIRES A 110 SQUARE FOOT STONE BED ON THESE SOIL TYPES
LEACHFIELD DIMENSIONS 5' X 22' OR 10' X 11'

THE OPTIONS ABOVE ARE PRELIMINARY AND THE FINAL WASTEWATER DISPOSAL AREA "FOOTPRINTS" MAY VARY BASED ON ADDITIONAL TEST PITS AND/OR LEDGE PROBES, THE TYPE OF SYSTEMS SELECTED AND ACTUAL HOME LOCATIONS.



PLAN REFERENCE:

1. "LOT LINE ADJUSTMENT & LOT CONSOLIDATION PLAN FOR PROPERTY AT 143, 145 & 149 BRAVE BOAT HARBOR ROAD, KITTERY POINT, YORK COUNTY, MAINE OWNED BY THE ESTATE OF GERTRUDE L. MARSTON, SHIRLEY CLOUGH", PREPARED BY NORTH EASTERLY SURVEYING, INC. DATED JUNE 3, 2010, PROJECT NO. 09729 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 362 PAGE 45.



ZONING SUMMARY:

ZONE: RESIDENTIAL RURAL (R-RL)
SHORELAND OVERLAY (OZ-SL)
RESOURCE PROTECTION (OZ-RP)

NET RESIDENTIAL AREA CALCULATION:

TOTAL SUBDIVISION AREA:	11.75± Ac.
LESS ROAD R.O.W.:	-0.27± Ac.
LESS 100 YEAR FLOODPLAIN AREAS:	-5.77± Ac.
LESS SOILS RATED POOR OR VERY POOR OUTSIDE OF FLOODPLAIN (SEE NOTE #10)	-0.00± Ac.
SCANTIC (ScA)	-1.88± Ac.
LYMAN ROCK OUTCROP COMPLEX (LrC):	
TOTAL NET RESIDENTIAL AREA:	3.83± Ac.

ALLOWABLE LOTS PER NET RESIDENTIAL DENSITY:

(3.83 Ac. * 43,560 s.f./Ac.) = 166,834 s.f./40,000 s.f./Lot = (4.17) LOTS ALLOWED (4 PROPOSED)

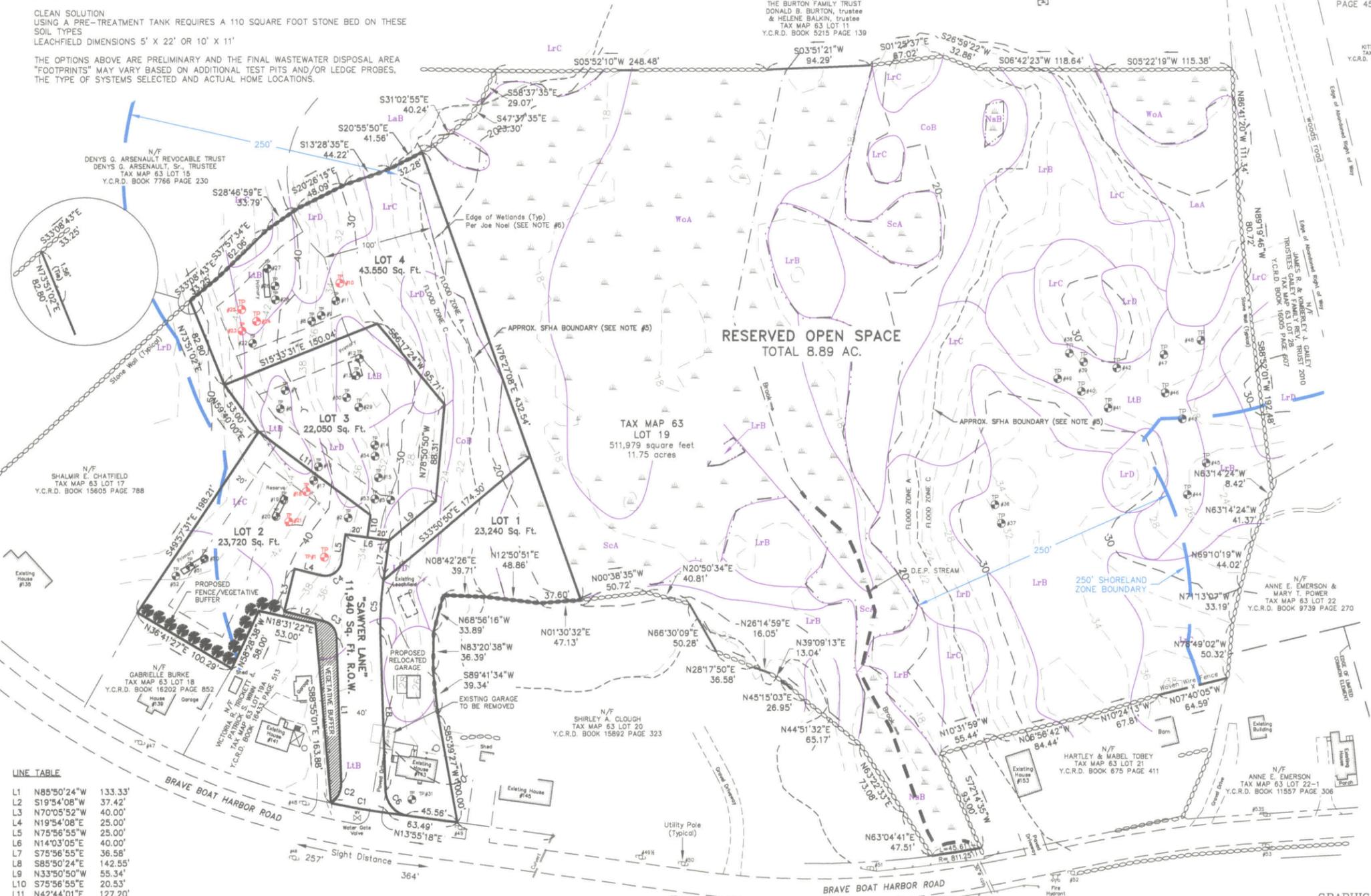
CLUSTER RESIDENTIAL DEVELOPMENT	REQUIRED	PROPOSED
OPEN SPACE TOTAL (50% OF LOT AREA) (0.50 * 11.75 Ac.)	5.88 Ac. (50%)	8.89 Ac. (76%)
OPEN SPACE UPLANDS (30% OF NET RESIDENTIAL AREA) (0.30 * 3.83 Ac.)	1.15 Ac. (30%)	5.18 Ac. (135%)

DIMENSIONAL STANDARDS (R-RL)	STANDARD	AS PROPOSED
MINIMUM LAND AREA	40,000 Sq. Ft.	>22,000 Sq. Ft.
ROAD FRONTAGE	150 Ft.	20 Ft.
FRONT YARD	40 Ft.	9.3 Ft.
SIDE YARD	20 Ft.	>20 Ft.
REAR YARD	20 Ft.	>20 Ft.

NOTES:

- OWNERS OF RECORD:
TAX MAP 63 LOT 19:
JONATHAN & KATHLEEN E. WATTS
Y.C.R.D. BOOK 16666 PAGE 120
DATED JULY 31, 2013
 - TOTAL EXISTING PARCEL AREA:
TAX MAP 63 LOT 19:
511,979 Square Feet
11.75 Acres
 - THE BASIS OF BEARING IS PER PLAN REFERENCE #1.
 - BRAVE BOAT HARBOR ROAD IS ASSUMED TO BE A VARIABLE WIDTH RIGHT OF WAY. THE AREA ADJACENT TO THE SUBJECT PARCELS WAS BASED UPON 24.75' FROM THE CENTERLINE OF THE EXISTING ROADWAY. SEE PLAN REFERENCE #1 FOR BOUNDARY INFORMATION.
 - REFERENCE IS MADE TO SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARY AS SHOWN ON FEMA FIRM COMMUNITY-PANEL NUMBER 230171 0002 C, JULY 5, 1984. SFHA BOUNDARY SHOWN IS ADJUSTED TO FIT CONTOURS.
 - The wetland boundary as depicted on this plan was delineated/flagged by Joseph W. Noel, Maine Certified Soil Scientist #209, on September 3, 2013. The flags were survey located by North Easterly Surveying, Inc. using a Topcon Total Station. The delineation was conducted in accordance with the U.S. Army Corps of Engineers document Corps of Engineers Wetlands Delineation Manual, (1987) along with the required Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, (Version 2, January 2012).
- Hydric soil determinations were conducted in accordance with the United States Department of Agriculture, Natural Resources Conservation Service document Field Indicators of Hydric Soils in the United States, Version 7.0 (2010) along with the manual Field Indicators for Identifying Hydric Soils in New England (Version 3, April 2004).
- Plant species indicator status was based on the U.S. Army Corps of Engineers publication The National Wetland Plant List (2013).
- Test Pits also performed by Joseph W. Noel, Maine Certified Soil Scientist #209.

FOR REVIEW



LINE TABLE

L1	N85°50'24"W	133.33'
L2	S19°54'08"W	37.42'
L3	N70°05'52"W	40.00'
L4	N19°54'08"E	25.00'
L5	N75°56'55"W	25.00'
L6	N14°03'05"E	40.00'
L7	S75°56'55"E	36.58'
L8	S85°50'24"E	142.55'
L9	N33°50'50"W	55.34'
L10	S75°56'55"E	20.53'
L11	N42°44'01"E	127.20'

CURVE TABLE

C1	L=53.13'	R=700.25'	Δ=04°20'49"
C2	L=21.11'	R=20.53'	Δ=58°54'18"
C3	L=19.44'	R=15.00'	Δ=74°15'29"
C4	L=25.09'	R=15.00'	Δ=95°51'02"
C5	L=49.12'	R=283.54'	Δ=09°55'34"
C6	L=33.24'	R=23.74'	Δ=80°13'47"

SOIL LEGEND

Symbol	Soil Series Name	Drainage Class
Co	Colonel	somewhat poorly drained
L	Lamoine	somewhat poorly drained
C	Lyman - Rock Outcrop Complex	somewhat excessively drained
Lt	Lyman - Tunbridge - Rock Outcrop Complex	somewhat excessively drained & well drained
Ns	Noskeag	poorly drained
Sc	Scantic	poorly drained
Wo	Wonsqueak	very poorly drained

Ns, Sc, and Wo are hydric soil types and indicative of wetland conditions.

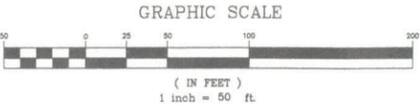
Slopes

A	0-3%
B	3-8%
C	8-15%
D	15-25%

NOTES (CONT.):

- ALL DISTURBED SOILS WILL BE SUPPLEMENTED WITH COMPOST TO ACHIEVE ORGANIC MATTER BETWEEN 10%-15% TO PREVENT EROSION AND AID IN NUTRIENT RETENTION, THEREFORE PROTECTING NATURAL RESOURCES.
- FILTERED ON-SITE WASTEWATER DISPOSAL SYSTEMS ARE BEING PROPOSED.
- CONTOUR LINES SHOWN ARE PER INFORMATION PROVIDED BY THE STATE OF MAINE OFFICE OF GIS AND ARE NOT INTENDED TO BE USED FOR ANY OTHER PURPOSE.
- METHODOLOGY IS BASED ON DEDUCTING SOILS RATED VERY POOR OR POOR IN THE SOIL SUITABILITY GUIDE OUTSIDE THE FLOODPLAIN. IN THIS CASE SOILS CLASSIFIED AS LYMAN ROCK OUTCROP WITH C SLOPES (LrC) AND SCANTIC WITH A SLOPES (ScA).

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



APPROVED: TOWN OF KITTERY

DATE OF APPROVAL: _____

REV.	DATE	STATUS	BY	CHKD	APPD.
G	06/04/14	REV. NET RES. CALC. / ADD SITE DIST.	A.M.P.	K.D.M.	K.D.M.
F	05/30/14	ADD TEST PITS 53 & 54	A.M.P.	K.D.M.	K.D.M.
E	05/08/14	REV. SOIL BOUNDARY / ADD TEST PITS	A.M.P.	K.D.M.	K.D.M.
D	04/03/14	REVISE LOT AREAS / CALCS. / TITLE	A.M.P.	K.D.M.	K.D.M.
C	12/04/13	REVISE AREA CALCULATIONS	S.T.B.	K.D.M.	K.D.M.
B	11/21/13	REVISE LOT AREAS 1-4	S.T.B.	K.D.M.	K.D.M.
A	11/19/13	ADD TEST PITS #22-31	S.T.B.	K.D.M.	K.D.M.

BRAVE BOAT CONSERVATION AT SAWYER LANE
FOR PROPERTY AT
143 Brave Boat Harbor Road
Kittery Point, York County, Maine
OWNED BY
Jonathan & Kathleen Watts
143 Brave Boat Harbor Road
Kittery Point, Maine 03905

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

SCALE: 1" = 50'
PROJECT NO: 13696
DATE: 10/23/13
SHEET: 1 OF 1
DRAWN BY: A.M.P.
CHECKED BY: K.D.M.

DRAWING No: 13696 CONCEPT2
FIELD BOOK No: "Kittery Point #29"

Tax Map 63 Lot 19

**Town of Kittery
Planning Board Meeting
June 12, 2014**

Pearson Meadow Cluster Subdivision –Final Plan Application.

Owner Gail Beverly Burns and applicant Chinburg Builders, Inc. is requesting consideration of their plans for a cluster subdivision, nine new lots and one reserved lot on a 24.5 acre parcel at 60 Wilson Road., Tax Map 54, Lot 14, Residential-Rural, with and Resource Protection Overlay zones. Agent is Jeff Clifford, Altus Engineering, Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
Yes	Sketch Plan Review and Acceptance	March 14, 2013; May 9, 2013	APPRVD
Yes	Site Visit	Title 16.10.5.1.3: April 16, 2013	HELD
Yes	Preliminary Plan Review Completeness/Acceptance	August 8, 2013	GRANTED
	Waiver Requests: (March 2013)	16.8.5.1.3.a/b: Scale 1"=60' Existing Conditions & Topo 16.8.11.6.G: Cluster subdivision access onto a public road	GRANTED May 8, 2014
Yes	Public Hearing	Scheduled September 12, 2013	HELD
Yes	Preliminary Plan Approval	September 12, 2013	APPROVED
Yes	Final Plan Review	May 8, 2014; Continued	
	Waiver Request	16.8.11.6.I.5 Disturbance within 100-foot wetland buffer	GRANTED May 8, 2014
YES	Final Plan Approval		

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.

Staff Comments

General

The Board granted preliminary approval at the 9/12/2013 meeting. Since then the Applicant has received permits from the Maine DEP and Army Corps of Engineers. The final plans submitted reflect changes from their involvement with the MDEP and ACOE. The changes are summarized in the Applicant's submittal, most significant include: (1) the elimination of one lot, (2) addition of a 40-foot wide no-cut easement along Wilson Road; (3) addition of buffers along the rear of lots 3 through 6; and (4) the addition of a fence and trees along proposed Right-Of-Way to mitigate proximity of proposed roadway and existing abutting properties along Kings Court.

Previous Issues

1. Street Length: The proposed street length to the beginning of the cul-de-sac is 1,050 linear feet, which conforms to the Class III (and Minor Streets) maximum length of 1,200 linear feet. The proposed street meets Town standards, with the exception of the minor requested modifications of the street design standards.
2. Open Space: The applicant has addressed some of staff's previous comments regarding open space and additional buffers/easements along the rear lot-lines of lots 3 through 6. As previously suggested, preserving some of the existing woods on lots 3, 4 and 5 would benefit the preservation of plant/wildlife habitat connections between the Devon Woods open space to the north and the proposed open space to the south. Regarding the Maine DEP Stormwater buffer to the north of lots 1, 2 and 3, the Applicant

should address the proposed placement of wells in these areas as shown on the plan (C-1) and the potential to include the area of the Wetland Setback within this easement which would make monitoring compliance easier with a single boundary.

3. In light of the ACOE's interest in the preservation of and access to wooded upland habitat. Staff recommends the applicant consider including more of the owner's parcel as part of protected open space. This would provide more contiguous protected area between what has been identified as important habitat to the wood frog (vernal pool) and the forested upland to the south of lot 9, where the majority of the open space is located.

Revised Plan

1. Title 16.10.7.2.P Performance Guaranty needs to be addressed prior to final approval.
2. The plan needs to reflect graphically and in note 9 that the wetland setback is a no-disturb/no-cut buffer per Title 16.8.11.6.I.5 Development Setbacks.
3. A *40-foot wide town no-cut easement* located along Wilson Road to the edge of the existing gravel drive has been included on the plan (Sheet C-1).
4. Vegetation screening is proposed to mitigate impact of new roadway (Pearson Place) on abutting development (Devon Woods) and Kings Court property owners (Sheet C-1).
5. A Wetland Mitigation Narrative has been provided by the applicant and is further addressed in the Wetland Alteration Findings. Applicant will provide mitigation fees as required by Code.
6. Applicant has provided a summary of revised plan additions, response to Board questions, cost estimates and confirmation from the MDEP regarding inclusion of wells within the MDEP stormwater buffers (May 29, 2014 letter included with revised plan set).

Recommendation

The applicant has responded to Board concerns and recommendations from the May 8, 2014 Final Plan review. The final plan application for Pearson Meadows Cluster Subdivision appears complete and ready for Board decision by the reading and vote on the Findings of Fact and Conditions of Approval.

**KITTERY PLANNING BOARD
 FINDINGS OF FACT -
 for
 PEARSON MEADOWS CLUSTER SUBDIVISION**

WHEREAS: Owner Gail Beverly Burns and applicant Chinburg Builders, Inc. is requesting consideration of their plan for a cluster subdivision, ten new lots and one reserved lot on a 24.5 acre parcel at 60 Wilson Road., Tax Map 54, Lot 14, Residential-Rural and Resource Protection Overlay zones. Agent is Jeff Clifford, Altus Engineering, Inc.

Hereinafter the "Development".

Pursuant to the Plan Review meetings conducted by the Planning Board as duly noted; 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 (Hereinafter the "Plan"):

S1 - Standard Boundary (Northeasterly Survey, Inc. (NES))	7/15/13	C-2 – Road Plan & Profile	7/18/13
S2 – Existing Conditions (NES)	7/15/13	C-3 – Stormwater Management (Preliminary)	7/18/13
S3A – Pearson Meadow, North (NES)	7/15/13	C-4 – BMP Maintenance Schedule	7/18/13
S3B – Pearson Meadow, South (NES)	7/15/13	C-5 – Erosion Control Notes	7/18/13
G-1 – Soils Plan	7/18/13	C-6 – Erosion Control Detail	7/18/13
G-2 – Soils Plan	7/18/13	C-7 – Temporary Erosion Control Details	7/18/13
G-3 – Legend & General Notes	7/18/13	C-8 – Detail Sheet	7/18/13
C-1 – Lot Plan	7/18/13	(Note: Plans revised through 5/29/14)	

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. <i>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.</i>	
R-Rural:	
Minimum lot size	40,000 square feet
Minimum street frontage	150 feet
Minimum front yard	40 feet
Minimum rear and side yards	20 feet
CMA:	
The proposed use (dwellings) is a permitted use, and cluster residential development is specifically included as a permitted uses.	
<i>Land area:</i> Public water and sewer are not available. The minimum land area per dwelling unit is 40,000 sf for un-sewered lots. In using the residential cluster format for the subdivision, the applicant may reduce the lot size from 40,000 sf to 20,000 sf. for un-sewered lots.	
There are 10 residential units proposed (one existing, nine proposed). This is satisfactory and meets the clustered subdivision requirements for density and open space.	

Lot size and configuration, dimensional changes due to cluster: Other dimensional requirements in the section are proposed to be modified by application of the Cluster Residential Provisions in Article XI Section 16.8.11.3 including:

- 16.3.2.1.D2: Minimum lot area: 20,150 sf vs 40,000 sf.
- 16.3.2.1.D2: Street frontage 25.22 ft. vs 150 ft.
- 16.3.2.1.D2: Front yard setback 20 ft. vs 40 ft.
- 16.3.2.1.D2: Side and rear yard setback 10 ft. vs 20 ft.
- 16.8.4.4: Minor Street ROW width 50 ft. vs 60 ft.
- 16.8.4.4: Minor Street tangent between reverse curves 86.25 vs 100 ft.
- 16.8.4.4: Minor Street side slope 2:1 vs 3:1
- 16.8.4.4: Minor Street Paved shoulder: None vs 2 ft. at walk side and 8 ft opposite side
- 16.8.4.4: Cul-desec Boundary Radius: 55' vs. 60'
- 16.8.4.4: Cul-de-sac Paved Radius: 40' vs. 50'
- 16.16.9.A: Flag lots, Lot Dimension Ratio

All dimensional changes are consistent with the cluster subdivision concept, and precedence in Kittery. The low volume road, low speeds and other factors support these modifications.

16.3.2.17 Shoreland Overlay Zone (OZ-SL)

A portion of the lot falls within the shoreland overlay zone is at the southern boundary of the property in the portion of the parcel designated as open space. The proposed use (open space) is a permitted use in the overlay zone. No development or disturbance is proposed within the shoreland overlay zone so the other standards in this section do not apply.

16.3.2.19 Resource Protection Overlay Zone (OZ-RP)

A portion of the lot falls within the resource protection overlay zone is at the northern boundary of the property. A section of the proposed roadway is located in this overlay zone.

In accordance with section 16.8.4.14A, *the Planning Board may grant a permit to construct a roadway in the Resource Protection Overlay Zone that provides access to a permitted use (such as residential units in this case) upon a finding that no reasonable alternative route or location is available outside the zone..... and that the road be set back as far as practicable from.... upland edge of a wetland.*

Other requirements include all roadway drainage being directed to an un-scarified buffer strip, for diffuse flow to undisturbed land. The applicant has modified the design to accomplish this through "super-elevation" of the roadway to the south throughout the affected area.

The applicant has presented the rationale that the proposed roadway route is the only feasible route and that road design minimizes impacts (by reductions in ROW width, pavement width, and side slopes). The applicant wishes to retain an existing driveway to the existing house and barn for historical reasons and consistency with the character of the site and land. (See also waiver/modification request to 16.8.11.6.G below regarding the direct access of one lot to the public roadway). If this existing driveway is maintained as proposed, then the route of the proposed roadway is the only reasonable alternative. A small impact to wetlands, and routing through the Resource Protection Overlay Zone is necessary with this alignment.

To permit the project as designed, the Planning Board needs to determine that the proposed roadway meets the criterion outlined in 16.8.4.14A.

Applicant: The plan conforms to Article XI Cluster Residential Development, Section 16.8.11 which is eligible for modified dimensional, design and performance standards.

CMA: The applicant proposes several measures for landscape and buffering, including plantings and a fence along the roadway near the abutting King's Court, a berm and plantings behind lots 3 and 4, and plantings along the proposed drainage easements behind lots 6, 7, 8, and 9. The applicant should clarify the specifications for the proposed plantings, including species, caliper and maintenance (Planting List). The applicant has further developed the proposed landscaping plan, with coordination of abutters. These details seem reasonable.

<p><u>16.8.5.1.3 (a&b) Roadway plan and profile drawing scale</u> <u>Waiver granted: May 8, 2014</u> Drawing scale 1"=60' for Existing Conditions and Topographic plans; 1"=50' horizontal and 1"=10' vertical for Subdivision Plan, Lot Plan and Plan and Profile Plan. The larger scale reduces the numbers of sheets and coincides with the Subdivision and Lot Plans, while having a scale that is easily readable.</p>
<p style="text-align: right;">Vote of ___ in favor <u>0</u> against <u>0</u> abstaining</p>
<p>B. Freshwater Wetlands Identified. <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>Applicant: The wetlands boundaries were delineated and flagged by Joseph W. Noel, Maine Certified Soil Scientist (#209) during June 2011 and October 2012, and surveyed and shown on the Existing Conditions Plan prepared by North Easterly Survey, Inc. The delineation was conducted in accordance with the U.S. Army Corps of Engineers (ACOE) Wetlands Delineation Manual (1987) along with the required regional supplement manual, North central and Northeast Region (Version 2, January 2012).</p> <p>CMA: Dimensional modification to 16.8.11.6.1.5 – Disturbance within 100 of wetlands buffer. This disturbance is associated with grassed swales and underdrained soil filters for BMP stormwater treatment and management. These have been designed and approved in accordance with the MDEP site development permitting. The disturbance enhances water quality, and can be seen to be consistent with wetlands protection. The Applicant has completed ACOE and MDEP wetlands permitting. The applicant has submitted a detailed Wetland Mitigation Narrative that describes the measures taken to comply with the requirements of this section, including the extensive MDEP NRPA Tier 1 permitting, and the US Army Corps of Engineers (ACOE) review. Much of that review focused on the vernal pool in the rear of the Burns lot. The narrative explains numerous design considerations that were incorporated to meet the requirements of the MDEP and ACOE, and also the rationale for meeting the Kittery LUDC for wetlands. The applicant acknowledges that monetary wetlands mitigation fees will be due per 16.9.3.9 B.3. The narrative establishes a basis for the Planning Board to accept the application. Impacts are minimized, and measures taken to protect and enhance wetlands.</p>
<p><u>16.8.11.6.1.5 Disturbance within 100-foot wetland buffer</u> <u>Waiver granted: May 8, 2014</u> Grassed swales and grassed underdrained soil filters are proposed within existing meadows. There will be no cutting of trees to construct stormwater practices. The runoff sheet flows to the grassed swales and is directed to the soil filter. The soil filter treats, cools and detains runoff before exiting to the wetlands. The location of the stormwater practices were chosen to preserve natural features to the extent possible and to meet MDEP Stormwater Law requirements.</p>
<p style="text-align: right;">Vote of ___ in favor <u>0</u> against <u>0</u> abstaining</p>
<p>C. River, Stream or Brook Identified. <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>There are no rivers, streams, or brooks on the site.</p>
<p style="text-align: right;">Vote of ___ in favor <u>0</u> against <u>0</u> abstaining</p>
<p>D. Water Supply Sufficient. <i>The proposed development has sufficient water available for the reasonably foreseeable needs of the development.</i></p>
<p>CMA: The project includes individual water supply wells and septic systems for each lot. Well setbacks have been illustrated on the proposed plan.</p> <p>Applicant: Private wells are proposed for each lot. Domestic water use is conservatively estimated to be 270 gallons per day per dwelling for each of the 9 lots. The total water consumption is estimated to be 2,430 gallons per day for the project.</p>
<p style="text-align: right;">Vote of ___ in favor <u>0</u> against <u>0</u> abstaining</p>
<p>E. Municipal Water Supply Available. <i>The proposed development will not cause an unreasonable burden on an existing water supply, if one is to be used.</i></p>

Proposal is to utilize on-site wells for each dwelling unit. This standard is not applicable to this development.
Vote of __ in favor <u>0</u> against <u>0</u> abstaining
F. Sewage Disposal Adequate. <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>
Applicant: Individual septic and leach field systems are proposed for each lot. A minimum of two required test pit locations have been located on each lot by Joseph W. Noel, Maine Certified Site Evaluator, indicating the lot can support a septic system. Test pits were also performed at the proposed reserve areas.
Vote of __ in favor <u>0</u> against <u>0</u> abstaining
G. Municipal Solid Waste Disposal Available. <i>The proposed development will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be used.</i>
Applicant: The subdivision does not require any changes to municipal solid waste services.
Vote of __ in favor <u>0</u> against <u>0</u> 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>
Applicant: Portions of the development are located within 250 feet of shoreland wetlands at the southerly end of the project. There will be no disturbance within 500 feet of this overlay zone. The development should not adversely affect the quality of the water body.
Vote of __ in favor <u>0</u> against <u>0</u> 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>
Applicant: Individual septic and leach field systems are proposed for each lot. A minimum of two required test pit locations have been located on each lot by Joseph W. Noel, Maine Certified Site Evaluator, indicating the lot can support a septic system. Test pits were also performed at the proposed reserve areas. The proposed development should not adversely affect the quality or quantity of groundwater
Vote of __ in favor <u>0</u> against <u>0</u> 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>
Applicant: Zone A2 has a defined 100-year flood elevation of 9 feet. Zone B is listed as areas of moderate flood hazard, usually the area between the 100-year and 500-year floods. Zone lines are shown on the Existing Conditions Plan prepared by North Easterly Surveying, Inc. No buildings will be constructed within these zones.
Vote of __ in favor <u>0</u> against <u>0</u> abstaining
K. Stormwater Managed. <i>Stormwater Managed. The proposed development will provide for adequate stormwater management</i>
Applicant: Stormwater from impervious and disturbed areas on the site will be treated by the use of stormwater BMPs designed to remove fine particulates and suspended sediments. Wooded buffers, swales, level spreaders, riprap protection and stormwater management are utilized to obtain the required stormwater permit. Declaration of Covenants outlines the protection of natural resources via long term maintenance of stormwater practices.

CMA: A detailed drainage report addressing the management of stormwater and the inclusion of best management practices (BMPs) was submitted. The plan is sound, incorporates appropriate BMPs and has obtained state MDEP approval. This standard appears to be met.

Vote of ___ in favor 0 against 0 abstaining

L. Erosion Controlled.

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.

Applicant: Runoff is primarily maintained as sheet flow and minimized concentrated flow. Other best management practices include the use of undisturbed wooded buffers, reduction of flow velocities, rip rap protection, minimization of pavement widths, stabilized construction entrance and site barriers. BMPs for erosion control were reviewed as part of the approved MDEP Stormwater Permit. This standard appears to be met.

Vote of ___ in favor 0 against 0 abstaining

M. Traffic Managed.

The proposed development will:

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

CMA: In a cluster development, no lot is to have direct access to a public roadway. In the proposal, the lot that will retain the existing house and barn will retain direct access to Wilson Road, separate from the proposed new roadway. Applicant: A Traffic Generator Summary for the development and the average daily trip peak hour and peak day is appropriate for Maine Route 101, Wilson Road.

16.8.11.6.G Cluster subdivision access onto a public road Waiver granted: May 8, 2014

The proposed 9 cluster lots will have access only onto the proposed roadway. The current property owner is retaining a 5+ acre lot for their existing dwelling and seeks to retain their existing gravel driveway onto Wilson Road, providing access to the historic barn and their dwelling on the property. Reference is made to Exhibit 1, a historical narrative prepared by Gale Burns included in the application. Retaining the unique character of the barn and driveway is in harmony with the intent of the cluster objectives of 16.8.11.1.H *Preservation of historic, archaeological and cultural features*. Retention of the existing driveway will not present a safety hazard. Since the owner has ample room for turning vehicles within the property, vehicles do not need to back into the public road.

This standard appears to be met.

Vote of ___ in favor 0 against 0 abstaining

N. Water and Air Pollution Minimized.

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

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

1. No filling or development is proposed within the 100 year floodplain.
2. Applicant has provided a Class A High Intensity Soil Survey, test pit logs, proposed subsurface disposal area and reserve locations.
3. Proposed leach fields are located outside steep slope areas.
4. There are no streams on the site.
5. The applicant has received the MDEP Stormwater License and ACOE Permit
6. There will be no handling of hazardous materials.
- 7.

This standard appears to be met.

Vote of ___ in favor_0_ against _0_ 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>
CMA: In a cluster development, no lot is to have direct access to a public roadway. In the proposal, the lot that will retain the existing house and barn will retain direct access to Wilson Road, separate from the proposed new roadway. The waiver/modification requested is to maintain the historical nature of the house and barn and the historic and scenic nature of the surroundings.
Applicant: The proposed development is maintaining 13.27 acres of protected open space. No development is proposed within 100 feet of vernal pool #1 (not a significant vernal pool per MDEP standards). The Proposed wetland crossing is located at a narrow section of stream where an existing woods road is reported to have exist. A partially buried sided culvert is proposed to allow for passage of wildlife below the road on a mineral bottom. Plan Sheet C-1 includes a corridor for migration of amphibians from the vernal pool to woodlands; trees are proposed to provide a visual barrier to the northerly abutters.
Vote of ___ in favor_0_ against _0_ abstaining
P. Developer Financially and Technically Capable.
<i>Developer is financially and technically capable to meet the standards of this section.</i>
16.10.7.2.P. Performance Guaranty and Town Acceptance to secure completion of all improvements required by the Planning Board and written evidence the Town manager is satisfied with the sufficiency of such guaranty. This is required prior to final approval.
Vote of ___ in favor_0_ against _0_ abstaining

WETLAND ALTERATION FINDINGS OF FACT: <i>A wetlands application has been prepared and submitted to the Town. The application appears to meet the requirements of the ordinance. The applicant makes the case for meeting the requirements of 16.9.3.9 (Mitigation Plan). CMA January, 2012.</i>
16.9.3.7 Wetlands Alteration Approval Criteria
A. In making the final determination as to whether a wetland application should be approved, the Planning Board will consider existing wetland destruction and the cumulative effect of reasonably anticipated future uses similar to the one proposed. Preference will be given to activities that meet wetland setbacks, have a reasonable stormwater management plan (subject to Planning Board review and approval), and that dedicate easements for the purposes of maintaining the wetland and the associated drainage system. Approval to alter a wetland will not be granted for dredging or ditching solely for the purpose of draining wetlands and creating dry buildable land areas. An application for a wetlands alteration will not be approved for the purpose of creating a sedimentation or retention basin in the wetland. Increased peak runoff rates resulting from an increase in impermeable surfaces from development activities are not allowed.
Applicant: The wetland alterations are limited to construction of the roadway to access developable upland at the easterly portion of the site. Cumulative impacts are minimal since the project impacts less than 0.1 acres of wetland on a 24.6 acres site and abutting land properties to the north and east are already developed. A stormwater management plan has been reviewed and approved by MDEP. Stormwater from the superelevated roadway section is managed and treated by a designated 45,559 sf, 55 ft wide MDEP wooded stormwater buffer easement on the reserved parcel (Lot 10). A 3' by 3' roadway culvert with a partially buried invert controls stormwater flow from the wetland toward the abutting parcel.
CMA: The Applicant has completed ACOE and ME DEP wetlands permitting. The applicant has submitted a detailed Wetland Mitigation Narrative that describes the measures taken to minimize and manage wetlands impacts. The narrative explains numerous design considerations that were incorporated to meet the requirements of the MDEP and ACOE, and also the rationale for meeting the Kittery LUDC for wetlands.
Vote of _ in favor_ against _ abstaining
B. It is the responsibility and burden of the applicant to show that the proposed use meets the purposes of this Code and the specific standards listed below to gain Planning Board approval to alter a wetland. The Planning Board will

not approve a wetlands alteration unless the applicant provides clear and convincing evidence of compliance with the Code.

Applicant: Through extensive federal and state permitting processes, as well as Planning Board review, the applicant has provided appropriate documentation and demonstrated compliance with the LUDC intent.

CMA: The Applicant has completed ACOE and ME DEP wetlands permitting. The detailed Wetlands Mitigation narrative explains numerous design considerations that were incorporated to meet the requirements of the MDEP and ACOE, and also the rationale for meeting the Kittery LUDC for wetlands.

Vote of _ in favor_ against _ abstaining

C. In evaluating the proposed activity, the Planning Board may need to acquire expert advisory opinions. The applicant must be notified in writing, by the Town Planner at the Planning Board's request, that the applicant will bear the expenses incurred for the expert persons or agencies. The Planning Board will consider the advisory opinion, including any recommendations and conditions, provided by the Conservation Commission.

Applicant: The proposed roadway and wetland crossing has been reviewed by the Planning Board's peer review engineer as well as the ACOE and MDEP as noted above. The Planning Board has conducted two (2) site walks of the project and comments have been received from the Conservation Commission.

CMA: The applicant has delineated wetlands resources with the assistance of qualified, competent professionals.

Vote of _ in favor_ against _ abstaining

D. When the Planning Board finds the demonstrated public benefits of the project as proposed, or modified, clearly outweigh the detrimental environmental impacts, the Planning Board may approve such development, but not prior to granting approval of a reasonable and practicable mitigation plan, (see Section 16.9.3.9) and not prior to the completion of all performance guaranties for the project, (see Section 16.10.8.2.2).

Applicant: The project includes a reasonable and practicable mitigation plan which includes the following:

- 45,559 SF protected wooded buffer easement on Lot 10 adjacent to the roadway. This best management practice (BMP) provides superior stormwater treatment, requires minimal maintenance, and preserves existing woodland. Constructin of other BMPs, such as constructing underdrained soil filters along the roadway would reduce the land restriction to the owner (area of easements), but would require additional clearing of mature woodland.
- A 3' by 3' roadway culvert with a partially buried invert allows passage of aquatic fauna to and from the on-site wetland to the wetland on the abutting parcel to the north.
- To mitigate impacted habitat, the applicant proposes tree planting along the northerly and easterly property line as shown on the drawings. This also services as a naturalized buffer for the residents and abutters. Bird houses and shrubs selected for wildlife benefits are proposed at the open space community area located south the Lot 6. Additional trees will be planted on Lots 7, 8 and 9 as well as the portion of open space west of Lot 9 (which will be allowed to revert to woodland).
- Open space provided exceeds the cluster development requirement by 42,253 sf or 0.97 acres (13.27 acres vs. 12.3 acres).
- Open space uplands provided exceeds the cluster development requirement by 34,848 sf or 0.80 acres (4.79 acres vs. 3.99 acres).
- The applicant will provide the applicable wetland mitigation fees to the Town. The applicant anticipates establishing an escrow account for the permanence guarantee and is scheduling a meeting with the Town Manager for review and approval of form.

CMA: The applicant has submitted a detailed Wetland Mitigation Narrative that describes the measures taken to comply with the requirements of this section, including the extensive MDEP NRPA Tier 1 permitting, and the US Army Corps of Engineers (ACOE) review. These include:

- For passage of aquatic fauna, a 3' x 3' box culvert with a natural bottom surface will be installed under the roadway in the wetlands impact area.
- The plan has one fewer building lost and provides protected open space west of Lot 9 that is currently upland meadow (but will be allowed to transition to woodland).
- Trees are being planted north of Pearson Place, along the eastern boundary, and within Lots 6 to 9 to provide

additional habitat and create natural buffers to abutting properties.

- Birdhouses and shrubs beneficial to wildlife are being provided at the community area south of Lot 6.
- A proposed 55 foot wide wooded stormwater easement on the along the south side of Pearson Place. This 45,559 sf easement includes 38,752 sf of protected uplands, (being over nine (9) times the area of wetland impact and complying with Sec 16.9.3.9.C).
- Per agreement with the northerly abutter, a proposed screening fence along the roadway (which could impede wildlife passage) has eliminated. The strategic planting of trees was considered more appropriate for the setting.
- The applicant will provide the applicable wetland mitigation fees to the Town.

Vote of __ in favor__ against __ abstaining

E. The applicant must submit applicable documentation that demonstrates there is no practicable alternative to the proposed alteration of the wetland. In determining if no practicable alternative exists, the Board will consider the following:

The proposed use:

1. *Uses, manages or expands one or more other areas of the site that will avoid or reduce the wetland impact;*
2. *Reduces the size, scope, configuration or density of the project as proposed, thereby avoiding or reducing the wetland impact;*
3. *Provides alternative project designs, such as cluster development, roof gardens, bridges, etc., that avoid or lessen the wetland impact; and*
4. *Demonstrates that the proposed development meets or exceeds best management practices for stormwater management in the wetland areas.*

Applicant: By meeting with the abutter land owner and through the ACOE and MDEP approval process the land owner and the applicant have clearly demonstrated that there is no practical alternative to the proposed roadway location and resulting wetland impact. The roadway construction limit preserves a 100 foot wide undisturbed buffer as required by the ACOE for vernal pools. The wetland impact is minimized by a 20 foot pavement width, an optimized road cross section, minimal height of the road above the wetland, and a 2H:1V sideslope. As a cluster subdivision, over 13 acres of permanently protected open space are provided. The MDEP approved stormwater management system includes wooded buffer easements to protect the wetland. MDEP considers such buffers to provide the highest level of stormwater treatment and least maintenance.

CMA: The Applicant has completed ACOE and ME DEP wetlands permitting. The applicant has submitted a detailed Wetland Mitigation Narrative that describes the measures taken to minimize and manage wetlands impacts. The narrative explains numerous design considerations that were incorporated to meet the requirements of the MDEP and ACOE, and also the rationale for meeting the Kittery LUDC for wetlands.

Vote of __ in favor__ against __ abstaining

F. In determining if the proposed development plan affects no more wetland than is necessary the Planning Board will consider if the alternatives discussed above in subsection A of this section accomplish the following project objectives:

The proposed use will not:

1. *Unreasonably impair or diminish the wetland's existing capacity to absorb, store, and slowly release stormwater and surface water runoff;*
2. *Unreasonably increase the flow of surface waters through the wetland;*
3. *Result in a measurable increase in the discharge of surface waters from the wetland;*
4. *Unreasonably impair or diminish the wetland's capacity for retention and absorption of silt, organic matter, and nutrients;*
5. *Result in an unreasonable loss of important feeding, nesting, breeding or wintering habitat for wildlife or aquatic life; all crossings must be designed to provide a moist soil bed in culvert inverts and to not significantly impede the natural migration of wildlife across the filled area;*
6. *Result in a measurable increase of the existing seasonal temperature of surface waters in the wetland or surface waters discharged from the wetlands.*
7. *Result in a measurable alteration or destruction of a vernal pool.*

Applicant: The MDEP application for the Stormwater Management Law permit included technical review by their staff stormwater engineer to address items list above. The issued permit states the applicant has made adequate provisions to ensure that the proposed project will meet the MDEP Chapter 500 standards for erosion and sediment control as well as easement and covenants, management of stormwater discharges and discharge to freshwater wetlands. The culvert invert is designed to provide a moist soil bed and is designed to ACOE and MDEP standards so as not to significantly impede wildlife migration. The MDEP wooded stormwater buffers provide superior stormwater treatment and because of the significant flow length and time of contact with the ground, the stormwater runoff temperature is tempered to natural

levels. As reviewed and approved by the ACOE and MDEP, the roadway is the lowest impact alternative and the 100 foot undisturbed buffer to the vernal pool meets the ACOE regulations for vernal pool protection.
CMA: The applicant has submitted a detailed Wetland Mitigation Narrative that describes the measures taken to minimize and manage wetlands impacts. The narrative explains numerous design considerations that were incorporated to meet the requirements of the MDEP and ACOE, and also the rationale for meeting the Kittery LUDC for wetlands. Standard F appears to have been met.

Vote of in favor_ against 0 abstaining

Title 16.8.3.1 - Street Naming Application:

The proposed street name, Pearson Place, has been accepted by Kittery Police, Fire and Public Works departments.

Vote of in favor_ against 0 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/modifications granted or conditions as noted.

Waivers: The following waivers were granted May 8, 2014:

1. 16.8.5.1.3 (a & b) Roadway plan and profile drawing scale.
2. 16.8.11.6.G Cluster subdivision access onto a public road.
3. 16.8.11.6.I.5 Disturbance within 100-foot wetland buffer.

Dimensional Standards Modifications (per Article XI Clustered Residential Development, 16.8.11.3)
(Standard A, Findings of Fact):

1. 16.3.2.1.D2: Minimum lot area: 20,150 sf vs 40,000 sf.
2. 16.3.2.1.D2: Street frontage 25.22 ft. vs 150 ft.
3. 16.3.2.1.D2: Front yard setback 20 ft. vs 40 ft.
4. 16.3.2.1.D2: Side and rear yard setback 10 ft. vs 20 ft.
5. 16.8.4.4: Minor Street ROW width 50 ft. vs 60 ft.
6. 16.8.4.4: Minor Street tangent between reverse curves 86.25 vs 100 ft.
7. 16.8.4.4: Minor Street side slope 2:1 vs 3:1
8. 16.8.4.4: Minor Street Paved shoulder: None vs 2 ft. at walk side and 8 ft opposite side
9. 16.8.4.4: Cul-de-sac Boundary Radius: 55' vs. 60'
10. 16.8.4.4: Cul-de-sac Paved Radius: 40' vs. 50'
11. 16.16.9.A: Flag lots, Lot Dimension Ratio

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

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

Notices/Instructions to Applicant:

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 two (2) paper copies 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 infrastructure construction inspection fees.
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 Chairman 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 _____

Thomas Battcock-Emerson, Planning Board Chairman

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.



**Civil
Site Planning
Environmental
Engineering**

133 Court Street
Portsmouth, NH
03801-4413

May 29, 2014

Mr. Gerald Mylroie, Town Planner
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

**Re: Pearson Meadow Cluster Subdivision
Map 54, Lot 14
Kittery, Maine 03904
P-4353**

Dear Mr. Mylroie:

At the May 8, 2014 Planning Board meeting the Pearson Meadow Cluster Subdivision was presented for final approval based on the April 3, 2014 submission. In response to comments received, Altus has updated the plans. Enclosed are three (3) full size and twelve (12) reduced size drawing sets. Also enclosed are the following documents:

- Attachment A – List of drawing revisions subsequent to the April 3, 2014 Final Plan Submission
- Revised list of Dimensional Modifications
- Copy of May 2, 2014 e-mail from Christine Woodruff, MDEP project manager, regarding well construction within the MDEP buffer within Lots 1, 2 and 3.
- Opinion of Costs, revised May 29, 2014

The referenced Wetland Mitigation Narrative is being provided under separate cover.

We offer the following information, responses and clarifications for the Board's consideration:

1. The proposed 40' wide no cut buffer easement along Wilson Road has been expanded toward the existing driveway.
2. The applicant has met with the abutters north of the proposed roadway. The applicant will plant coniferous trees within 8-15 feet of the property line, supplementing existing trees to create a dense vegetative buffer. The final location and quantity of new trees will be coordinated with abutters. In addition, the applicant has agreed to remove two (2) problematic trees near the property line. It was agreed that no fence would be constructed.
3. The project includes 13.27 acres of common open space. Usable common open space includes a small gathering space and benches within a grassed area adjacent to the underdrained soil filter located south of Lot 6. Bird houses and shrubs are also being planted to enhance habitat in this area. The 0.65 acres of open space abutting Lots 6, 7, 8 and 9 will be maintained as grass except for the plantings shown. Nature trails can be created by the homeowners' association within the open space.
4. The Wetland Mitigation Narrative will describe considerations associated with the proposed wetland impacts. The revised plans include plantings to enhance wildlife habitat.

Mr. Gerald Mylroie
May 15, 2014
Page 2

5. The proposed road standards are modified for the cul-de-sac pavement and right-of-way dimensions. We have verified that the reduced pavement radii can be traversed by buses and single unit trucks. The proposed dimensions are consistent with cul-de-sacs constructed at several other cluster developments in Kittery.
6. As required by LUDC Sec. 16.8.7.4 Private Septic Systems, lots which have a limiting factor of soil depth less than 24" require a suitable reserve area for future replacement. Test pits for Lots 2, 3, 7 & 8 indicate soil depths are greater than 24", therefore no reserve area is required or shown on Sheet C-1 for these particular lots.
7. Maintenance responsibilities for the Homeowners' Association are described on the drawings and documented in the *Declaration of Covenants, Conditions and Restrictions for Pearson Meadow Subdivision* included in the April 3, 2014 submission.
8. No proposed development is located within the 100-year flood zone (per FEMA's 1984 current, and 2013 draft, Flood Insurance Rate Maps).
9. The applicant anticipates establishing an escrow account for the Performance Guarantee and will meet with the Town Manager for review and approval

On behalf of the applicant, we look forward to presenting the project for final approval at the Board's June 12th meeting. Please contact me if we can be of assistance with finalizing your Findings of Facts or if you have any questions.

Please contact me if you have any questions.

Sincerely,

ALTUS ENGINEERING, INC.

RMB FOR

Jeffrey K. Clifford, P.E.
Vice President

JKC/RMB/jkc/4353.020.GM.ltr.fnl.doc

e-copy: William Straub, PE CMA
Paul Kerrigan
Scott Gove

ATTACHMENT - A

LIST OF PLAN REVISIONS SUBSEQUENT TO APRIL 3, 2014 FINAL APPROVAL SUBMISSION
FOR
PEARSON MEADOW CLUSTER SUBDIVISION
Wilson Road
Kittery, Maine

Sheet S-3A & S-3B, Subdivision Plan

- Modified the title to read "Pearson Meadow Subdivision"
- Added the three (3) waiver request granted on May 8, 2014
- Updated name of abutter for Tax Map 59 Lot 41 (Common Open Space)

Sheet G-3, Legend & General Notes

- Added Construction Note #24 regarding wells in MDEP stormwater "wooded" buffer

Sheet C-1, Lot Plan

- Added plan notes for planting a mix of white pines and blue spruce trees as visual barrier. Removed reference to a fence and added a note regarding tree removal.
- Added a note referencing Construction Note #24 on Sheet G-3 regarding wells within MDEP "wooded" buffer.
- Extended 40'-wide Town "no-cut" easement southerly along the Wilson Road frontage towards the existing driveway.
- Added approximate location of underground utility across 40' easement.
- Add 8'-wide bump out for drop off area

Sheet C-2A, Enlargement Plan

- "Community Area" detailing, benches, birdhouses, type of grasses and vegetation.
- Tree types along buffer for visual reference lines for homeowners.

Sheet C-2B, Planting Plan Enlargement

- Added this new sheet which depicts plantings at lots 6 through 9 and within the open space around the underdrained soil filters.

Sheet C-3, Stormwater Management Plan

- The 40'-wide Town "no-cut" easement has been extended closer to the existing driveway. The easement includes provision to allow for normal maintenance associated with the existing overhead and underground utilities to Burns property.
- Labeled wetlands impact

Sheet C-4, BMP Maintenance Schedule

- Updated maintenance note for underdrain filter basins.

Sheet C-6, Erosion Control Details

- Updated maintenance note for underdrain filter basins



Town of Kittery, Maine

Planning Office

P.O. Box 808, Kittery, Maine 03904
Phone 439-0452

PEARSON MEADOW

LIST OF DIMENSIONAL STANDARDS MODIFICATIONS

Proposed Dimensional Modifications per Article XIII, Clustered Residential Development, Section 16.8.11.3

16.3.2.1.D2	Minimum lot area: 20,150 s.f. vs. 40,000 s.f.
16.3.2.1.D2	Street frontage: 25.22' vs. 150' minimum
16.3.2.1.D2	Front yard setback: 20' vs. 40'
16.3.2.1.D2	Side and rear yard setback: 10' vs. 20'
16.8.4.4	(Minor street std.) Right-of-way width: 50' vs. 60'
16.8.4.4	(Minor street std.) Tangent between reverse curves: 86.25' vs. 100'
16.8.4.4	(Minor street std.) Side slope: 2:1 vs. 3:1
16.8.4.4	(Minor street std.) Paved shoulder: none vs. 2' at walk side and 8' opp. Side
16.8.4.4	(Minor street std.) Cul-de-sac Boundary Radius: 55' vs. 60'
16.8.4.4	(Minor street std.) Cul-de-sac Paved Radius: 40' vs. 50'
16.8.16.9.A	Flag lots, Lot dimensional ratio

PEARSON MEADOW

Name of Development

Agent: Altus Engineering, Inc.

Owner or Agent


Jeffrey K. Clifford, P.E.

From: [Woodruff, Christine](#)
To: "Ron Beal"
Cc: "Jeff Clifford"
Subject: RE: 4353 Perason Meadow DEP #L-25865-NJ-B-N
Date: Friday, May 02, 2014 9:13:50 AM

Hi Ron,

Wells would be okay as long as the area surrounding the well and the access route to the well are returned to a forested condition with a normal duff layer, soils that are not compacted, and no tire ruts that would channelize water as intended by the stormwater buffer restrictions. I.E. – if trees are cut to get the drill rig to the well location, then just plant trees after the rig leaves (transplanting small trees from the surrounding woods is okay) and make sure the lot owner doesn't start mowing the route to the well (by not seeding any disturbed areas on the route to the well that the owner would feel compelled to mow- if the route needs to be stabilized use something that would be conducive to creating a new duff layer like wood chips and/or leaves).

Let me know if you have questions.

Thank you.

Christine Woodruff
Maine Department of Environmental Protection
Division of Land Resource Regulation
(207) 615-6426
fax (207) 822-6303

From: Ron Beal [mailto:rbeal@altus-eng.com]
Sent: Thursday, May 01, 2014 2:56 PM
To: Woodruff, Christine
Cc: 'Jeff Clifford'
Subject: RE: 4353 Perason Meadow DEP #L-25865-NJ-B-N

Christine

The Pearson Meadow subdivision is going before the Kittery Planning Board for final approval. The Town review engineer is asking whether MDEP is OK with individual wells within the MDEP stormwater "wooded" buffers. The attached Lot Plan was submitted and approved with individual wells for Lots 1, 2 & 3 within the MDEP buffer.

Please confirm MDEP concurrence that the wells are allowed in the stormwater buffer. Thanks

Ronald M. Beal, PE
Altus Engineering, Inc.
133 Court Street
Portsmouth, NH 03801
(603) 433-2335

**PEARSON MEADOW
60 WILSON ROAD
Kittery, Maine**

Construction of Roadway and Stormwater BMPs - Opinion of Cost

DATE: 29-May-14
PROJECT: 4353

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
CLEARING AND GRUBBING	2	AC	\$4,000	\$8,000
EXCAVATION	200	CY	\$10	\$2,000
AGGREGATE BASE COURSES				
12" BANK RUN GRAVEL	1,160	CY	\$16	\$18,560
6" CRUSHED GRAVEL	580	CY	\$22	\$12,760
STORM DRAINAGE				
RIP RAP	200	CY	\$30	\$6,000
3'x5' BOX CULVERT	1	LS	\$15,000	\$15,000
DROP INLET STRUCTURE	4	LS	\$1,500	\$6,000
4' DIA. CATCH BASIN	1	LS	\$2,000	\$2,000
12" CPE PIPE	260	LF	\$30	\$7,800
HEADWALL	1	EA	\$500	\$500
(2) GRASSED UNDERDRAINED SOIL FILTERS	1	LS	\$40,000	\$40,000
STORMWATER INSPECTIONS	1	LS	\$5,000	\$5,000
TEMPORARY EROSION CONTROL	1	LS	\$10,000	\$10,000
SIGNAGE	1	LS	\$1,000	\$1,000
HOT BITUMINOUS PAVEMENT				
2" BASE COURSE	290	TONS	\$95	\$27,550
1" TOP COURSE	145	TONS	\$95	\$13,775
BITUMINOUS BERM	200	LF	\$4	\$800
MATERIAL TESTING	1	LS	\$5,000	\$5,000
LOAM AND SEED (EXCL. UNDERDRAIN SOIL FILTERS)	2,000	SY	\$4	\$8,000
TRANSFORMER PADS	4	EA	\$1,000	\$4,000
ELECTRICAL & COMM. CONDUIT - UNDERGROUND	1,200	LF	\$20	\$24,000
PLANTINGS & TREES	1	LS	\$12,000	\$12,000
SURVEY MONUMENTATION	1	LS	\$10,000	\$10,000

TOTAL:	\$239,745
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PEARSON MEADOW SUBDIVISION

Wilson Road
Kittery, Maine

WETLAND MITIGATION NARRATIVE

Pearson Meadow is proposed as a clustered subdivision on a 24.6 acre parcel located on the east side of Wilson Road in Kittery, Maine, approximately one mile north of U.S. Route 1. The property contains a single family home, a barn, a maintained meadow, mixed woodlands, and wetlands. The subdivision will include nine (9) new single family residential lots in a clustered configuration along a proposed 1,096 foot long private roadway. The current property owner, Gail Burns and her husband are retaining a 5.64 acre lot (Lot 10) where their existing residence, yard, and barn are located.

The roadway, named “Pearson Place”, will be located along the northerly property line and involves a 4,208 square feet crossing of forested wetlands. Ms. Burns pursued an alternate roadway route into the site via a connection off an existing roadway known as Kings Court within the adjacent Devon Woods subdivision. However, the Devon Woods Home Owners Association voted on January 10, 2012 to deny access. The wetland crossing and roadway location received significant review by federal and state regulatory agencies. Staff from both the Army Corps of Engineers (ACOE) and the Maine Department of Environmental Protection (MDEP) visited the site. As part of their review, the ACOE determined that the proposed road location is preferred and provides their required 100 foot buffer to the vernal pool on the property. The ACOE noted that an alternate roadway location utilizing the existing driveway would be less than 100 feet from the vernal pool (thereby not meeting their regulatory criteria) and would create a barrier to amphibians that migrate from the vernal pool to upland woodlands.

Upon review, the MDEP issued a Natural Resources Protection Act (NRPA) Tier 1 land use permit for the wetland crossing noting that the applicant avoided and minimized wetland impacts to the greatest extent practical with the subdivision layout and limiting wetland impact to one roadway crossing with only minor sideslope fills. MDEP stated that due to site constraints, the wetland could not be avoided entirely. In March 2014, the MDEP issued Stormwater Management permit #L-2585-NJ-B-N for the project. The permit notes that MDEP determined that the vernal pool on the remainder parcel (Lot 10) did not meet the criteria of a NRPA Chapter 335 Significant Wildlife defined “significant vernal pool”.

The Preliminary Subdivision Application submitted July 18, 2013 included a copy of the MDEP NRPA Tier 1 permit (including photographs of the crossing) and GIS maps of the vicinity. The Subdivision application also include the *Application: Wetland Alteration Plan Review* and supporting documents including a report titled “Wetland Delineation-Vernal Pool-Survey-Functional Assessment Report” prepared by the project soil scientists, Joseph W. Noel. The report details Mr. Noel’s methodology, findings, conclusions and recommendations. The wetland impact area has a USFWS Classification of: *palustrine forested, broad-leaved deciduous seasonally flooded/saturated (PF01E)*.

The assessment determined that the wetland to be impacted is performing one principle function, wildlife habitat, due to the vernal pool on the property. The report also notes that the area does allow for limited songbird use and that deer use the area. While the limited loss of wildlife habitat cannot be completely mitigated through the project design, compensation is provided by the following mitigation measures and considerations:

- For passage of aquatic fauna, a 3'x3' box culvert with a natural bottom surface will be installed under the roadway as recommend by Mr. Noel and the publication: *Best Management Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States* (Calhoun & Klemens, 2002).
- The Final Plan has one less building lot and provides protected open space west of Lot 9 that is currently upland meadow (but will be allowed to transition to woodland).
- Trees are being planted north of Pearson Place, along the eastern boundary, and within Lots 6 to 9 to provide additional habitat and create natural buffers to abutting properties.
- Birdhouses and shrubs beneficial to wildlife are being provided at the community area south of Lot 6.
- A proposed 55 foot wide wooded stormwater easement on the along the south side of Pearson Place. This 45,559 sf easement includes 38,752 sf of protected uplands, (being over nine (9) times the area of wetland impact and complying with Sec 16.9.3.9.C).
- Per agreement with the northerly abutter, a proposed screening fence along the roadway (which could impede wildlife passage) has eliminated. The strategic planting of trees was considered more appropriate for the setting.
- The applicant will provide the applicable wetland mitigation fees to the Town

The Final Subdivision application materials submitted on April 3, 2014 and May 29, 2014 incorporate the stormwater management practices discussed, reviewed and approved by MDEP and above noted plantings to mitigate the potential loss of habitat.

The Kittery Land Use and Development Code (LUDC) Section 16.9, Article III regulates wetland uses and provides criteria for the wetland alteration application. The following addresses Section 16.9.3.7 Wetland Alteration Approval Criteria:

Sec. 16.9.3.7.A *In making the final determination as to whether a wetland application should be approved, the Planning Board will consider existing wetland destruction and the cumulative effect of reasonably anticipated future uses similar to the one proposed. Preference will be given to activities that meet wetland setbacks, have a reasonable stormwater management plan (subject to Planning Board review and approval), and that dedicate easements for the purposes of maintaining the wetland and the associated drainage system. Approval to alter a wetland will not be granted for dredging or ditching solely for the purpose of draining wetlands and creating dry buildable land areas. An application for a wetlands alteration will not be approved for the purpose of creating a sedimentation or retention basin in the wetland. Increased peak runoff rates resulting from an increase in impermeable surfaces from development activities are not allowed.*

Response: The wetland alterations are limited to construction of the roadway to access developable upland at the easterly portion of the site. Cumulative impacts are minimal since the project impacts less than 0.1 acres of wetland on a 24.6 acres site and abutting land properties to the north and east are already developed. A stormwater management plan has been reviewed and approved by MDEP. Stormwater from the superelevated roadway section is managed and treated by a designated 45,559 sf, 55 ft wide MDEP wooded stormwater buffer easement on the reserved parcel (Lot 10). A 3' by 3' roadway culvert with a partially buried invert controls stormwater flow from the wetland toward the abutting parcel.

Sec. 16.9.3.7.B It is the responsibility and burden of the applicant to show that the proposed use meets the purposes of this Code and the specific standards listed below to gain Planning Board approval to alter a wetland. The Planning Board will not approve a wetlands alteration unless the applicant provides clear and convincing evidence of compliance with the Code.

Response: Through extensive federal and state permitting processes, as well as Planning Board review the applicant has provided appropriate documentation and demonstrated compliance with the LUDC intent.

Sec. 16.9.3.7.C In evaluating the proposed activity, the Planning Board may need to acquire expert advisory opinions. The applicant must be notified in writing, by the Town Planner at the Planning Board's request, that the applicant will bear the expenses incurred for the expert persons or agencies. The Planning Board will consider the advisory opinion, including any recommendations and conditions, provided by the Conservation Commission.

Response: The proposed roadway and wetland crossing has been reviewed by the Planning Board's peer review engineer as well as the ACOE and MDEP as noted above. The Planning Board has conducted two (2) site walks of the project and comments have been received from the Conservation Commission.

Sec. 16.9.3.7.D: When the Planning Board finds the demonstrated public benefits of the project as proposed, or modified, clearly outweigh the detrimental environmental impacts, the Planning Board may approve such development, but not prior to granting approval of a reasonable and practicable mitigation plan, (see Section 16.9.3.9) and not prior to the completion of all performance guaranties for the project, (see Section 16.10.8.2.2).

Response: The project includes a reasonable and practicable mitigation plan which includes the following:

- 45,559 SF protected wooded buffer easement on Lot 10 adjacent to the roadway. This best management practice (BMP) provides superior stormwater treatment, requires minimal maintenance, and preserves existing woodland. Constructinof

other BMPs, such as constructing underdrained soil filters along the roadway would reduce the land restriction to the owner (area of easements), but would require additional clearing of mature woodland.

- A 3' by 3' roadway culvert with a partially buried invert allows passage of aquatic fauna to and from the on-site wetland to the wetland on the abutting parcel to the north.
- To mitigate impacted habitat, the applicant proposes tree planting along the northerly and easterly property line as shown on the drawings. This also services as a naturalized buffer for the residents and abutters. Bird houses and shrubs selected for wildlife benefits are proposed at the open space community area located south the Lot 6. Additional trees will be planted on Lots 7, 8 and 9 as well as the portion of open space west of Lot 9 (which will be allowed to revert to woodland).
- Open space provided exceeds the cluster development requirement by 42,253 sf or 0.97 acres (13.27 acres vs. 12.3 acres)
- Open space uplands provided exceeds the cluster development requirement by 34,848 sf or 0.80 acres (4.79 acres vs. 3.99 acres)
- The applicant will provide the applicable wetland mitigation fees to the Town

The applicant anticipates establishing an escrow account for the permanence guarantee and is scheduling a meeting with the Town Manager for review and approval of form.

*Sec. 16.9.3.7.E: The applicant must submit applicable documentation that demonstrates there is no practicable alternative to the proposed alteration of the wetland. In determining if no practicable alternative exists, the Board will consider the following:
The proposed use:*

- 1. Uses, manages or expands one or more other areas of the site that will avoid or reduce the wetland impact;*
- 2. Reduces the size, scope, configuration or density of the project as proposed, thereby avoiding or reducing the wetland impact;*
- 3. Provides alternative project designs, such as cluster development, roof gardens, bridges, etc., that avoid or lessen the wetland impact; and*
- 4. Demonstrates that the proposed development meets or exceeds best management practices for stormwater management in the wetland areas.*

Response: By meeting with the abutter land owner and through the ACOE and MDEP approval process the land owner and the applicant have clearly demonstrated that there is no practical alternative to the proposed roadway location and resulting wetland impact. The roadway construction limit preserves a 100 foot wide undisturbed buffer as required by the ACOE for vernal pools. The wetland impact is minimized by a 20 foot pavement width, an optimized road cross section, minimal height of the road above the wetland, and a 2H:1V sideslope. As a cluster subdivision, over 13 acres of permanently protected open space are provided. The MDEP approved stormwater management system includes wooded buffer easements to protect the wetland. MDEP considers such buffers to provide the highest level of stormwater treatment and least maintenance.

Sec. 16.9.3.7.F. In determining if the proposed development plan affects no more wetland than is necessary the Planning Board will consider if the alternatives discussed above in subsection A of this section accomplish the following project objectives:

The proposed use will not:

- 1. Unreasonably impair or diminish the wetland's existing capacity to absorb, store, and slowly release stormwater and surface water runoff;*
- 2. Unreasonably increase the flow of surface waters through the wetland;*
- 3. Result in a measurable increase in the discharge of surface waters from the wetland;*
- 4. Unreasonably impair or diminish the wetland's capacity for retention and absorption of silt, organic matter, and nutrients;*
- 5. Result in an unreasonable loss of important feeding, nesting, breeding or wintering habitat for wildlife or aquatic life; all crossings must be designed to provide a moist soil bed in culvert inverts and to not significantly impede the natural migration of wildlife across the filled area;*
- 6. Result in a measurable increase of the existing seasonal temperature of surface waters in the wetland or surface waters discharged from the wetlands.*
- 7. Result in a measurable alteration or destruction of a vernal pool.*

The MDEP application for the Stormwater Management Law permit included technical review by their staff stormwater engineer address items list above. The issued permit states that the applicant has made adequate provisions to ensure that the proposed project will meet the MDEP Chapter 500 standards for erosion and sediment control as well as easement and covenants, management of stormwater discharges and discharge to freshwater wetlands. The culvert invert is designed to provide a moist soil bed and is designed to ACOE and MDEP standards so as not to significantly impede wildlife migration. The MDEP wooded stormwater buffers provide superior stormwater treatment and because of the significant flow length and time of contact with the ground, the stormwater runoff temperature is tempered to natural levels. As reviewed and approved by the ACOE and MDEP, the roadway is the lowest impact alternative and the 100 foot undisturbed buffer to the vernal pool meets the ACOE regulations for vernal pool protection.

PEARSON MEADOW SUBDIVISION

MAP 54 LOT 14

60 WILSON ROAD

KITTERY, MAINE

Issued:

July 18, 2013
 December 18, 2013
 February 10, 2014
 April 4, 2014
 May 29, 2014

Preliminary Submission
 M.D.E.P. Submission
 M.D.E.P. Comments
 Final P.B. Approval
 Resubmission for Final P.B. Approval

Owner:

GAIL BURNS
 60 WILSON ROAD
 KITTERY, ME 03904

Applicant:

CHINBURG BUILDER, INC.
 3 PENSTOCK WAY
 NEWMARKET, NH 03857

Civil Engineer:



133 COURT STREET PORTSMOUTH, NH 03801
 (603) 433-2335 www.ALTUS-ENG.com

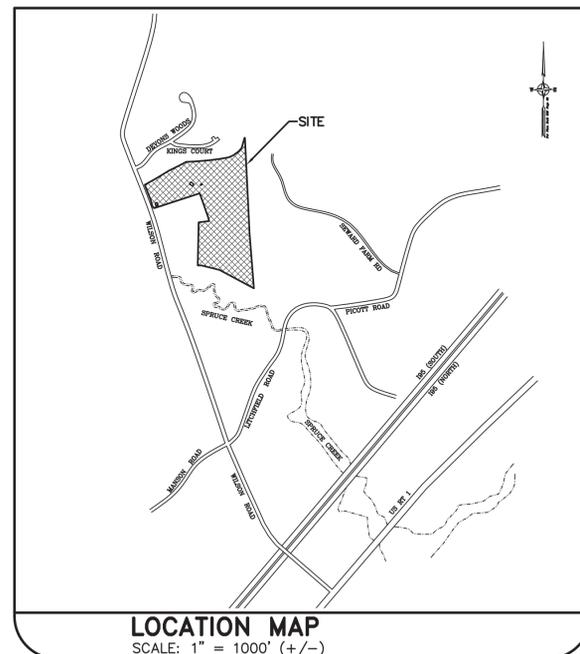
Surveyor:



191 STATE ROAD, SUITE #1
 KITTERY, MAINE 03904
 (207) 439-6333

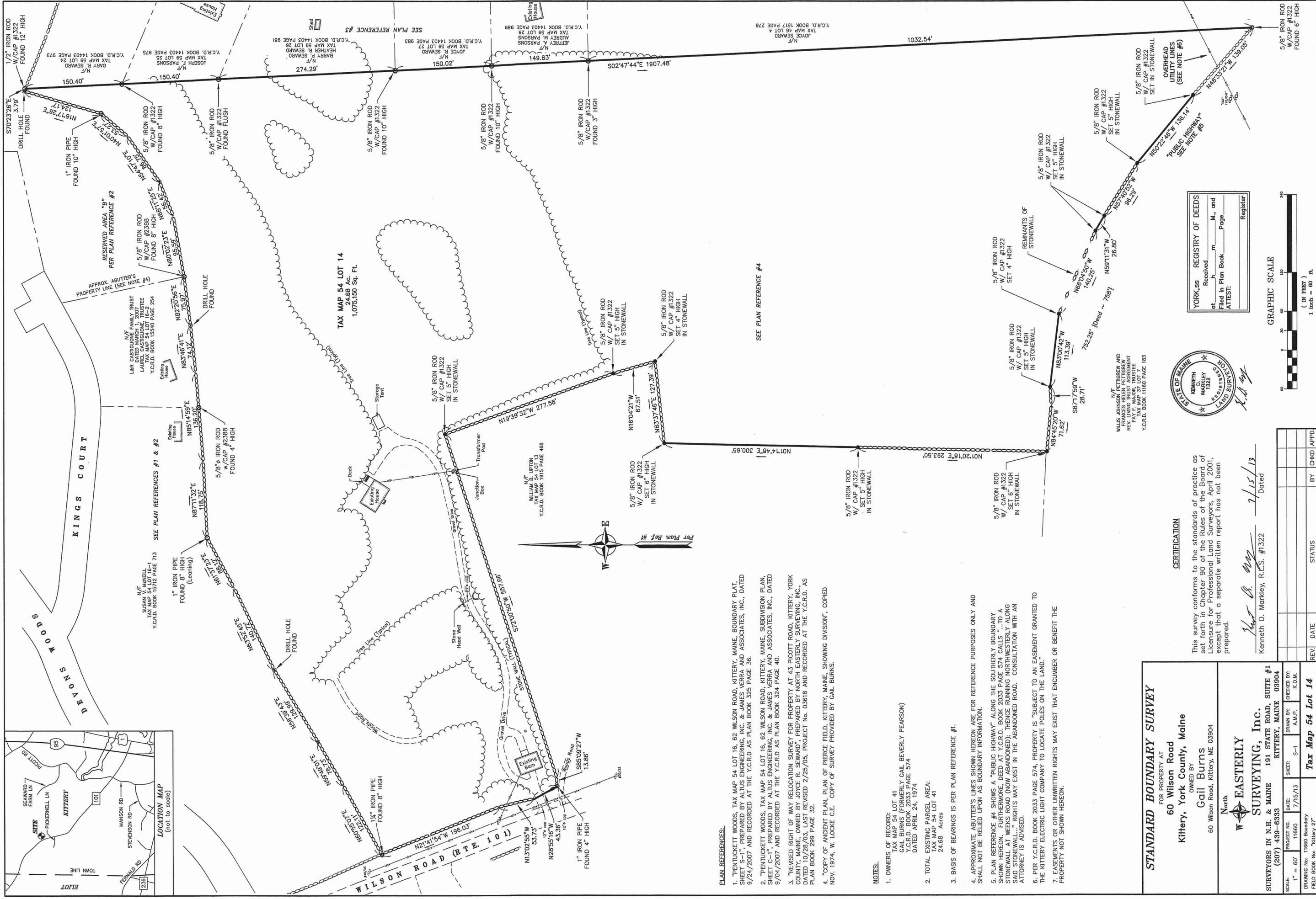
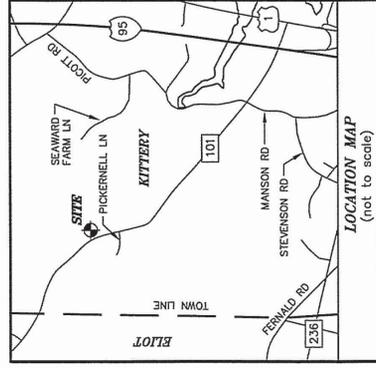
Soils/Wetland Scientist:

Joseph W. Noel, CPSS
 P.O. Box 174
 South Berwick, Maine 03908



Sheet Index

Title	Sheet No.:	Rev.
Standard Boundary (North Easterly Survey, Inc.)	S1	—
Existing Conditions (North Easterly Survey, Inc.)	S2	—
Pearson Meadow – North (North Easterly Survey, Inc.)	S3A	E
Pearson Meadow – South (North Easterly Survey, Inc.)	S3B	E
Soils Plan	G-1	1
Soils Plan	G-2	1
Legend & General Notes	G-3	3
Lot Plan	C-1	6
Plan & Profile – Sta. 0+00 to Sta. 13+02	C-2	6
Enlargement Plan	C-2A	5
Planting Plan Enlargement	C-2B	0
Stormwater Management Plan – Preliminary	C-3	6
BMP Maintenance Schedule	C-4	4
Erosion Control Notes	C-5	3
Erosion Control Detail	C-6	5
Temporary Erosion Control Details	C-7	3
Detail Sheet	C-8	2
Detail Sheet	C-9	3



- PLAN REFERENCES:**
- "PENTUCKETT WOODS, TAX MAP 54 LOT 16, 62 WILSON ROAD, KITTERY, MAINE, BOUNDARY PLAT, SHEET S-1", PREPARED BY ALTUS ENGINEERING, INC. & JAMES VERRA AND ASSOCIATES, INC., DATED 9/24/2007 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 325 PAGE 36.
 - "PENTUCKETT WOODS, TAX MAP 54 LOT 16, 62 WILSON ROAD, KITTERY, MAINE, SUBDIVISION PLAN, SHEET C-1", PREPARED BY ALTUS ENGINEERING, INC. & JAMES VERRA AND ASSOCIATES, INC., DATED 9/04/2007 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 324 PAGE 40.
 - "REVISED RIGHT OF WAY RELOCATION SURVEY FOR PROPERTY AT 43 PICOTT ROAD, KITTERY, YORK COUNTY, MAINE, OWNED BY JOYCE R. SEWARD", PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 10/28/03, LAST REVISED 2/25/05, PROJECT No. 03618 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 299 PAGE 32.
 - "COPY OF ANCIENT PLAN, PLAN OF PIERCE FIELD, KITTERY, MAINE, SHOWING DIVISION", COPIED NOV. 1974, W. LOCKE C.E. COPY OF SURVEY PROVIDED BY GAIL BURNS.

- NOTES:**
- OWNERS OF RECORD:
TAX MAP 54 LOT 41
GAIL BURNS (FORMERLY GAIL BEVERLY PEARSON)
Y.C.R.D. BOOK 2033 PAGE 574
DATED APRIL 24, 1974
 - TOTAL EXISTING PARCEL AREA:
TAX MAP 54 LOT 41
24.68 Acres
 - BASIS OF BEARINGS IS PER PLAN REFERENCE #1.
 - APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
 - PLAN REFERENCE #4 SHOWS A "PUBLIC HIGHWAY" ALONG THE SOUTHERLY BOUNDARY SHOWN HEREON. FURTHERMORE, DEED AT Y.C.R.D. BOOK 2033 PAGE 574 CALLS "TO A STONE WALL ON WILSON ROAD (NOW ABANDONED) THENCE RUNNING NORTHWESTERLY, ALONG STONEWALL." RIGHTS MAY EXIST IN THE ABANDONED ROAD. CONSULTATION WITH AN ATTORNEY IS ADVISED.
 - PER Y.C.R.D. BOOK 2033 PAGE 574, PROPERTY IS "SUBJECT TO AN EASEMENT GRANTED TO THE KITTERY ELECTRIC LIGHT COMPANY TO LOCATE POLES ON THE LAND."
 - EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCLUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.

STANDARD BOUNDARY SURVEY
FOR PROPERTY AT
60 Wilson Road
Kittery, York County, Maine
OWNED BY
Gail Burns
60 Wilson Road, Kittery, ME 03904

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

PROJECT NO. 11660
DATE: 7/15/13
SHEET: S-1
SCALE: 1" = 60'

DRAWN BY: AM.P.
CHECKED BY: R.D.M.
FIELD BOOK No: "Kittery 27"

Tax Map 54 Lot 14

CERTIFICATION

This survey conforms to the standards of practice as set forth in Chapter 90 of the Rules of the Board of Licensure for Professional Land Surveyors, April 2001, except that a separate written report has not been prepared.

Kenneth D. Markley
Kenneth D. Markley, R.L.S. #1322
7/15/13
Dated

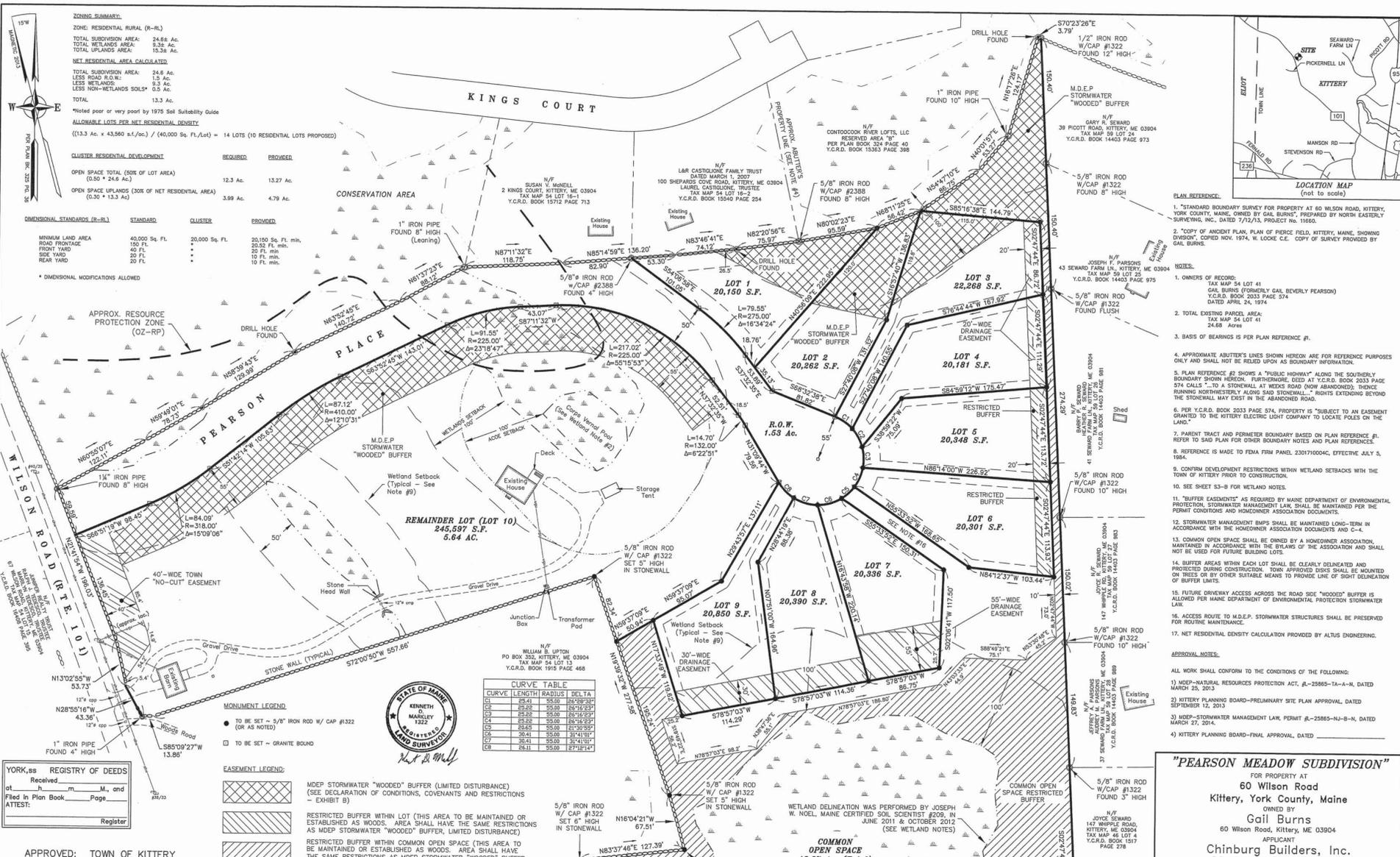


N/F. PETTINGREW AND FRANCES HELEN PETTINGREW REV. LIVING TRUST AGREEMENT DATED 10/27/00 FILED AT Y.C.R.D. BOOK 1160 PAGE 183

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



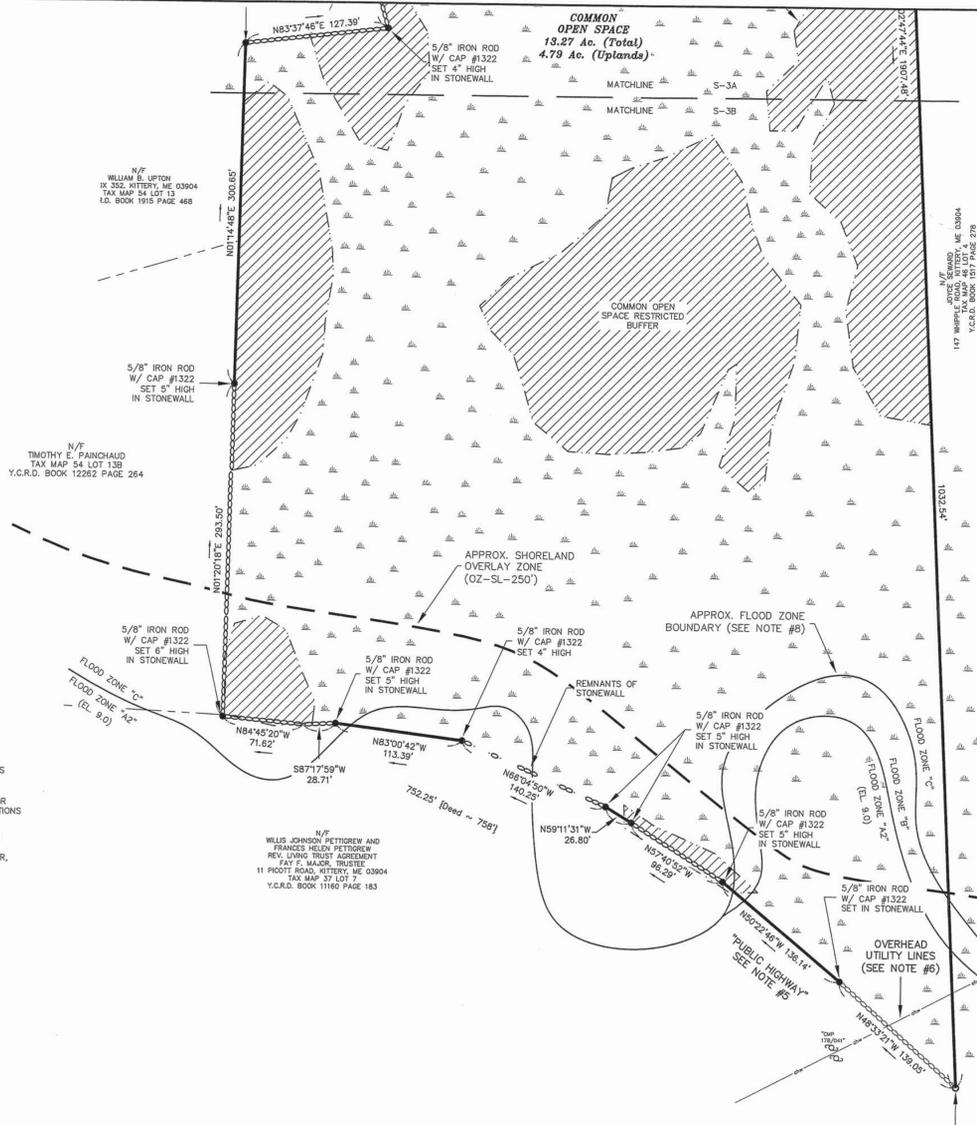
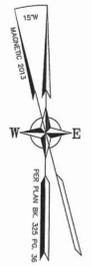
REV.	DATE	STATUS	BY	CHKD	APPD



- PLAN REFERENCE:**
- "STANDARD BOUNDARY SURVEY FOR PROPERTY AT 60 WILSON ROAD, KITTERY, YORK COUNTY, MAINE, OWNED BY GAIL BURNS, PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 7/12/13, PROJECT NO. 11660.
 - "COPY OF ANCIENT PLAN, PLAN OF PIERCE FIELD, KITTERY, MAINE, SHOWING DIVISION", COPIED NOV. 1974, W. LOCKE C.E. COPY OF SURVEY PROVIDED BY GAIL BURNS.
- NOTES:**
- OWNERS OF RECORD:
 TAX MAP 54 LOT 41
 GAIL BURNS (FORMERLY GAIL BEVERLY PEARSON)
 Y.C.R.D. BOOK 2033 PAGE 574
 DATED APRIL 24, 1974
 - TOTAL EXISTING PARCEL AREA:
 TAX MAP 54 LOT 41
 24.68 Acres
 - BASES OF BEARINGS IS PER PLAN REFERENCE #1.
 - APPROXIMATE ADJACENT LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
 - PLAN REFERENCE #2 SHOWS A "PUBLIC HIGHWAY" ALONG THE SOUTHERLY BOUNDARY SHOWN HEREON. FURTHERMORE, DEED AT Y.C.R.D. BOOK 2033 PAGE 574 CALLS "...TO A STONEWALL AT WEEKS ROAD (NOW ABANDONED). THENCE RUNNING NORTHEASTERLY ALONG SAID STONEWALL... RIGHTS EXTENDING BEYOND THE STONEWALL MAY EXIST IN THE ABANDONED ROAD.
 - PER Y.C.R.D. BOOK 2033 PAGE 574, PROPERTY IS "SUBJECT TO AN EASEMENT GRANTED TO THE KITTERY ELECTRIC LIGHT COMPANY TO LOCATE POLES ON THE LAND."
 - PARENT TRACT AND PERMETER BOUNDARY BASED ON PLAN REFERENCE #1. REFER TO SAID PLAN FOR OTHER BOUNDARY NOTES AND PLAN REFERENCES.
 - REFERENCE IS MADE TO FEMA FIRM PANEL 230710004C, EFFECTIVE JULY 5, 1984.
 - CONFIRM DEVELOPMENT RESTRICTIONS WITHIN WETLAND SETBACKS WITH THE TOWN OF KITTERY PRIOR TO CONSTRUCTION.
 - SEE SHEET 53-B FOR WETLAND NOTES.
 - "BUFFER EASEMENTS" AS REQUIRED BY MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, STORMWATER MANAGEMENT LAW, SHALL BE MAINTAINED PER THE PERMIT CONDITIONS AND HOMEOWNER ASSOCIATION DOCUMENTS.
 - STORMWATER MANAGEMENT BMPs SHALL BE MAINTAINED LONG-TERM IN ACCORDANCE WITH THE HOMEOWNER ASSOCIATION DOCUMENTS AND C-4.
 - COMMON OPEN SPACE SHALL BE OWNED BY A HOMEOWNER ASSOCIATION, MAINTAINED IN ACCORDANCE WITH THE BYLAWS OF THE ASSOCIATION AND SHALL NOT BE USED FOR FUTURE BUILDING LOTS.
 - BUFFER AREAS WITHIN EACH LOT SHALL BE CLEARLY DELINEATED AND PROTECTED DURING CONSTRUCTION. TOWN APPROVED DEEDS SHALL BE MOUNTED ON TREES OR BY OTHER SUITABLE MEANS TO PROVIDE LINE OF SIGHT DELINEATION OF BUFFER LIMITS.
 - FUTURE DRIVEWAY ACCESS ACROSS THE ROAD SIDE "WOODED" BUFFER IS ALLOWED PER MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION STORMWATER LAW.
 - ACCESS ROUTE TO MDEP STORMWATER STRUCTURES SHALL BE PRESERVED FOR ROUTINE MAINTENANCE.
 - NET RESIDENTIAL DENSITY CALCULATION PROVIDED BY ALTUS ENGINEERING.
- APPROVAL NOTES:**
- ALL WORK SHALL CONFORM TO THE CONDITIONS OF THE FOLLOWING:
- MDEP-NATURAL RESOURCES PROTECTION ACT, R-25865-TA-A-N, DATED MARCH 26, 2013
 - KITTERY PLANNING BOARD-PRELIMINARY SITE PLAN APPROVAL, DATED SEPTEMBER 12, 2013
 - MDEP-STORMWATER MANAGEMENT LAW, PERMIT R-25865-N-B-N, DATED MARCH 27, 2014.
 - KITTERY PLANNING BOARD-FINAL APPROVAL, DATED _____



"PEARSON MEADOW SUBDIVISION"
 FOR PROPERTY AT
 60 Wilson Road
 Kittery, York County, Maine
 OWNED BY
 Gail Burns
 60 Wilson Road, Kittery, ME 03904
 APPLICANT
 Chinburg Builders, Inc.
 3 Penstock Way, Newmarket, NH 03857



MONUMENT LEGEND:
 ● TO BE SET - 5/8" IRON ROD W/ CAP #1322 (OR AS NOTED)
 □ TO BE SET - GRANITE BOUND

EASEMENT LEGEND:

- MDEP STORMWATER "WOODED" BUFFER (LIMITED DISTURBANCE) (SEE DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS - EXHIBIT B)
- RESTRICTED BUFFER WITHIN LOT (THIS AREA TO BE MAINTAINED OR ESTABLISHED AS WOODS. AREA SHALL HAVE THE SAME RESTRICTIONS AS MDEP STORMWATER "WOODED" BUFFER, LIMITED DISTURBANCE)
- RESTRICTED BUFFER WITHIN COMMON OPEN SPACE (THIS AREA TO BE MAINTAINED OR ESTABLISHED AS WOODS. AREA SHALL HAVE THE SAME RESTRICTIONS AS MDEP STORMWATER "WOODED" BUFFER, LIMITED DISTURBANCE)
- DRAINAGE EASEMENT WITHIN LOT
- 40'-WIDE TOWN "NO CUT" EASEMENT - WITH RIGHTS TO BE RESERVED BY THE PROPERTY OWNER FOR ROUTINE TRIMMING AND MAINTENANCE FOR EXISTING OVERHEAD AND UNDERGROUND UTILITIES

WETLAND NOTES:

1. WETLAND BOUNDARIES WERE DELINEATED BY JOSEPH W. NOEL, MAINE CERTIFIED SOIL SCIENTIST & WETLAND SCIENTIST. THE DELINEATION IN THE PROJECT PARCEL WAS CONDUCTED ON JUNE 10, 2011. THE REMAINDER OF THE VICINITY WAS CONDUCTED ON OCTOBER 5, 2012. TO DETERMINE THE WETLAND BOUNDARY, THE METHODOLOGY DESCRIBED IN THE "REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTHEAST REGION (VERSION 2.0)" WAS USED.
2. DURING LATE MARCH AND APRIL OF 2012, THE PROPERTY WAS TRAVERSED TO DETERMINE IF ANY VERNAL POOLS WERE PRESENT. ONE AREA WAS LOCATED THAT CONTAINED POOL BREEDING AMPHIBIAN EGG MASSES (I.E. WOOD FROG EGG MASSES).

THIS IS NOT A MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) VERNAL POOL. REFER TO FIELD DETERMINATION FORM BY CHRIS COPPI (MDEP) DATED 4/17/12 & MICHAEL K. MULLEN (MDEP) LETTER DATED 8/17/12 WITH AN ATTACHED INLAND FISHERIES & WILDLIFE REVIEW (DATED 7/24/12). THIS AREA IS REGULATED AS A VERNAL POOL BY THE ARMY CORPS OF ENGINEERS (ACRPS). VERNAL POOL LIMITS SHOWN ARE FOR SITE VISIT ON 7/29/12 WITH ROBERT A. HOWE (ACRPS).

WAIVERS GRANTED MAY 8, 2016:

1. SECTION 16.8.1.3 (A&B) - ALLOW DRAWING SCALE 1" = 50' HORIZONTAL AND 1" = 5' VERTICAL FOR PLAN AND PROFILE SHEET.
2. SECTION 16.8.11.6.C - ALLOW CURRENT PROPERTY OWNER TO RETAIN THEIR CURRENT DROWEY ACCESS OFF WILSON ROAD.
3. SECTION 16.8.11.6.S - ALLOW DISTURBANCE WITHIN 100-FOOT WETLANDS BUFFER FOR CONSTRUCTION OF STORMWATER FEATURES (I.E. GRASSED SWALE AND GRASSED UNDERRAISED SOIL FLUTES).



"PEARSON MEADOW SUBDIVISION"
 FOR PROPERTY AT
 60 Wilson Road
 Kittery, York County, Maine
 OWNED BY
 Gail Burns
 60 Wilson Road, Kittery, ME 03904
 APPLICANT
 Chinburg Builders, Inc.
 3 Penstock Way, Newmarket, NH 03857

APPROVED: TOWN OF KITTERY

CLASS A HIGH INTENSITY SOIL SURVEY

I HEREBY CERTIFY THAT THIS CLASS A HIGH INTENSITY SOIL SURVEY WAS CONDUCTED IN CONFORMANCE WITH THE STANDARDS ADOPTED BY THE MAINE ASSOCIATION OF PROFESSIONAL SOIL SCIENTISTS.

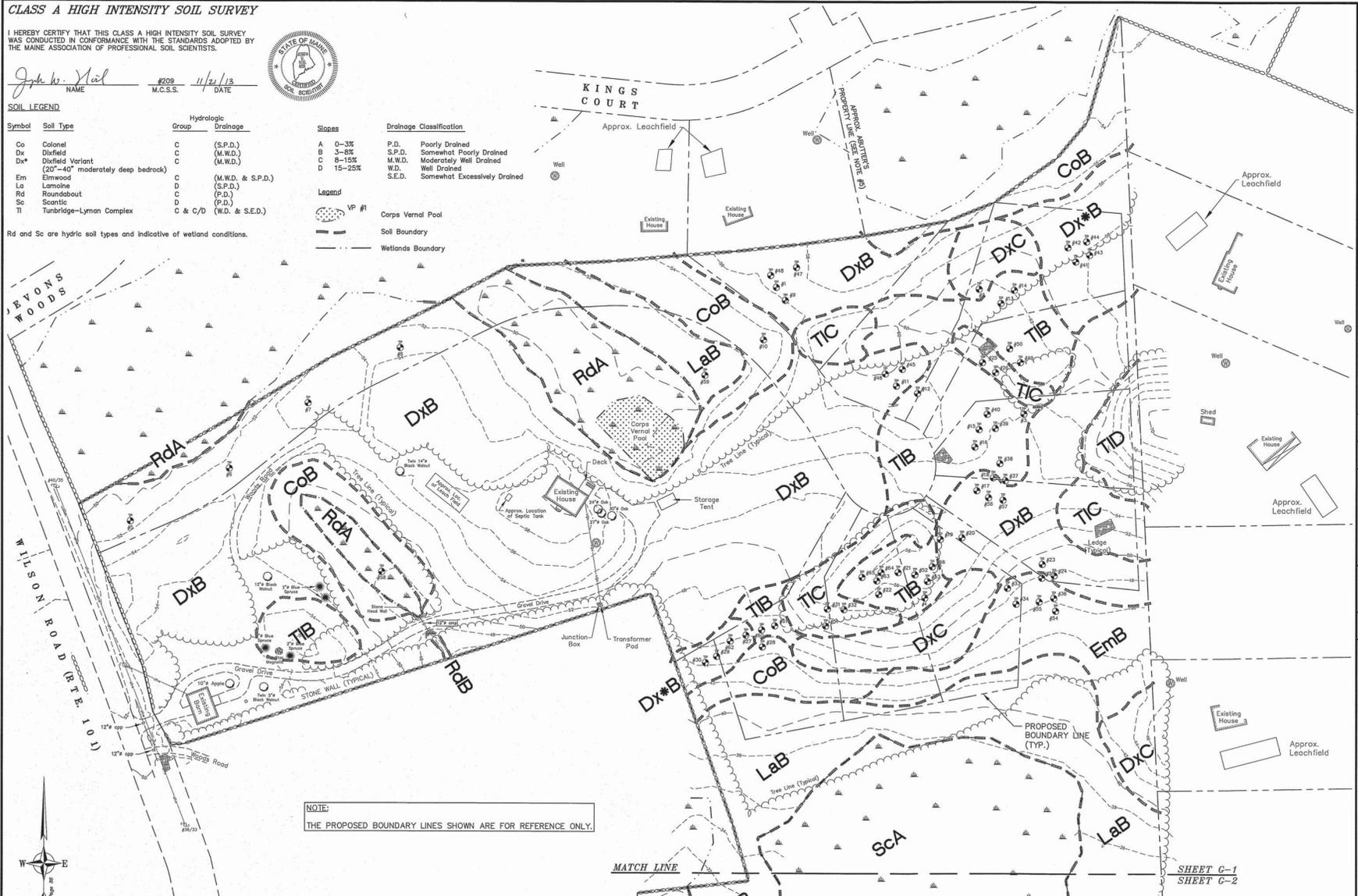
John W. Neil #209 11/21/13
NAME M.C.S.S. DATE



Symbol	Soil Type	Hydrologic Group	Drainage	Slopes	Drainage Classification
Co	Colonal	C	(S.P.D.)	A 0-3%	P.D. Poorly Drained
Dx	Dixfield	C	(M.W.D.)	B 3-8%	S.P.D. Somewhat Poorly Drained
Dx*	Dixfield Variant (20"-40" moderately deep bedrock)	C	(M.W.D.)	C 8-15%	M.W.D. Moderately Well Drained
Em	Elmwood	C	(M.W.D. & S.P.D.)	D 15-25%	W.D. Well Drained
La	Lamoine	D	(S.P.D.)		S.E.D. Somewhat Excessively Drained
Rd	Roundsabout	C	(P.D.)		
Sc	Scatick	D	(P.D.)		
Tl	Tunbridge-Lyman Complex	C & C/D	(W.D. & S.E.D.)		

Legend	VP #1
	Corps Vernal Pool
	Soil Boundary
	Wetlands Boundary

Rd and Sc are hydric soil types and indicative of wetland conditions.



NOTE:
THE PROPOSED BOUNDARY LINES SHOWN ARE FOR REFERENCE ONLY.

ALTUS
ENGINEERING, INC.
133 COURT STREET PORTSMOUTH, NH 03801
(603) 433-2333 www.ALTUS-ENG.com

NOT FOR CONSTRUCTION
ISSUED FOR: M.D.E.P. APPROVAL
ISSUE DATE: NOVEMBER 25, 2013

REVISIONS:

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/18/13
1	M.D.E.P. SUBMISSION	JKC	11/25/13

DRAWN BY: RMB
APPROVED BY: JKC
DRAWING FILE: 4353SUB.DWG

SCALE: 1" = 50'

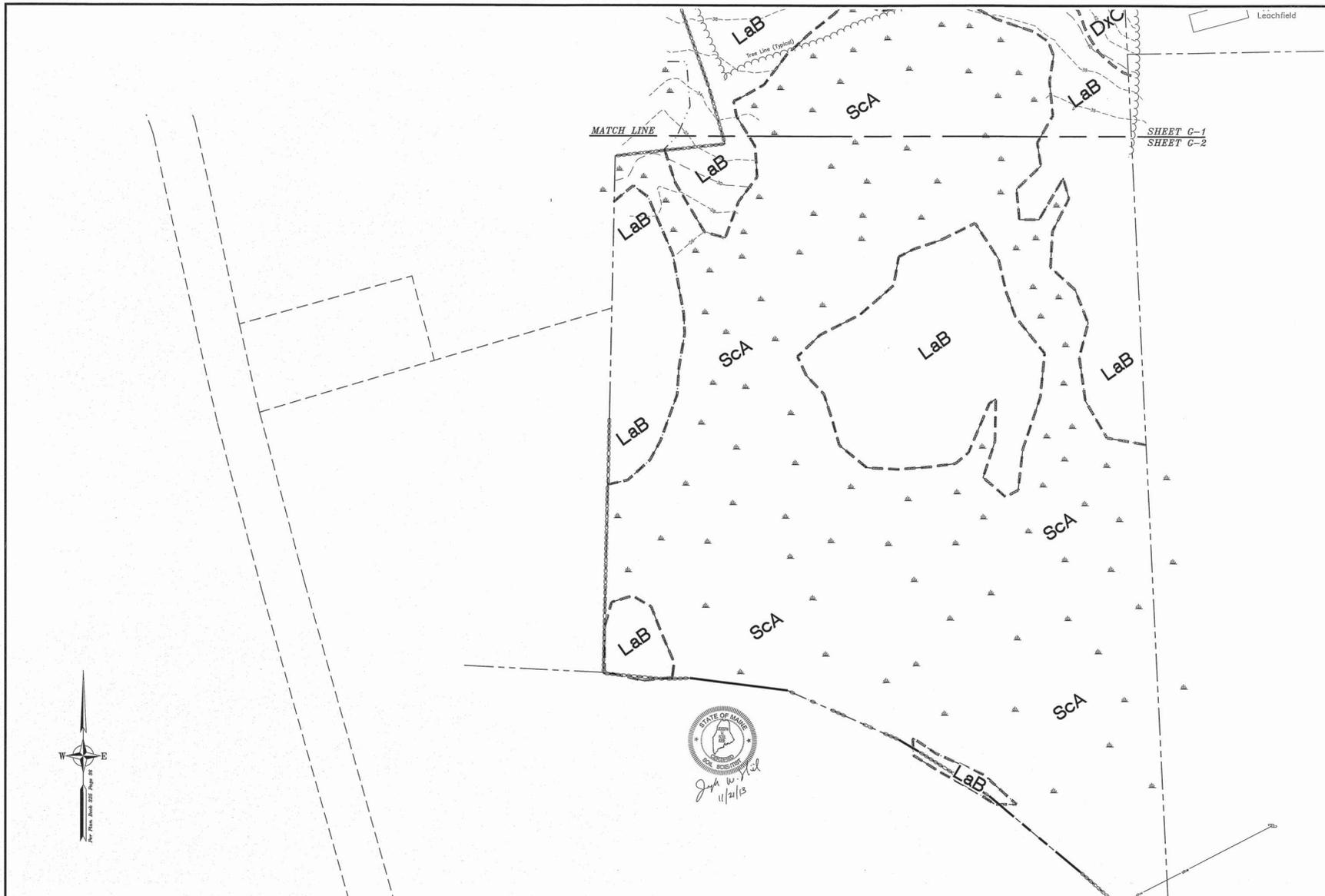
OWNER:
GAIL BURNS
60 WILSON ROAD
KITTEERY, MAINE 03804

APPLICANT:
CHINBURG BUILDERS, INC.
3 PENSTOCK WAY
NEWMARSETT, NH 03857

PROJECT:
PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTEERY, MAINE

MATCH LINE

SHEET G-1
SHEET G-2



ALTUS
ENGINEERING, INC.

123 COUNTRY STREET FORTSMOUTH, NH 03801
(603) 433-2333 www.ALTUS-ENG.com

NOT FOR CONSTRUCTION

ISSUED FOR: M.D.E.P. APPROVAL

ISSUE DATE: NOVEMBER 25, 2013

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/16/13
1	M.D.E.P. SUBMISSION	JKC	11/25/13

DRAWN BY: RMB
APPROVED BY: JKC
DRAWING FILE: 4353SUB.DWG

SCALE: 1" = 50'

OWNER:
GAIL BURNS
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT:
CHINBURG BUILDERS, INC.
3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT:
**PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14**
60 WILSON ROAD
KITTERY, MAINE

Sitting Area Plantings

Sym	Qty	Common Name	Botanical Name	Zone	Habit of Growth	Height	Spread	Installed Size	Type	Notes
Small, Accent Flowering Trees										
WKH	1	Winter King Hawthorn	Crataegus viridis 'winter king'	4	20-30'	20-25'	2-1/2"	cal.	B&B	Showy fruits, cover and food for birds
Deciduous Flowering Shrubs										
MLV	3	Maple Leaf Viburnum	Viburnum acerifolium	3	5-8'	4-5'	3'	gal.	CTN	Native, Red to black fruit
AWV	6	Arrowwood Viburnum	Viburnum dentatum	2	8-10'	8-10'	7'	gal.	CTN	Blue fruit attractive to birds, Native
RSW	6	Red Sprite Winterberry	Ilex verticillata 'red sprite'	4	3-4'	3-4'	5'	gal.	CTN	Dense and compact, long lasting red fruit
HBS	5	Hummingbird Summersweet	Clethra alnifolia 'hummingbird'	3	3'	3'	3'	gal.	CTN	Prolific flowers, attracts butterflies

Trees Along Buffer for Visual Reference

Sym	Qty	Common Name	Botanical Name	Zone	Habit of Growth	Height	Spread	Installed Size	Type	Notes
Evergreen Trees & Accent Evergreens										
BS	8	Black Spruce	Picea mariana	2	30-40'	10-15'	5'-6'	ht.	B&B	sun, adaptive, narrow habit, very hardy
ERC	6	Eastern Red Cedar	Juniperus virginiana	4	30-40'	15-20'	5'-6'	ht.	B&B	Picturesque with age
EWP	12	Eastern White Pine	Pinus strobus	3	75'	30-40'	5'-6'	ht.	B&B	sun, adaptive

LEGEND:



RESTRICTED BUFFER WITHIN LOT (THIS AREA TO BE MAINTAINED OR ESTABLISHED AS WOODS. AREA SHALL HAVE THE SAME RESTRICTIONS AS MDEP STORMWATER "WOODED" BUFFER, LIMITED DISTURBANCE)



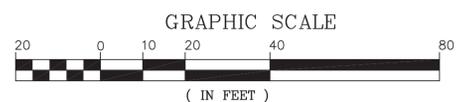
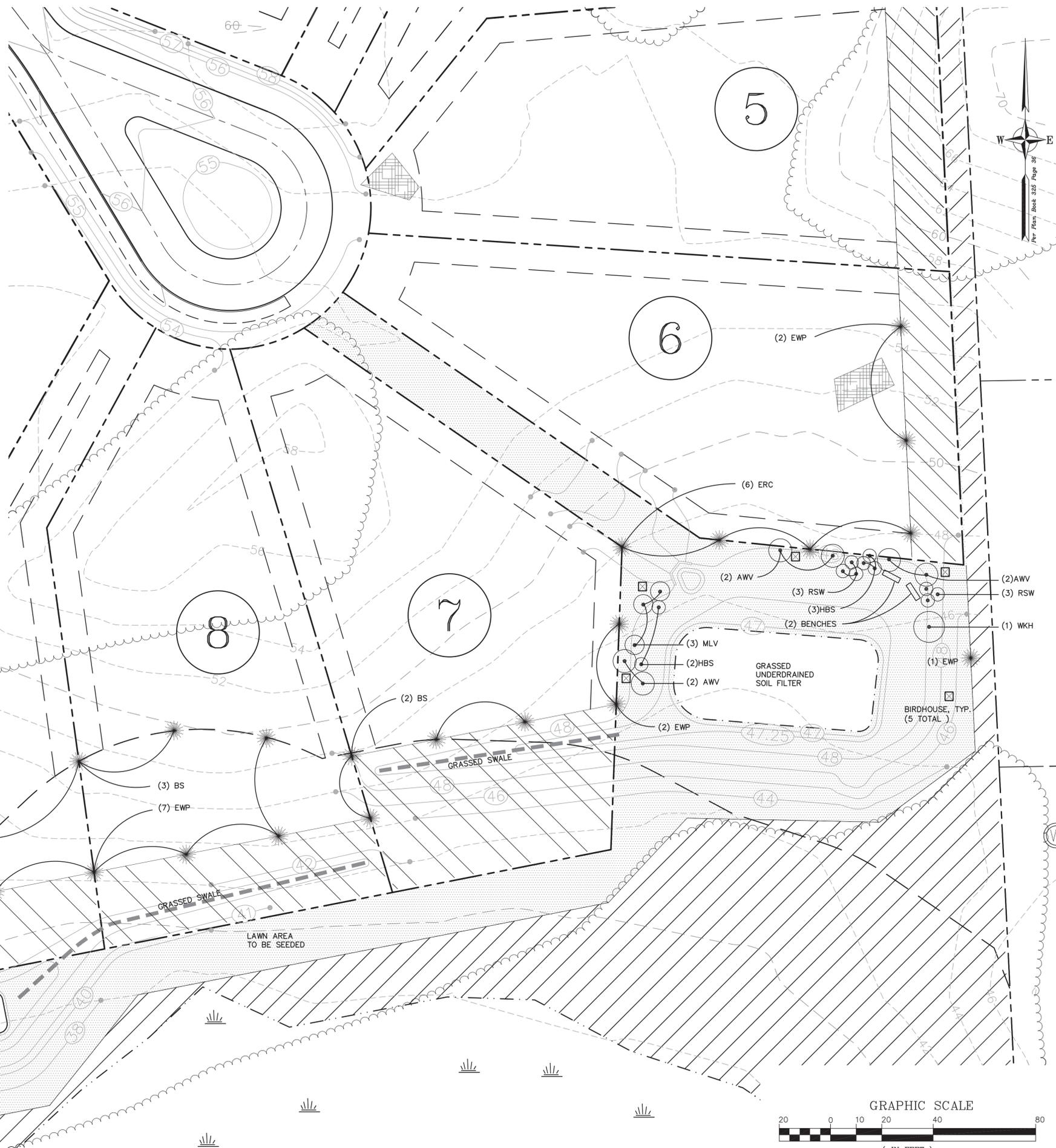
RESTRICTED BUFFER WITHIN COMMON OPEN SPACE (THIS AREA TO BE MAINTAINED OR ESTABLISHED AS WOODS. AREA SHALL HAVE THE SAME RESTRICTIONS AS MDEP STORMWATER "WOODED" BUFFER, LIMITED DISTURBANCE)



DRAINAGE EASEMENT WITHIN LOT



COMMON OPEN SPACE (0.65 AC.)



ALTUS
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(603) 433-2335 www.ALTUS-ENG.com



NOT FOR CONSTRUCTION

ISSUED FOR: **FINAL APPROVAL**

ISSUE DATE: **MAY 29, 2014**

NO.	DESCRIPTION	BY	DATE
0	FINAL APPROVAL	JKC	5/29/14

DRAWN BY: _____ RMB
APPROVED BY: _____ JKC
DRAWING FILE: _____ 4353SUB.DWG

SCALE: **1" = 20'**

OWNER:
GAIL BURNS
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT:
CHINBURG BUILDERS, INC.
3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT:
**PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14**
60 WILSON ROAD
KITTERY, MAINE

TITLE:
**PLANTING PLAN
ENLARGEMENT**

SHEET NUMBER:
C - 2B

P-4353

COMPLIANCE WITH STORMWATER FACILITY MAINTENANCE REQUIREMENTS

THE PROPERTY OWNER IS THE RESPONSIBLE PARTY FOR ENSURING THAT STORMWATER FACILITIES INSTALLED ON THEIR PROPERTY ARE PROPERLY MAINTAINED AND THAT THEY FUNCTION AS DESIGNED. IN SOME CASES, THIS MAINTENANCE RESPONSIBILITY MAY BE ASSIGNED TO OTHERS THROUGH SPECIAL AGREEMENTS. THE MAINTENANCE RESPONSIBILITY FOR A STORMWATER FACILITY MAY BE DESIGNATED WITHIN A MAINTENANCE AGREEMENT FOR THE PROPERTY. PROPERTY OWNERS SHALL BE AWARE OF THEIR RESPONSIBILITIES REGARDING STORMWATER FACILITY MAINTENANCE.

LONG TERM INSPECTION, MAINTENANCE, AND REPAIR ARE KEY ELEMENTS IN MAINTAINING A SUCCESSFUL STORMWATER MANAGEMENT PROGRAM ON THE DEVELOPED PROPERTY. ROUTINE INSPECTIONS WILL ENSURE PERMIT COMPLIANCE; WILL REDUCE THE POTENTIAL FOR DETERIORATION OF INFRASTRUCTURE AND THE HIGH COST TO REPAIR/REPLACE, AND WILL REDUCE THE DEGRADATION OF WATER QUALITY.

INSPECTION & MAINTENANCE – ANNUAL REPORTING

REQUIREMENTS FOR THE LONG TERM INSPECTION AND MAINTENANCE OF STORMWATER FACILITIES, AS WELL AS REPORTING REQUIREMENTS ARE INCLUDED IN THIS STORMWATER MANAGEMENT FACILITY OPERATION AND MAINTENANCE (O&M) MANUAL.

PREVENTATIVE MEASURES TO REDUCE MAINTENANCE COSTS

THE MOST EFFECTIVE WAY TO MAINTAIN THE WATER QUALITY FACILITY IS TO PREVENT THE POLLUTANTS FROM ENTERING THE FACILITY IN THE FIRST PLACE. COMMON POLLUTANTS INCLUDE SEDIMENT, TRASH & DEBRIS, CHEMICALS, DOG WASTES, RUNOFF FROM STORED MATERIALS, ILLUOIT DISCHARGES INTO THE STORM DRAINAGE SYSTEM AND MANY OTHERS. THE MAINTENANCE PROGRAM INCLUDES MEASURES TO ADDRESS THESE POTENTIAL CONTAMINANTS, AND WILL SAVE MONEY AND TIME IN THE LONG RUN. KEY OF THE MAINTENANCE PROGRAM INCLUDE:

- EDUCATE PROPERTY OWNERS, STAFF AND PATRONS TO BE AWARE OF HOW THEIR ACTIONS AFFECT WATER QUALITY, AND HOW THEY CAN HELP REDUCE MAINTENANCE COSTS.
- KEEP THE PROPERTY, DRIVEWAY, GUTTERS AND PARKING LOTS FREE OF TRASH AND DEBRIS
- ENSURE THE PROPER DISPOSAL OF HAZARDOUS WASTES AND CHEMICALS.
- LAWN CARE SHALL BE PLANNED TO MINIMIZE THE USE OF CHEMICALS AND PESTICIDES.
- BE AWARE OF AUTOMOBILES LEAKING FLUIDS. USE ABSORBENTS SUCH AS CAT LITTER TO SOAK UP DRIPPINGS – DISPOSE OF PROPERLY.
- SWEEP PAVED SURFACES OF SEDIMENT AND LAWN CLIPPINGS; DISPOSE OF OFFSITE OR IN UPLAND AREAS AT LEAST 25 FEET FROM WETLANDS. MULCHING MOWERS ARE ENCOURAGED.
- RE-VEGETATE DISTURBED AND BARE AREAS TO MAINTAIN VEGETATIVE STABILIZATION.
- CLEAN OUT THE ALL COMPONENTS OF THE STORM DRAINAGE SYSTEM, INCLUDING INLETS, STORM SEWER AND OUTFALLS. DISPOSE OF CATCH BASIN CLEANINGS OFFSITE.
- DO NOT STORE MATERIALS OUTDOORS (INCLUDING LANDSCAPING MATERIALS) UNLESS PROPERLY PROTECTED FROM RUNOFF AND EROSION.

SAFETY

KEEP SAFETY CONSIDERATIONS AT THE FOREFRONT OF INSPECTION PROCEDURES AT ALL TIMES. LIKELY HAZARDS SHOULD BE ANTICIPATED AND AVOIDED. NEVER ENTER A CONFINED SPACE (OUTLET STRUCTURE, MANHOLE, ETC) WITHOUT PROPER TRAINING OR EQUIPMENT. A CONFINED SPACE SHOULD NEVER BE ENTERED WITHOUT AT LEAST ONE ADDITIONAL PERSON PRESENT.

INSPECTING STORMWATER MANAGEMENT FACILITIES

THE QUALITY OF STORMWATER ENTERING THE WATERS OF THE STATE RELIES HEAVILY ON THE PROPER OPERATION AND MAINTENANCE OF PERMANENT BEST MANAGEMENT PRACTICES. STORMWATER MANAGEMENT FACILITIES MUST BE PERIODICALLY INSPECTED TO ENSURE THAT THEY FUNCTION AS DESIGNED. THE INSPECTION WILL DETERMINE THE APPROPRIATE MAINTENANCE THAT IS REQUIRED FOR THE FACILITY.

A. INSPECTION PROCEDURES

ALL STORMWATER MANAGEMENT FACILITIES ARE REQUIRED TO BE INSPECTED BY A QUALIFIED INDIVIDUAL AT A MINIMUM OF ONCE PER YEAR. INSPECTIONS SHOULD FOLLOW THE INSPECTION GUIDANCE FOUND IN O&M MANUAL FOR THE SPECIFIC TYPE OF FACILITY.

B. INSPECTION REPORT

THE PERSON(S) CONDUCTING THE INSPECTION ACTIVITIES SHALL COMPLETE THE APPROPRIATE INSPECTION REPORT FOR THE SPECIFIC FACILITY. AN INSPECTION AND MAINTENANCE REPORT IS PROVIDED.

GENERAL INFORMATION

THIS SECTION IDENTIFIES THE FACILITY LOCATION, PERSON CONDUCTING THE INSPECTION, THE DATE AND TIME THE FACILITY WAS INSPECTED, AND APPROXIMATE DAYS SINCE THE LAST RAINFALL. THE REASON FOR THE INSPECTION IS ALSO IDENTIFIED ON THE FORM DEPENDING ON THE NATURE OF THE INSPECTION. ALL FACILITIES SHOULD BE INSPECTED ON AN ANNUAL BASIS AT A MINIMUM. IN ADDITION, ALL FACILITIES SHOULD BE INSPECTED AFTER A SIGNIFICANT PRECIPITATION EVENT TO ENSURE THE FACILITY IS DRAINING APPROPRIATELY AND TO IDENTIFY ANY DAMAGE THAT OCCURRED AS A RESULT OF THE INCREASED RUNOFF. FOR THE PURPOSE OF THIS STORMWATER MANAGEMENT PROGRAM, A SIGNIFICANT RAINFALL EVENT IS CONSIDERED AN EVENT OF THREE (3) INCHES IN A 24-HOUR PERIOD OR 0.5 INCHES IN A ONE-HOUR PERIOD. IT IS ANTICIPATED THAT A SHORT, INTENSE EVENT IS LIKELY TO HAVE A HIGHER POTENTIAL OF EROSION FOR THIS SITE THAN A LONGER, HIGH VOLUME EVENT.

INSPECTION SCORING

FOR EACH INSPECTION ITEM, A SCORE MUST BE GIVEN TO IDENTIFY THE URGENCY OF REQUIRED MAINTENANCE. THE SCORING IS AS FOLLOWS:

- 0 = NO DEFICIENCIES IDENTIFIED.
- 1 = MONITOR – ALTHOUGH MAINTENANCE MAY NOT BE REQUIRED AT THIS TIME, A POTENTIAL PROBLEM EXISTS THAT WILL MOST LIKELY NEED TO BE ADDRESSED IN THE FUTURE. THIS CAN INCLUDE ITEMS LIKE MINOR EROSION, CONCRETE CRACKS/SPALLING, OR MINOR SEDIMENT ACCUMULATION. THIS ITEM SHOULD BE REVISITED AT THE NEXT INSPECTION.
- 2 = ROUTINE MAINTENANCE REQUIRED – SOME INSPECTION ITEMS CAN BE ADDRESSED THROUGH THE ROUTINE MAINTENANCE PROGRAM (SEE SOP IN APPENDIX A). THIS CAN INCLUDE ITEMS LIKE VEGETATION MANAGEMENT OR DEBRIS/TRASH REMOVAL.
- 3 = IMMEDIATE REPAIR NECESSARY – THIS ITEM NEEDS IMMEDIATE ATTENTION BECAUSE FAILURE IS IMMINENT OR HAS ALREADY OCCURRED. THIS COULD INCLUDE ITEMS SUCH AS STRUCTURAL FAILURE OF A FEATURE (OUTLET WORKS, FOREBAY, ETC), SIGNIFICANT EROSION, OR SIGNIFICANT SEDIMENT ACCUMULATION. THIS SCORE SHOULD BE GIVEN TO AN ITEM THAT CAN SIGNIFICANTLY AFFECT THE FUNCTION OF THE FACILITY.

INSPECTION SUMMARY/ADDITIONAL COMMENTS

ADDITIONAL EXPLANATIONS TO INSPECTION ITEMS, AND OBSERVATIONS ABOUT THE FACILITY NOT COVERED BY THE FORM, ARE RECORDED IN THIS SECTION.

C. VERIFICATION OF INSPECTION AND FORM SUBMITTAL

THE STORMWATER MANAGEMENT FACILITY INSPECTION FORM PROVIDES A RECORD OF INSPECTION OF THE FACILITY. THE VERIFICATION AND THE INSPECTION FORM(S) SHALL BE REVIEWED AND MAINTAINED BY THE PROPERTY OWNER OR PROPERTY MANAGER. ANY TRANSFER IN OWNERSHIP SHALL BE DOCUMENTED IN WRITING TO MDEP.

MAINTAINING STORMWATER MANAGEMENT FACILITIES

STORMWATER MANAGEMENT FACILITIES MUST BE PROPERLY MAINTAINED TO ENSURE THAT THEY OPERATE CORRECTLY AND PROVIDE THE WATER QUALITY TREATMENT FOR WHICH THEY WERE DESIGNED. ROUTINE MAINTENANCE PERFORMED ON A FREQUENTLY SCHEDULED BASIS, CAN HELP AVOID MORE COSTLY REHABILITATIVE MAINTENANCE THAT RESULTS WHEN FACILITIES ARE NOT ADEQUATELY MAINTAINED. MAINTENANCE PERSONNEL MUST BE QUALIFIED TO PROPERLY MAINTAIN STORMWATER MANAGEMENT FACILITIES. INADEQUATELY TRAINED PERSONNEL CAN CAUSE ADDITIONAL PROBLEMS RESULTING IN ADDITIONAL MAINTENANCE COSTS.

THE FOLLOWING PROVIDES A LIST OF RECOMMENDATIONS AND GUIDELINES FOR MANAGING THE STORMWATER FACILITIES.

SILT FENCE/ SEDIMENT BARRIER

STRAW/HAY BALE BARRIERS, SILT FENCE AND FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND DAILY DURING PROLONGED RAINFALL EVENTS. THESE STRUCTURES SHALL BE INSPECTED FOR SIGNS OF EROSION OR SEDIMENTATION REGULARLY. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY STONE CHECK DAM.

SHOULD THE FABRIC OF A SILT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF ITS EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.

SEDIMENT DEPOSITS MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE THIRD (1/3) THE HEIGHT OF THE BARRIER. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, THEN PREPARED, LOAMED AND SEEDED.

ROAD DITCH TURNOUT

AFTER CONSTRUCTION, DITCH TURNOUTS NEED TO BE CAREFULLY INSPECTED FOR ANY SIGNS OF CHANNELIZATION AND IMMEDIATELY REPAIRED. THE STRUCTURE WILL FAIL IF WATER EXISTS FROM IT IN CHANNELIZED FLOW. IT WILL BE NECESSARY TO REMOVE SEDIMENT FROM THE DITCH TURNOUT TRENCH WHEN THE STRUCTURE IS NO LONGER FUNCTIONING PROPERLY (I.E. DISTRIBUTING THE RUNOFF UNIFORMLY ACROSS THE TRENCH).

VEGETATED SWALE

TIMELY MAINTENANCE IS IMPORTANT TO KEEP THE VEGETATION IN THE SWALE IN GOOD CONDITION. MOWING SHALL BE DONE FREQUENTLY ENOUGH TO KEEP THE VEGETATION IN VIGOROUS CONDITION AND TO CONTROL ENCRoACHMENT OF WEEDS AND WOODY VEGETATION, HOWEVER IT SHALL NOT BE MOWED TOO CLOSELY TO REDUCE THE FILTERING EFFECT. FERTILIZE ON AN "AS NEEDED" BASIS TO KEEP THE GRASS HEALTHY, HOWEVER, OVER-FERTILIZATION CAN RESULT IN THE SWALE BECOMING A SOURCE OF POLLUTION AND MUST BE AVOIDED.

THE SWALE SHOULD BE INSPECTED PERIODICALLY AND AFTER EVERY MAJOR STORM TO DETERMINE THE CONDITION OF THE SWALE. RILLS AND DAMAGED AREAS SHALL BE PROMPTLY REPAIRED AND RE-VEGETATED AS NECESSARY TO PREVENT FURTHER DETERIORATION.

TEMPORARY CHECK DAMS

REGULAR INSPECTIONS MUST BE MADE TO INSURE THAT THE CENTER OF THE DAM IS LOWER THAN THE EDGES. EROSION CAUSED BY HIGH FLOWS AROUND THE EDGES OF THE DAM MUST BE CORRECTED IMMEDIATELY. IF EVIDENCE OF SILTATION IN THE WATER IS APPARENT DOWNSTREAM FROM THE CHECK DAM, THE CHECK DAM MUST BE INSPECTED AND ADJUSTED IMMEDIATELY.

CHECK DAMS MUST BE CHECKED FOR SEDIMENT ACCUMULATION AFTER EACH SIGNIFICANT RAINFALL. SEDIMENT MUST BE REMOVED WHEN IT REACHES ONE THIRD (1/3) THE ORIGINAL HEIGHT OF THE SILT FENCE.

PIPE INLET AND OUTLET PROTECTION

PERIODICALLY CHECK ALL APRONS, PLUNGE POOLS, PIPE INLET AND OUTLET PROTECTION (RIPRAP) FOR DAMAGE AND REPAIR AS NEEDED. IF ANY EVIDENCE OF EROSION OR SCOURING IS APPARENT, MODIFY THE DESIGN AS NEEDED TO PROVIDE LONG-TERM PROTECTION.

LEVEL SPREADERS

THE PROPOSED SITE PLAN INCLUDES A LEVEL SPREADER AT LOCATIONS OF CONCENTRATED FLOWS. LEVEL SPREADERS ARE SIX FEET OR MORE IN WIDTH AND DESIGNED AS FOUR FEET (4') OF LENGTH PER ONE (1) C.F.S. OF FLOW, WITH A MINIMUM LENGTH OF 10 FEET. LEVEL SPREADERS ENABLE RUN-OFF DIRECTED TOWARDS THEM TO BE SPREAD EVENLY INTO SHEET FLOW PRIOR TO DISCHARGE INTO WETLANDS OR TREATMENT BY A FILTER STRIP, THUS ALLOWING FOR BETTER FILTER STRIP EFFICIENCY AND A LESSER POTENTIAL FOR EROSION.

AFTER CONSTRUCTION, LEVEL SPREADERS SHALL BE CAREFULLY INSPECTED FOR ANY SIGNS OF CHANNELIZATION AND IMMEDIATELY REPAIRED. THE STRUCTURE WILL FAIL IF WATER EXISTS FROM IT IN CHANNELIZED FLOW. VEGETATED LEVEL SPREADERS MAY REQUIRE PERIODIC MOWING. SPREADERS CONSTRUCTED OF WOOD, ASPHALT, STONE OR CONCRETE CURBING ALSO REQUIRE PERIODIC INSPECTION TO CHECK FOR DAMAGE AND REPAIR AS NEEDED.

UNDERDRAIN FILTER BASIN

VEGETATED UNDERDRAINED SOIL FILTERS CONTROL STORMWATER QUALITY BY CAPTURING AND RETAINING RUNOFF AND PASSING IT THROUGH A FILTER BED. THEY SHALL BE PERIODICALLY INSPECTED FOR EVIDENCE OF EROSION, BYPASS CONDITIONS OR CLOGGING. IF PONDING EXCEEDS 48 HOURS, THE SURFACE SHALL BE ROTOTILLED AND SEEDED TO REESTABLISH THE SOIL'S FILTRATION CAPACITY.

CONTRACTOR'S GENERAL CLEAN UP

UPON COMPLETION OF THE SITE AND PERMANENT STABILIZATION IS ATTAINED, THE CONTRACTOR SHALL REMOVE ALL TEMPORARY STORMWATER STRUCTURES (I.E., TEMPORARY STONE CHECK DAMS, SILT FENCE, TEMPORARY DIVERSION SWALES, ETC.). ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED. REMOVE ANY SEDIMENT IN CATCH BASINS AND CLEAN DRAIN PIPES THAT MAY HAVE ACCUMULATED DURING CONSTRUCTION.

Long Term Inspection & Maintenance Schedule					
	Spring	Fall or Yearly	After Major Storm	Every 2-5 Years	
Buffers					
Inspect treatment buffers for evidence of erosion, concentrated flow, or encroachment by development		x			
Manage the buffer's vegetation with the requirements in deed restrictions		x			
Mow vegetation in non-wooded buffers no shorter than six inches and less than three times per year		x			
Repair any sign of erosion within a buffer		x			
Inspect and repair down-slope of all level spreaders and ditch turn-outs		x			
Install more level spreaders and/or ditch turn-outs if needed for better distribution of flow		x			
Clean out any accumulation of sediment within spreader bays or turn-out pools		x			
Vegetated Areas					
Inspect all slopes and embankments	x		x		
Replant bare areas or areas with sparse growth	x		x		
Armor areas with rill erosion with an appropriate lining or divert the erosive flows to on-site areas able to withstand concentrated flows.	x		x		
Stormwater Channels					
Inspect ditches, swales and other open stormwater channels	x	x	x		
Remove any obstructions and accumulated sediments or debris	x	x			
Control vegetated growth and woody vegetation		x			
Repair any erosion of the ditch lining		x			
Mow vegetated ditches		x			
Remove woody vegetation growing through riprap		x			
Repair any slumping side slopes		x			
Replace riprap where underlying filter fabric or underdrain gravel is exposed or where stones have been dislodged		x			
Culverts					
Remove accumulated sediments and debris at inlet, outlet and within the conduit	x	x	x		
Repair any erosion damage at the culvert's inlet and outlet	x	x	x		
Inspect Structure for clogging and excess sediment	x	x	x		
Roadways and Parking Surfaces					
Remove accumulated winter sand along roadways	x				
Sweep pavement to remove sediment	x				
Grade road shoulders and remove excess sand either manually or by a front-end loader	x				
Grade gravel roads and gravel shoulders	x				
Clean out sediment contained in water bars or open-top culverts	x				
Ensure that stormwater is not impeded by accumulations of material or false ditches in the roadway shoulder	x				
Underdrain Filter Basin					
Mow grassed basin (twice not less than 6 inches)		x			
Provide for the removal and disposal of accumulated sediments within the filtration area	x				
Renew the infiltration measure if it fails to drain within 72 hours after a rainfall of one-half inch or more				x	
Till and replant the soil of vegetated infiltration basins				x	
Drainage Easements					
Remove any obstructions and accumulated sediments or debris	x	x			
Control vegetated growth and woody vegetation		x			
Repair any erosion within easement corridor		x			
Drop Inlet Structure					
Inspect inlet and outlet for blockage and remove debris	x	x	x		
Inspect structure and adjacent area for structural damage		x			



133 COURT STREET PORTSMOUTH, NH 03801
(603) 433-2355 www.ALTUS-ENG.com



NOT FOR CONSTRUCTION

ISSUED FOR:

FINAL APPROVAL

ISSUE DATE:

MAY 29, 2014

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/18/13
1	M.D.E.P. SUBMISSION	JKC	12/18/13
2	M.D.E.P. COMMENTS	JKC	2/10/14
3	FINAL APPROVAL	JKC	4/04/14
4	FINAL APPROVAL	JKC	5/29/14

DRAWN BY: _____ RMB

APPROVED BY: _____ JKC

DRAWING FILE: _____ 4353SUB.DWG

SCALE:

N.T.S.

OWNER:

GAIL BURNS
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT:

CHINBURG BUILDERS, INC.
3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT:

**PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTERY, MAINE**

TITLE:

**BMP MAINTENANCE
SCHEDULE**

SHEET NUMBER:

C - 4

PROJECT NAME AND LOCATION

Pearson Meadow
60 Wilson Road
Kittery, Maine

LATITUDE: 043° 07' 25" N
LONGITUDE: 070° 44' 34" W

DESCRIPTION

The project is a one (1) phase subdivision. This project consists of a 9-lot new single family subdivision, a lot with existing residence and a common open space lot.

DISTURBED AREA

The total area to be disturbed is approximately 4.2 acres (including lot development).

SEQUENCE OF MAJOR ACTIVITIES

- 1. Contractor shall prepare an Erosion and Sediment Control Plan (E.S.C.). Prior to construction, the Contractor and Owner shall each file a Notice of Intent (N.O.I.) to the Maine Department of Environmental Protection (MDEP).
- 2. Install temporary erosion control measures, including silt fences and stabilized construction entrances.
- 3. Upon completion of items 1 through 2, clear and grub wooded areas, strip and stockpile loam. Stockpiles shall be temporarily stabilized with hay bales mulch and surrounded by a hay bale or silt fence barrier until material is removed and final grading is complete.
- 4. Construct ditches and stabilize prior to directing flow to them.
- 5. Construct drainage structures, swales & road base materials.
- 6. Ditches and swales with grades over 5% shall have sides and bottom reinforced with excelsior matting.
- 7. Grade and shape lots to finish elevations.
- 8. Stabilize disturbed areas.
- 9. When all construction activity is complete and site is stabilized, remove all hay bales, storm check dams, silt fences and sediment that has been trapped by these devices.
- 10. File a Notice of Termination (N.O.T.) with MDEP.

NAME OF RECEIVING WATER

Unnamed wetlands complex to Spruce Creek

TEMPORARY EROSION AND SEDIMENT CONTROLS AND STABILIZATION PRACTICES

All work shall be in accordance with state and local permits. Work shall conform to the practices described in the "Maine Erosion and Sediment Control BMPs, 2003" published by the Maine Department of Environmental Protection.

As indicated in the sequence of Major Activities, the hay bales and silt fences shall be installed prior to commencing any clearing or grading of the site. Structures shall be installed concurrently with the applicable activity. Once construction activity ceases permanently in an area, silt fences and hay bale barriers and any earth/dikes will be removed once permanent measures are established.

During construction, runoff will be diverted around the site with stabilized channels where possible channels where possible. Sheet runoff from the site will be filtered through hay bale barriers, stone check dams, and silt fences. All storm drain inlets shall be provided with hay bale filters or stone check dams. Stone rip rap shall be provided at the outlets of drain pipes and culverts where shown.

Temporary and permanent vegetation and mulching is an integral component of the erosion and sedimentation control plan. All areas shall be inspected and maintained until desired vegetative cover is established. These control measures are essential to erosion prevention and also reduce costly rework of graded and shaped areas.

Temporary vegetation shall be maintained in these areas until permanent seeding is applied. Additionally, erosion sedimentation measures shall be maintained until permanent vegetation is established.

INSTALLATION, MAINTENANCE AND INSPECTION PROCEDURES FOR TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES

A. GENERAL

These are the general inspection and maintenance practices that will be used to implement the plan.

- 1. The smallest practical portion of the site will be denuded at one time. All disturbed areas must be stabilized by temporary measures within 5 days of initial disturbance and stabilized by permanent measures immediately after final grading.
- 2. All control measures will be inspected at least once each week and following any storm event of 0.50 inches or greater. A maintenance inspection report will be made after each inspection and made available to the Town officials.
- 3. The Contractor's site superintendent will be responsible for inspections, maintenance and repair activities, and filling out the inspection and maintenance report.
- 4. Built up sediment will be removed from silt fence, stone check dams, or hay bale barriers when it has reached one third the height of the fence, check dam, or bale, or when "bulges" occur.
- 5. All diversion dikes will be inspected and any breaches promptly repaired.
- 6. Temporary seeding and planting will be inspected for bare spots, washouts, and unhealthy growth.
- 7. All measures will be maintained in good working order; if a repair is necessary, it will be initiated within 24 hours and completed within 72 hours.

B. MULCHING

Considerations

- In sensitive areas (within 100 ft of streams, wetlands and in lake watersheds) temporary mulch shall be applied within 7 days of exposing soil or prior to any storm event.
- Areas, which have been temporarily or permanently seeded, shall be mulched immediately following seeding.
- Areas which cannot be seeded within the growing season shall be mulched for over-winter protection and the area should be seeded at the beginning of the growing season.
- Mulch anchoring should be used on slopes greater than 5% in late fall (post September 15), and over-winter (September 15 - April 15).

Type of Mulch

Hay or Straw Mulches

Organic mulches, including hay and straw, shall be air-dried, free of undesirable seeds and coarse materials. Application rate shall be 2 bales (70-90 pounds) per 1000 SQ FT or 1.5 to 2 tons (90-100 bales) per acre to cover 75 to 90 % of the ground surface. Hay mulch subject to wind blowing shall be anchored via: netting; peg and twine or tracking.

Erosion Control Mix

Erosion control mix shall consist primarily of organic material and shall include any of the following: shredded bark, stump grindings, composted bark or other shreddable products based on a similar raw source. Wood or bark chips, ground construction debris or reprocessed wood products shall not be acceptable as the organic component of the mix. It can be used as a stand-alone reinforcement:

- On slopes with groundwater seepage;
- At low points with concentrated flows and in gullies;
- At the bottom steep perimeter slopes exceeding 100 feet in length;
- Below culvert outlet aprons; and
- Around catch basins and closed storm systems.

Composition

Erosion control mix shall contain a well-graded mixture of particle sizes and may contain rocks less than 4" in diameter. Erosion control mix must be free of refuse, physical contaminants, and material toxic to plant growth. The mix composition shall meet the following standards:

- The organic matter content shall be between 80 and 100%, dry weight basis.
- Particle size by weight shall be 100 % passing a 6" screen and a minimum of 70 %, maximum of 85%, passing a 0.75" screen.
- The organic portion needs to be fibrous and elongated.
- Large portions of silts, clays or fine sands are not acceptable in the mix.

Installation

- Erosion control mix shall not be used on slopes steeper than 2:1.
 - On slopes of 3:1 or less; 2 inches plus an additional 1/2 inch per 20 feet of slope up to 100 feet.
 - On slopes between 3:1 and 2:1, 4 inch plus an additional 1/2 inch per 20 feet of slope up to 100 feet.
- The thickness of the mulch at the bottom of the slope needs to be:
- | | | |
|-----------------|-------------|------|
| < 20' of slope | < 3:1 slope | 4.0" |
| < 60' of slope | 3.0" | 5.0" |
| < 100' of slope | 4.0" | 6.0" |
- It shall be placed evenly and must provide 100 % soil coverage, with the soil totally invisible.

Any required repairs shall be made immediately, with additional erosion control mix placed on top of the mulch to reach the recommended thickness. When the mix is decomposed, clogged with sediment, eroded or ineffective, it shall be replaced or repaired. Erosion control mix mulch shall be left in place. If the mulch needs to be removed spread it out into the landscape.

Maintenance

All mulches must be inspected periodically, in particular after rainstorms, to check for rill erosion. If less than 90% of the soil surface is covered by mulch, additional mulch shall be immediately applied. Nets shall be inspected after rain events for dislocation or failure. If washouts or breakage occur, re-install the nets as necessary after repairing damage to the slope. Inspections shall take place until grasses are firmly established (95% soil surface covered with grass). Where mulch is used in conjunction with ornamental plantings, inspect periodically throughout the year to determine if mulch is maintaining coverage of the soil surface. Repair as needed.

C.

TEMPORARY VEGETATION

Considerations

- Proper seedbed preparation and the use of quality seed are important in this practice just as in permanent seeding. Failure to carefully follow sound agronomic recommendations will often result in an inadequate stand of vegetation that provides little or no erosion control.
- Nutrients and pesticides used to establish and maintain a vegetation cover shall be managed to protect the surface and ground water quality.
- Temporary seeding shall be used extensively in sensitive areas (ponds and lake watersheds, steep slopes, streambanks, etc.).
- Late fall seeding may fail and cause water quality deterioration in spring runoff events, thus other measures such as mulching shall be implemented.

Specifications

Seedbed Preparation

Apply limestone and fertilizer according to soil test recommendations. If soil testing is not feasible on small or variable sites, or where timing is critical, fertilizer may be applied at the rate of 600 pounds per acre or 13.8 pounds per 1,000 square feet of 10-10-10 (N-P205-K20) or equivalent. Apply limestone (equivalent to 50 percent calcium plus magnesium oxide) at a rate of 3 tons per acre (138 lb. per 1,000 square feet).

Seeding

- Select seed from recommendations in enclosed table.
- Where the soil has been compacted by construction operations, loosen soil to a depth of 2 inches before applying fertilizer, lime and seed.
- Apply seed uniformly by hand, cyclone seeder, drill, cultipacker type seeder or hydroseeder (slurry including seed and fertilizer). Hydroseeding that includes mulch may be left on soil surface. Seeding rates must be increased 10% when hydroseeding.

Mulching

Apply mulch over seeded area according to the TEMPORARY MULCHING BMP.

Maintenance

Temporary seeding shall be periodically inspected. At a minimum, 95% of the soil surface should be covered by vegetation. If any evidence of erosion or sedimentation is apparent, repairs shall be made and other temporary measures used in the interim (mulch, filter barriers, check dams, etc.).

Seed	Temporary Seeding Rates and Dates Lb./Ac	Seeding Depth	Recommended Seeding Dates	Remarks
Winter Rye	112 (2.0 bu)	1-1.5 in	8/15-10/1	Good for fall seeding. Select a hardy species, such as Aroostook Rye.
Oats	80 (2.5 bu)	1-1.5 in	4/1-7/1 8/15-9/15	Best for spring seeding. Early fall seeding will die when winter weather moved in, but mulch will provide protection.
Annual Ryegrass	40	.25 in	4/1-7/1	Grows quickly but is of short duration. Use where appearance is important. With mulch, seeding may be done throughout growing season.
Sudangrass	40 (1.0 bu)	.5-1 in	5/15-8/15	Good growth during hot summer periods.
Perennial	40 (2.0 bu)	.25 in	8/15-9/15	Good cover, longer lasting than Annual Ryegrass. Mulching will allow seeding throughout growing season.
Temporary mulch with or without dormant seeding			10/1-4/1	Refer to TEMPORARY MULCHING BMP and/or PERMANENT VEGETATION BMP.

D.

FILTERS

Silt Fences

- a. Synthetic filter fabric shall be a pervious sheet of propylene, nylon, polyester or ethylene yarn and shall be certified by the manufacturer or supplier as conforming to the following requirements:

Physical Property	Test	Requirements
Filtering Efficiency	VTM-51	75% minimum
Tensile Strength at 20% Maximum Elongation **	VTM-52	Extra Strength - 50 lb/in in (min.) Standard Strength - 30 lb/in in (min.)
Flow Rate	VTM-51	0.3 gal/sf/min
**		Requirements reduced by 50% after 6 months on installations.

- b. Synthetic filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of six (6) months of expected usable construction life at a temperature range of 0 degrees F to 120 F.
- c. Posts shall be spaced a maximum of ten (10) feet apart at the barrier location or as recommended by the manufacturer and driven securely into the ground (minimum of 16 inches).
- d. A trench shall be excavated approximately six (6) inches wide and six (8) inches deep along the line of posts and upslope from the barrier.
- e. When standard strength filter fabric is used, a wire mesh support fence shall be fastened securely to the upslope side of the posts using heavy duty wire staples at least one (1) inch long, tie wires or hog rings. The wire shall extend no more than 36 inches above the original ground surfaces.
- f. The "standard strength" filter fabric shall be stapled or wired to the fence, and eight (8) inches of the fabric shall be extended into the trench. The fabric shall not extend more than 36 inches above the original ground surface. Filter fabric shall not be stapled to existing trees.
- g. When extra strength filter fabric and closer post spacing are used, the wire mesh support fence may be eliminated. In such a case, the filter fabric is stapled or wired directly to the posts with all other provisions of item (g) applied.
- h. The trench shall be backfilled and the soil compacted over the filter fabric.
- i. Silt fences shall be removed when they have served their useful purpose but not before the upslope areas has been permanently stabilized.

Straw/Hay Bales

- Bales shall be placed in a single row, lengthwise on the contour, with ends of adjacent bales tightly abutting one another.
- All bales shall be either wire-bound or string-tied. Bales shall be installed so that bindings are oriented around the sides, parallel to the ground surface to prevent deterioration of the bindings.
- The barrier shall be entrenched and backfilled. A trench shall be excavated the width of a bale and the length of the proposed barrier to a minimum depth of 4 inches.
- After the bales are staked and chinked, the excavated soil shall be backfilled against the barrier. Backfill soil shall conform to the ground level on the downhill side and shall be built up to 4 inches against the uphill side of the barrier.
- At least two stakes or rebar driven through the bale shall securely anchor each bale. The first stake in each bale shall be driven toward the previously laid bale to force the bales together. Stakes or re-bars shall be driven deep enough into the ground to securely anchor the bales.
- The gaps between bales shall be chinked (filled by wedging) with hay to prevent water from escaping between the bales.

D. FILTERS (cont.)

Installation

- Sediment barriers shall be installed prior to any soil disturbance of the contributing drainage upslope of them.
- The barrier must be placed along a relatively level contour.

Maintenance

- Hay bale barriers, silt fences and filter berms shall be inspected immediately after each rainfall and at least daily during prolonged rainfall. They shall be repaired immediately if there are any signs of erosion or sedimentation below them. If there are signs of undercutting at the center or the edges of the barrier, or impounding of large volumes of water behind them, sediment barriers shall be replaced with a temporary check dam.
- Should the fabric on a silt fence or filter barrier decompose or become ineffective prior to the end of the expected usable life and the barrier still is necessary, the fabric shall be replaced promptly.
- Sediment deposits should be removed when deposits reach approximately one third (1/3) the height of the barrier.
- Filter berms should be reshaped as needed.
- Any sediment deposits remaining in place after the silt fence or filter barrier is no longer required shall be dressed or removed to conform to the existing grade, prepared and seeded.
- Additional stone may have to be added to the construction stabilized entrance, rock barriers, stone lined swales, etc., periodically to maintain proper function of the erosion control structure.

E. PERMANENT SEEDING

- Seeding shall be performed in accordance with USDA, Soil Conservation Service guidelines.
- Bedding - stones larger than 1 1/8", trash, roots, and other debris that will interfere with seeding and future maintenance of the area shall be removed. Where feasible, the soil should be tilled to a depth of 4" to prepare a seedbed and mix fertilizer into the soil.
- Fertilizer - lime and fertilizer should be applied evenly over the area prior to or at the time of seeding and incorporated into the soil. Kinds and amounts of lime and fertilizer shall be based on an evaluation of soil tests. When a soil test is not available, the following minimum amounts should be applied:
Limestone @ 3 tons per acre 10-20 and fertilizer (N-P205-K201) @ 800 lbs. per acre
Seed Mixture:

Type	LBS. per Acre	LBS per 1,000 sf	Use
Kentucky Bluegrass	20	0.46	Lawn Areas /
Creeping Red Fescue	20	0.46	Loam Areas
Perennial Ryegrass	5	0.11	(non-slope work)
Total	45	1.03	
Tall Fescue	20	0.46	Drainage Swales
Creeping Red Fescue	20	0.46	All Slope Work
Redtop	2	0.05	(3 : 1 or steeper)
Total	42	0.97	

- Sodding - sodding is done where it is desirable to rapidly establish cover on a disturbed area. Sodding an area may be substituted for permanent seeding procedures anywhere on site. Bed preparation, fertilizing, and placement of sod shall be performed according to the Maine Erosion and Sediment Control BMPs. Sodding is recommended for steep sloped areas, areas immediately adjacent to sensitive water courses, easily erodible soils (fine sand/silt) etc.

F. OVER WINTER STABILIZATION

- a. If a construction site is not stabilized with pavement, a road gravel base, 75 % mature vegetation cover or riprap by November 15 then the site shall be protected with over-winter stabilization. An area considered open is any area not stabilized with pavement; vegetation, mulching, erosion control mix, erosion control mats, riprap or gravel base on a road. The winter construction period is from November 1 through April 15.
- b. Winter excavation and earthwork shall be completed such that no more than 1 acre of the site is without stabilization at any one time. Limit the exposed area to those areas in which work is to occur during the following 15 days and that can be mulched in one day prior to any snow event.
- c. During winter construction, a double row of sediment barriers (i.e. silt fence backed with hay bales or erosion control mix) shall be placed between any natural resource and the disturbed area.
- d. During frozen conditions, sediment barriers shall consist of erosion control mix berms or any other recognized sediment barriers.
- e. Hay and straw mulch shall be applied at a rate of 150 lb. per 1,000 square feet or 3 tons/acre (twice the normal accepted rate of 75-lbs./1,000 s.f., or 1.5 tons/acre) and shall be properly anchored. Erosion control mix shall be applied with a minimum 4 inch thickness. Mulch shall not be spread on top of snow.
- f. Between the dates of November 1 and April 15, all mulch shall be anchored by either mulch netting, asphalt emulsion chemical, tracking or wood cellulose fiber. After November 1st, mulch and anchoring of all exposed soil shall occur at the end of each final grading workday.
- g. Stockpiles of soil or subsoil will be mulched for over winter protection with hay or straw at twice the normal rate or with a four-inch layer of erosion control mix.
- h. Seeding - Between the dates of October 15 and April 1st, loam or seed will not be required. If the date is after November 1st, and if the exposed area has been loamed, final graded with a uniform surface, then the area may be dormant seeded at a rate of 3 times higher than specified for permanent seed and then mulched. If dormant seeding is used for the site, all disturbed areas shall receive 4" of loam and seed at an application rate of 5lbs/1000 s.f. All areas seeded during the winter will be inspected in the spring for adequate catch. All areas insufficiently vegetated (less than 75 % catch) shall be revegetated by replacing loam, seed and mulch. If dormant seeding is not used for the site, all disturbed areas shall be revegetated in the spring.
- i. All stone-lined ditches and channels shall be constructed and stabilized by November 15. All grass-lined ditches and channels shall be constructed and stabilized by September 1. If a ditch or channel is not grass-lined by September 1, then one of the following actions must be taken to stabilize the ditch for late fall and winter.
Install a sod lining in the ditch: A ditch must be lined with properly installed sod by October 1.
Install a stone lining in the ditch: A ditch must be lined with stone riprap by November 15.
- j. All stone-covered slopes must be constructed and stabilized by November 15. And all slopes to be vegetated must be seeded and mulched by September 1. If a slope to be vegetated is not stabilized by September 1, then one of the following actions must be taken to stabilize the slope for late fall and winter.
Stabilize the soil with temporary vegetation and erosion control mats: By October 1 the disturbed slope shall be seeded with winter rye at a seeding rate of 3 pounds per 1000 square feet and then install erosion control mats or anchored mulch over the seeding. If the rye fails to grow at least three inches or fails to cover at least 75% of the slope by November 1, then the contractor shall cover the slope with a layer of erosion control mix or with stone riprap as described in the following standards.
Stabilize the soil with sod: The disturbed slope shall be stabilized with properly installed sod by October 1. Proper installation includes pinning the sod onto the slope with wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil. The contractor will not use late-season sod installation to stabilize slopes having a grade greater than 33% (3H:1V) or having groundwater seeps on the slope face.
Stabilize the soil with erosion control mix: Erosion control mix shall be properly installed by November 15. The contractor shall not use erosion control mix to stabilize slopes having grades greater than 50% (2H:1V) or having groundwater seeps on the slope face.
Stabilize the soil with stone riprap: Place a layer of stone riprap on the slope by November 15.

- k. By September 15, all disturbed soils on areas having a slope less than 15% shall be seeded and mulched. If the disturbed areas are not stabilized by this date, then one of the following actions shall be taken to stabilize the soil for late fall and winter.
Stabilize the soil with temporary vegetation: By October 1, seed the disturbed soil with winter rye at a seeding rate of 3 pounds per 1000 square feet, lightly mulch the seeded soil with hay or straw at 75 pounds per 1000 square feet, and anchor the mulch with plastic netting. Monitor growth of the rye over the next 30 days. If the rye fails to grow at least three inches or fails to cover at least 75% of the disturbed soil before November 1, then mulch the area for over-winter protection as described below.
Stabilize the soil with sod: Stabilize the disturbed soil with properly installed sod by October 1. Proper installation includes pinning the sod onto the soil with wire pins, rolling by the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil.
Stabilize the soil with mulch: By November 15, mulch the disturbed soil by spreading hay or straw at a rate of at least 150 pounds per 1000 square feet on the area so that no soil is visible through the mulch. Immediately after applying the mulch, anchor the mulch with plastic netting to prevent wind from moving the mulch off the disturbed soil.

Maintenance

Maintenance measures shall be applied as needed during the entire construction season. After each rainfall, snow storm or period of thawing and runoff, the site contractor shall perform a visual inspection of all installed erosion control measures and perform repairs as needed to insure their continuous function. Following the temporary and/or final seeding and mulching, the contractor shall, in the spring, inspect and repair any damages and/or bare spots. An established vegetative cover means a minimum of 85 to 90 % of areas vegetated with vigorous growth.

Stabilization Schedule before Winter

- September 15 All disturbed areas shall be seeded and mulched. All slopes shall be stabilized, seeded and mulched.
- October 1 All grass-lined ditches and channels shall be stabilized with mulch or an erosion control blanket. If the slope is stabilized with an erosion control blanket and seeded. All disturbed areas to be protected with an annual grass shall be seeded at a seeding rate of 3 pounds per 1000 square feet on mulched areas.
- November 15 All stone-lined ditches and channels shall be constructed and stabilized. Slopes that are covered with riprap shall be constructed by that date.
- December 1 All disturbed areas where the growth of vegetation fails to be at least three inches tall or at least 75% of the disturbed soil is covered by vegetation, shall be protected for over-winter.



133 COURT STREET PORTSMOUTH, NH 03801
(603) 433-2335 www.ALTUS-ENG.com



NOT FOR CONSTRUCTION

ISSUED FOR:

FINAL APPROVAL

ISSUE DATE:

MAY 29, 2014

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/18/13
1	M.D.E.P. SUBMISSION	JKC	12/18/13
2	FINAL APPROVAL	JKC	4/04/14
3	FINAL APPROVAL	JKC	4/29/14

DRAWN BY: RMB

APPROVED BY: JKC

DRAWING FILE: 4353DS.DWG

SCALE:

N.T.S.

OWNER:

GAIL BURNS
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT:

CHINBURG BUILDERS, INC.

3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT:

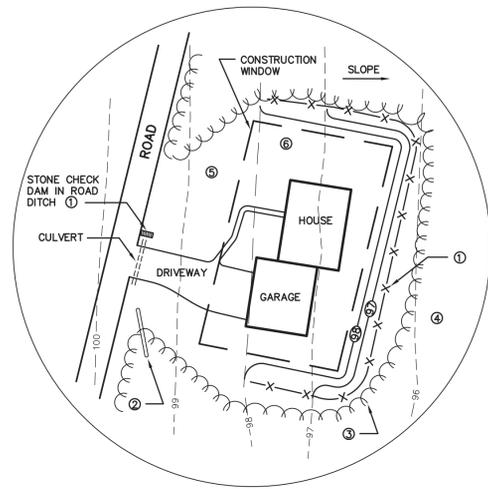
PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTERY, MAINE

TITLE:

EROSION CONTROL
NOTES

SHEET NUMBER:

C - 5



HOUSE LOT BMP
NOT TO SCALE

CONSTRUCTION OVERSIGHT

The applicant will retain the services of a professional engineer to inspect the construction and stabilization of all stormwater management structures. If necessary, the inspecting engineer will interpret the pond's construction plan for the contractor. Once all stormwater management structures are constructed and stabilized, the inspecting engineer will notify the department in writing within 30 days to state that the pond has been completed. Accompanying the engineer's notification must be a log of the engineer's inspections giving the date of each inspection, the time of each inspection, and the items inspected on each visit, and include any testing data or sieve analysis data of every mineral soil and soil media specified in the plans and used on site.

UNDERDRAINED FILTER BASIN

Construction Sequence: The soil filter media and underdrain bedding material must not be installed until the area that drains to the filter has been permanently stabilized with pavement or other structure, 90% vegetation cover, or other permanent stabilization unless the runoff from the contributing drainage area is diverted around the filter until stabilization is completed.

Compaction of Soil Filter: Filter soil media and underdrain bedding material must be compacted to between 90% and 92% standard proctor. The bed should be installed in at least 2 lifts of 9 inches to prevent pockets of loose media.

- Construction Oversight:** Inspection by a professional engineer will occur at a minimum:
- After the preliminary construction of the filter grades and once the underdrain pipes are installed but not backfilled,
 - After the drainage layer is constructed and prior to the installation of the filter media.
 - After the filter media has been installed and seeded. Bio-retention cells must be stabilized per the provided planting scheme and density for the canopy coverage of 30 and 50%.
 - After one year to inspect health of the vegetation and make corrections, and
 - All the material used for the construction of the filter basin must be confirmed as suitable by the design engineer. Testing must be done by a certified laboratory to show that they are passing DEP specifications.

Testing and Submittals: The contractor shall identify the location of the source of each component of the filter media. All results of field and laboratory testing shall be submitted to the project engineer for confirmation. The contractor shall:

- Select samples for sampling of each type of material to be blended for the mixed filter media and samples of the underdrain bedding material. Samples must be a composite of three different locations (grabs) from the stockpile or pit face. Sample size required will be determined by the testing laboratory.
- Perform a sieve analysis conforming to STM C136 (Standard Test Method for Sieve Analysis of fine and Course Aggregates 1996A) on each type of the sample material. The resulting soil filter media mixture must have 8% to 12% by weight passing the #200 sieve, a clay content of less than 2% (determined hydrometer grain size analysis) and have 10% dry weight of organic matter.
- Perform a permeability test on the soil filter media mixture conforming to ASTM D2434 with the mixture compacted to 90-92% of maximum dry density based on ASTM D698.

LOT GRADING AND DRIVEWAY LOCATION

Inspections a professional engineer will consist of a visit to the site prior to construction to consult with the earthwork contractor and a post construction meeting to confirm grading on lots and for all driveways to ensure runoff is directed according to plans and to oversee the re-stabilization of the lot into a vegetated cover.

BUFFERS - GENERAL

General forest use means that the land must be maintained with a forest cover and undisturbed soil, duff layer ground cover vegetation, and understory vegetation. Timber may be harvested on a selective basis provided that no more than 40% of the volume is harvested within any 10 year period.

ROAD DITCH TURNOUT

Inspections by a professional engineer shall consist of weekly visits to the site to inspect each turnout construction, turnout's stone berm material and placement, from initial ground disturbance to final stabilization of the level spreader.

DEWATERING

A dewatering plan is needed to address excavation de-watering following heavy rainfall events or where the excavation may intercept the groundwater table during construction. The collected water needs treatment and a discharge point that will not cause downgradient erosion and offsite sedimentation or within a resource. Please follow the details of such a plan.

BASIC STANDARDS - EROSION CONTROL MEASURES

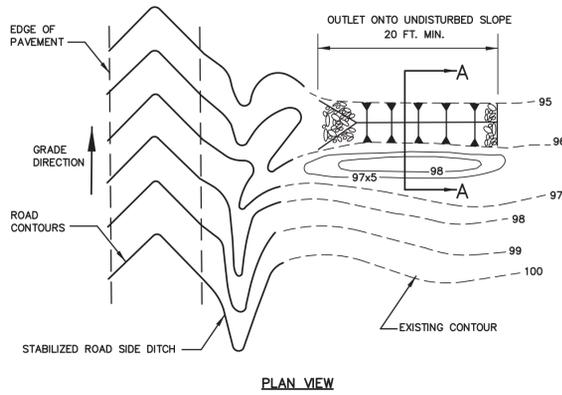
Minimum erosion control measures will need to be implemented and the applicant will be responsible to maintain all components of the erosion control plan until the site is fully stabilized. However, based on site and weather conditions during construction, additional erosion control measures may need to be implemented. All areas of instability and erosion must be repaired immediately during construction and need to be maintained until the site is fully stabilized or vegetation is established. A construction log must be maintained for the erosion and sedimentation control inspections and maintenance

INSTALLATION

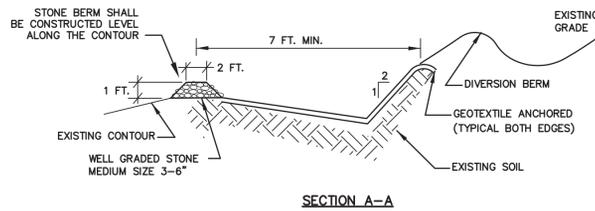
- INSTALL SEDIMENT BARRIERS ON THE SITE BEFORE DISTURBING SOILS. SEE THE "SEDIMENT BARRIER" MEASURE FOR DETAILS ON INSTALLATION AND MAINTENANCE.
- CONSTRUCT A DIVERSION DITCH TO KEEP UPSLOPE RUNOFF OUT OF WORK AREA.
- MARK CLEARING LIMITS ON THE SITE TO KEEP EQUIPMENT OUT OF AREAS WITH STEEP SLOPES, CHANNELIZED FLOW, OR ADJACENT SURFACE WATERS AND WETLANDS.
- PRESERVE BUFFERS BETWEEN THE WORK AREA AND ANY DOWNSTREAM SURFACE WATERS AND WETLANDS. SEE THE "BUFFERS" MEASURE FOR BUFFER PRESERVATION.
- USE TEMPORARY MULCH AND RYE-SEED TO PROTECT DISTURBED SOILS OUTSIDE THE ACTIVE CONSTRUCTION AREA. SEE THE "MULCHING" MEASURE AND "VEGETATION" MEASURE FOR DETAILS AND SPECIFICATIONS FOR THESE CONTROLS.
- PERMANENTLY SEED AREAS NOT TO BE PAVED WITHIN SEVEN DAYS OF COMPLETING FINAL GRADING. SEE "VEGETATION" MEASURE FOR INFORMATION ON PROPER SEEDING.

MAINTENANCE

EVERY MONTH THE FIRST YEAR AFTER CONSTRUCTION AND YEARLY THEREAFTER, INSPECT FOR AREAS SHOWING EROSION OR POOR VEGETATION GROWTH. FIX THESE PROBLEMS AS SOON AS POSSIBLE. EACH SPRING REMOVE ANY ACCUMULATION OF DEBRIS OR WINTER SAND THAT WOULD IMPEDE RUNOFF FROM ENTERING A BUFFER OR DITCH.



PLAN VIEW

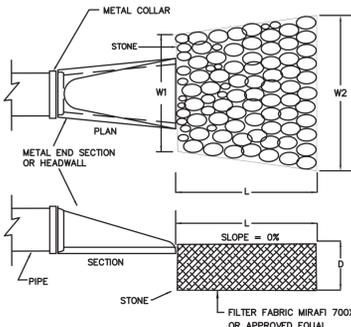


SECTION A-A

ROAD DITCH TURNOUTS SHALL BE CONSTRUCTED PER STORMWATER MANAGEMENT FOR MAINE, *VOLUME III BMP'S TECHNICAL DESIGN MANUAL, CHAPTER 5.2.4, DITCH TURN OUT BUFFER*, JANUARY 2006 SPECIFICATIONS.

ROAD DITCH TURNOUT

NOT TO SCALE

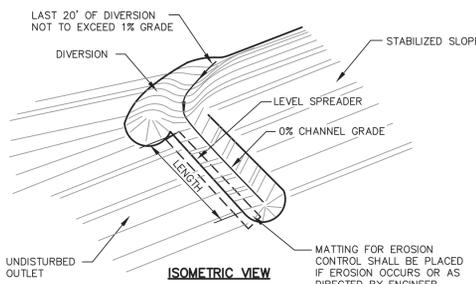


NOTES:

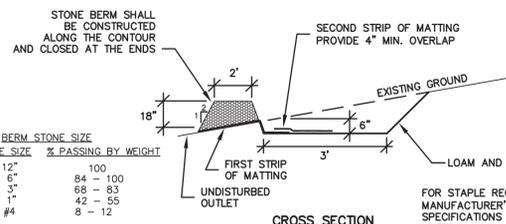
- STONE SIZE AND MAT DIMENSIONS DETAILED ON GRADING, DRAINAGE & EROSION CONTROL PLAN
- FIELD STONE, QUARRY STONE, OR ROCK FRAGMENTS SHALL BE SOUND, OF APPROVED QUALITY, AND FREE FROM STRUCTURAL DEFECTS. THE STONES SHALL BE ANGULAR AND APPROXIMATELY RECTANGULAR IN SHAPE. FLAT OR ROUND ROCKS ARE NOT ACCEPTABLE.
- A WELL GRADED MIXTURE OF ROCK SIZES SHALL BE USED FOR STONE. FIFTY PERCENT BY WEIGHT OF THE STONE MIXTURE SHALL BE SMALLER THAN THE MEDIAN SIZE STONE (d50). THE LARGEST STONE SIZE IN THE MIXTURE SHALL BE 1.5 TIMES THE d50 SIZE.

RIP RAP OUTLET PROTECTION

NOT TO SCALE



ISOMETRIC VIEW

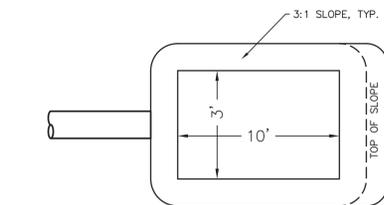


CROSS SECTION

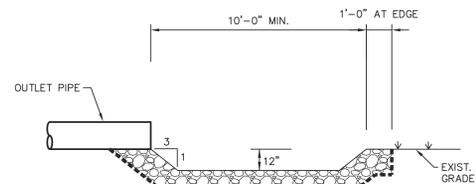
LEVEL SPREADERS SHALL BE CONSTRUCTED PER STORMWATER MANAGEMENT FOR MAINE, *VOLUME III BMP'S TECHNICAL DESIGN MANUAL, CHAPTER 5.2.2, BUFFER WITH STONE BERMED LEVEL LIP SPREADER*, JANUARY 2006 SPECIFICATIONS.

LEVEL SPREADER

NOT TO SCALE



PLAN VIEW

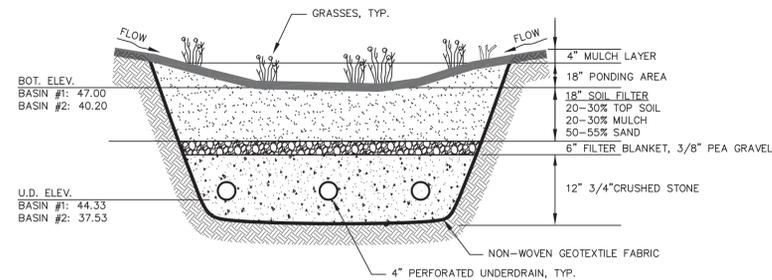


SECTION

- CONSTRUCT PLUNGE POOL TO THE WIDTHS AND LENGTHS SHOWN ON THE PLAN.
- THE SUBGRADE FOR THE GEOTEXTILE FABRIC AND RIPRAP SHALL BE PREPARED TO LINES AND GRADES SHOWN ON THE PLANS.
- EROSION STONE USED FOR THE PLUNGE POOL SHALL MEET THE FOLLOWING GRADATION. GEOTEXTILE FABRICS SHALL BE PROTECTED FROM PUNCTURE OR TEARING DURING THE PLACEMENT OF THE EROSION STONE. DAMAGED AREAS IN THE FABRIC SHALL BE REPAIRED BY PLACING A PIECE OF FABRIC OVER THE DAMAGED AREA OR BY COMPLETE REPLACEMENT OF THE FABRIC. ALL OVERLAPS REQUIRED FOR REPAIRS OR JOINING TWO PIECES OF FABRIC SHALL BE A MINIMUM OF 18 INCHES.
- THE EROSION STONE MAY BE PLACED BY EQUIPMENT AND SHALL BE CONSTRUCTED TO THE FULL LAYER THICKNESS IN ONE OPERATION AND IN SUCH A MANNER AS TO PREVENT SEGREGATION OF THE STONE SIZES.

PLUNGE POOL DETAIL

NOT TO SCALE



SOIL FILTER MEDIA		
FILTER MEDIA	MIXTURE BY VOLUME	SPECIFICATION
SAND	50-55%	MEDOT SPECIFICATION #703.01 FINE AGGREGATE FOR CONCRETE
TOPSOIL	20-30%	LOAMY SAND TOPSOIL WITH MINIMAL CLAY CONTENT AND BETWEEN 15 TO 25% FINES PASSING THE #200 SIEVE
MULCH	20-30%	MODERATELY FINE, SHREDED BARK OR WOOD FIBER MULCH WITH LESS THAN 5% PASSING #200 SIEVE

MEDOT #703.01 AGGREGATE	
SEIVE SIZE	% BY WEIGHT
3/8"	100
#4	95-100
#8	80-100
#16	50-85
#30	25-60
#60	10-30
#100	2-10
#200	0-5

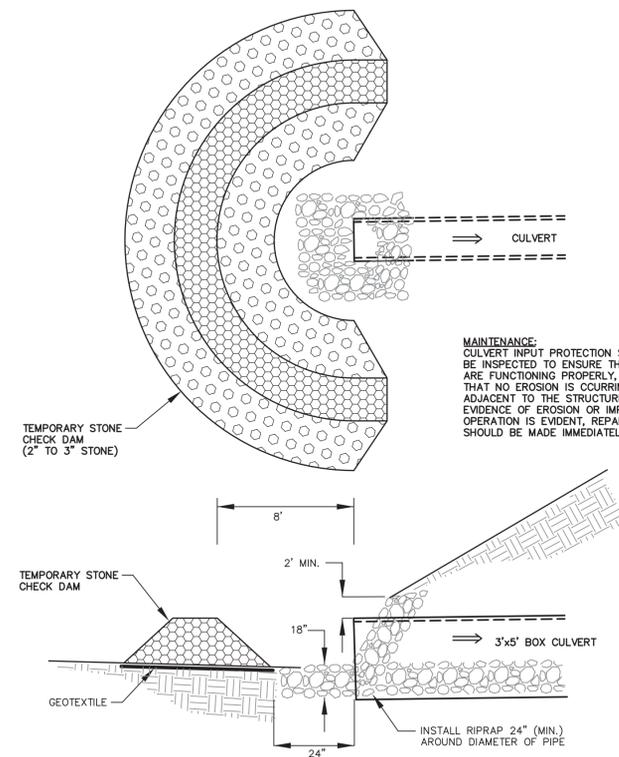
SEEDING (CONSERVATION MIX)	
Creeping red fescue	20 lb/acre
Tall fescue	20 lb/acre
Bird's foot trefoil	8 lb/acre
Annual Rye	20 lb/acre
Total	68 lb/acre
Straw mulch or erosion control blanket	after seeding

GRASSED UNDERDRAINED SOIL FILTER (USF) NOTES:

- USF CONSTRUCTION SHALL BE IN GENERAL CONFORMANCE OF MAINE DEP STORMWATER MANAGEMENT MANUAL, LATEST EDITION.
- THE USF SUBGRADE SHALL BE EXCAVATED TO THE DESIGN DEPTH PLUS TWO (2) INCHES. AT THAT DEPTH FOUR (4) INCHES OF COMPOST SHALL BE TILLED INTO THE EXISTING SOILS SUCH THAT THE SOILS ARE WELL MIXED.
- USF SHALL BE CONSTRUCTED AND REMAIN OFF-LINE UNTIL TURF IS ESTABLISHED AT 80% COVERAGE FOR CONTRIBUTING DRAINAGE AREA. DO NOT ALLOW SILTED RUNOFF TO ENTER THE USF.
- DO NOT DRIVE CONSTRUCTION EQUIPMENT ON FILTER SUBGRADE NOR ON THE FILTER MATERIAL. INSTALL FILTER MATERIALS BY MEANS OF AN EXCAVATOR LOCATED ADJACENT TO THE FILTER AREA.
- REFER TO SPECIFICATION FOR GRASS MIX. INITIAL ESTABLISHMENT: DURING THE FIRST 2-3 MONTHS OF ESTABLISHMENT WATER THE USF ON A WEEKLY BASIS (TO SUPPLEMENT RAINFALL FOR TOTAL OF 1-INCH PER WEEK).
- ANNUAL MAINTENANCE:**
 - IN THE SPRING OF EACH YEAR, ANY DEAD VEGETATION SHALL BE REMOVED TO ALLOW FOR NEW GROWTH, AND ANY ACCUMULATED SEDIMENT (NORMALLY AT THE ENTRANCE TO THE USF) SHALL ALSO BE REMOVED.
 - TURF SHALL BE MOWED WITH HAND MOWER SEMI-ANNUALLY TO A HEIGHT NO LESS THAN 6 INCHES.
 - BARE AREAS OR EROSION RILLS SHALL BE REPAIRED WITH NEW MEDIA OR SANDY LOAM THEN SEEDED AND MULCHED.
 - IF WATER PONDS ON THE SURFACE FOR MORE THAN 24 HOURS DURING THE FIRST YEAR OR 72 HOURS THEREAFTER, THE FILTER SURFACE SHALL BE AERATED WITH DEEP TINES OR THE SURFACE REPLACED.

GRASSED UNDERDRAINED SOIL FILTER

NOT TO SCALE



PIPE INLET PROTECTION

NOT TO SCALE

ALTUS ENGINEERING, INC.
133 COURT STREET PORTSMOUTH, NH 03801
(603) 433-2335 www.ALTUS-ENG.com



NOT FOR CONSTRUCTION

ISSUED FOR: **FINAL APPROVAL**

ISSUE DATE: **MAY 29, 2014**

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/18/13
1	M.D.E.P. SUBMISSION	JKC	12/18/13
2	M.D.E.P. COMMENTS	JKC	2/10/14
3	M.D.E.P. COMMENTS	JKC	3/03/14
4	FINAL APPROVAL	JKC	4/04/14
5	FINAL APPROVAL	JKC	5/29/14

DRAWN BY: **RMB**

APPROVED BY: **JKC**

DRAWING FILE: **4353DS.DWG**

SCALE: **N.T.S.**

OWNER: **GAIL BURNS**

**60 WILSON ROAD
KITTERY, MAINE 03904**

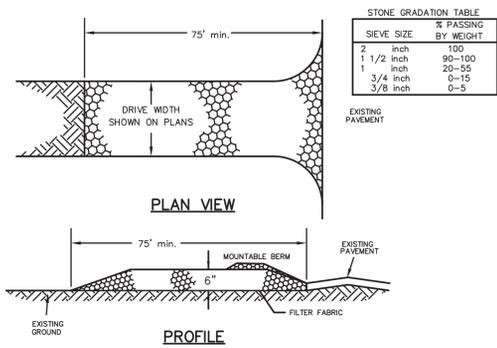
APPLICANT: **CHINBURG BUILDERS, INC.**

**3 PENSTOCK WAY
NEWMARKET, NH 03857**

PROJECT: **PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTERY, MAINE**

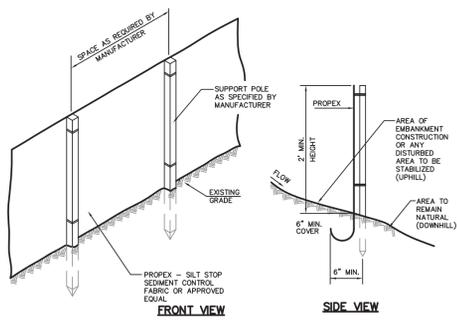
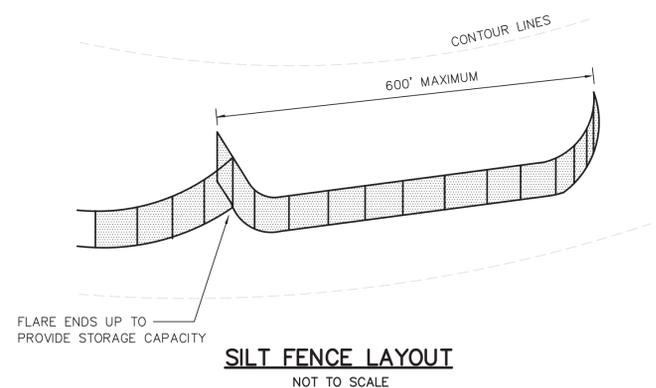
TITLE: **DETAIL SHEET**

SHEET NUMBER: **C - 6**



- CONSTRUCTION SPECIFICATIONS**
- STONE SIZE - SEE GRADATION TABLE
 - LENGTH - DETAILED ON PLANS (75 FOOT MINIMUM).
 - THICKNESS - SIX (6) INCHES (MINIMUM).
 - WIDTH - FULL DRIVE WIDTH
 - FILTER FABRIC - MIRAFI 600X OR APPROVED EQUAL
 - SURFACE WATER CONTROL - ALL SURFACE WATER THAT IS FLOWING TO OR DIVERTED TOWARD THE CONSTRUCTION EXIST SHALL BE PIPED BENEATH THE EXIST. IF PIPING IS IMPRACTICAL, A BERM WITH 5:1 SLOPES THAT CAN BE CROSSED BY VEHICLES MAY BE SUBSTITUTED FOR THE PIPE.
 - MAINTENANCE - THE EXIST SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS WILL REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE OR ADDITIONAL LENGTH AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
 - WHEELS SHALL BE CLEANED TO REMOVE MUD PRIOR TO ENTRANCE ONTO PUBLIC RIGHTS-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.

STABILIZED CONSTRUCTION EXIST
NOT TO SCALE

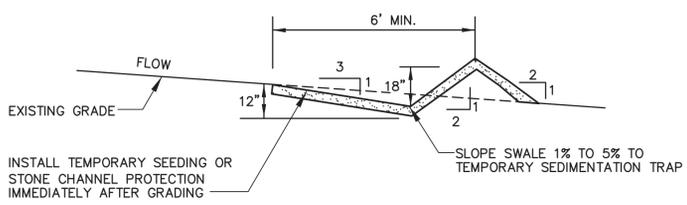


SILT FENCE DETAIL
NOT TO SCALE

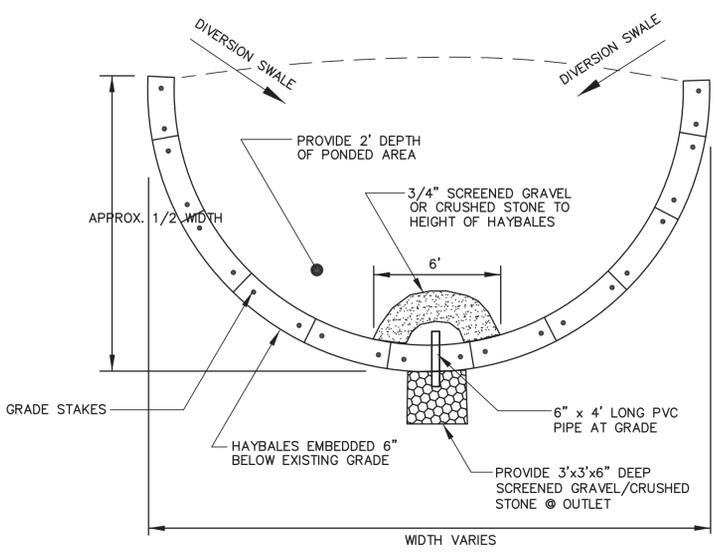
TEMPORARY EROSION CONTROL BMP's

(USE TO CONTROL SEDIMENT AND EROSION AT TEMPORARY CONSTRUCTION LAYDOWN AND STOCKPILE AREAS, OR AS NEEDED TO COMPLY WITH MAINE CONSTRUCTION GENERAL PERMIT)

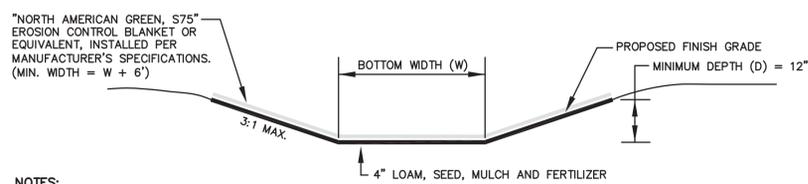
SWALE SHALL BE FREE OF IRREGULARITIES WHICH MAY CAUSE PONDING. COMPACT FILLS AS NECESSARY TO STABILIZE MATERIAL.



TEMPORARY DIVERSION SWALE
NOT TO SCALE

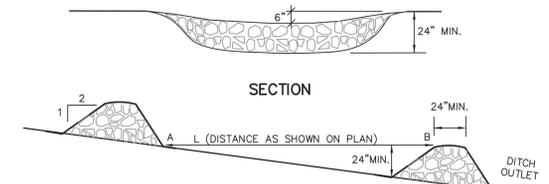


TYPICAL TEMPORARY SEDIMENT BASIN (TSB)
NOT TO SCALE



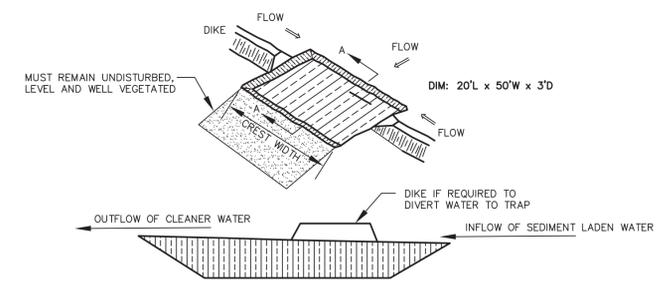
- NOTES:**
- THE FOUNDATION AREA OF THE WATERWAY SHALL BE CLEARED AND GRUBBED OF ALL TREES, BRUSH, STUMPS, AND OTHER OBJECTIONABLE MATERIAL. MATERIALS REMOVED SHALL BE DISPOSED OF SO THEY WILL NOT INTERFERE WITH THE CONSTRUCTION OR PROPER FUNCTIONING OF THE WATERWAY.
 - THE WATERWAY SHALL BE EXCAVATED OR SHAPED TO LINE, GRADE AND CROSS SECTION AS REQUIRED TO MEET THE DESIGN CRITERIA. THE WATERWAY SHALL BE FREE OF IRREGULARITIES WHICH WILL IMPEDE NORMAL FLOW.
 - EARTH FILLS REQUIRED TO MEET SUBGRADE REQUIREMENTS BECAUSE OF OVER EXCAVATION OR TOPOGRAPHY SHALL BE COMPACTED TO THE SAME DENSITY AS THE SURROUNDING SOIL TO PREVENT UNEQUAL SETTLEMENT THAT COULD CAUSE DAMAGE TO THE COMPLETED WATERWAY. EARTH REMOVED AND NOT NEEDED IN CONSTRUCTION SHALL BE SPREAD OR DISPOSED OF SO IT WILL NOT INTERFERE WITH THE FUNCTIONING OF THE WATERWAY.
 - CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER AS TO MINIMIZE EROSION AND AIR AND WATER POLLUTION. ALL APPROPRIATE STATE AND LOCAL LAWS AND REGULATIONS SHALL BE COMPLIED WITH FOR INSTALLATION.
 - VEGETATION SHALL BE ESTABLISHED IN THE SWALE OR AN EROSION CONTROL MATTING INSTALLED PRIOR TO ALLOWING STORMWATER RUNOFF TO FLOW THROUGH THE SWALE.
 - MAINTENANCE OF THE VEGETATION IN THE GRASSED WATERWAY IS EXTREMELY IMPORTANT IN ORDER TO PREVENT RILLING, EROSION, AND FAILURE OF THE WATERWAY. MOWING SHALL BE DONE FREQUENTLY ENOUGH TO CONTROL ENCRoACHMENT OF WEEDS AND WOODY VEGETATION AND TO KEEP THE GRASSES IN A VIGOROUS CONDITION. THE VEGETATION SHALL NOT BE MOWED TOO CLOSELY SO AS TO REDUCE THE EROSION RESISTANCE IN THE WATERWAY.
 - THE WATERWAY SHOULD BE INSPECTED PERIODICALLY AND AFTER ANY STORM GREATER THAN 0.5" OF RAINFALL IN 24 HOURS TO DETERMINE THE CONDITION OF THE WATERWAY. RILLS AND DAMAGED AREAS SHOULD BE PROMPTLY REPAIRED AND REVEGETATED AS NECESSARY TO PREVENT FURTHER DETERIORATION.
 - APPLY LIME AND FERTILIZER AS NEEDED TO MAINTAIN VIGOROUS GROWTH.

GRASSED SWALE
NOT TO SCALE



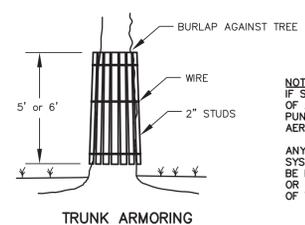
- L = DISTANCE SUCH THAT POINTS A AND B ARE OF EQUAL ELEVATION
- CHECK DAM SHALL BE CONSTRUCTED OF 2" TO 3" STONE WITH COMPLETE COVERAGE OF DITCH OR SWALE TO INSURE THAT THE CENTER OF THE STRUCTURE IS LOWER THAN THE EDGES.

STONE CHECK DAM DETAIL
NOT TO SCALE



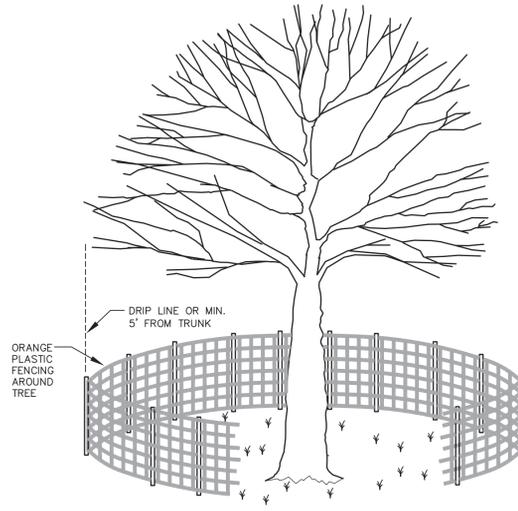
NOTE: SEDIMENT SHALL BE REMOVED AND TRAP RESTORED TO ITS ORIGINAL DIMENSION WHEN SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP. REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.

EXCAVATED GRASS OULET SEDIMENT TRAP
NOT TO SCALE



NOTE: IF SOIL BECOMES COMPACTED OVER THE ROOT ZONE OF ANY TREE, THE GROUND SHOULD BE AERATED BY PUNCHING SMALL HOLES IN IT WITH SUITABLE AERATING EQUIPMENT.

ANY DAMAGE TO THE CROWN, TRUNK OR ROOT SYSTEM OF ANY TREE RETAINED ON SITE SHOULD BE REPAIRED IMMEDIATELY. CONSULT A FORESTER OR TREE SPECIALIST FOR MORE SERIOUS DAMAGE OF TREES.



TREE PROTECTION
NOT TO SCALE



NOT FOR CONSTRUCTION

ISSUED FOR: **FINAL APPROVAL**

ISSUE DATE: **APRIL 4, 2014**

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/18/13
1	M.D.E.P. SUBMISSION	JKC	12/18/13
2	M.D.E.P. COMMENTS	JKC	2/10/14
3	FINAL APPROVAL	JKC	4/04/14

DRAWN BY: **RMB**
APPROVED BY: **JKC**
DRAWING FILE: **4353DS.DWG**

SCALE: **N.T.S.**

OWNER: **GAIL BURNS**
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT: **CHINBURG BUILDERS, INC.**
3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT: **PEARSON MEADOW**
SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTERY, MAINE

TITLE: **TEMPORARY**
EROSION CONTROL
DETAILS

SHEET NUMBER: **C - 7**



NOT FOR CONSTRUCTION

ISSUED FOR: **FINAL APPROVAL**

ISSUE DATE: **APRIL 4, 2014**

NO.	DESCRIPTION	BY	DATE
0	PRELIMINARY SUBMISSION	JKC	7/18/13
1	M.D.E.P. SUBMISSION	JKC	12/18/13
2	FINAL APPROVAL	JKC	4/04/14

DRAWN BY: _____ **RMB**
APPROVED BY: _____ **JKC**
DRAWING FILE: _____ **4353DS.DWG**

SCALE: **N.T.S.**

OWNER:
GAIL BURNS
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT:
CHINBURG BUILDERS, INC.
3 PENSTOCK WAY
NEWMARKET, NH 03857

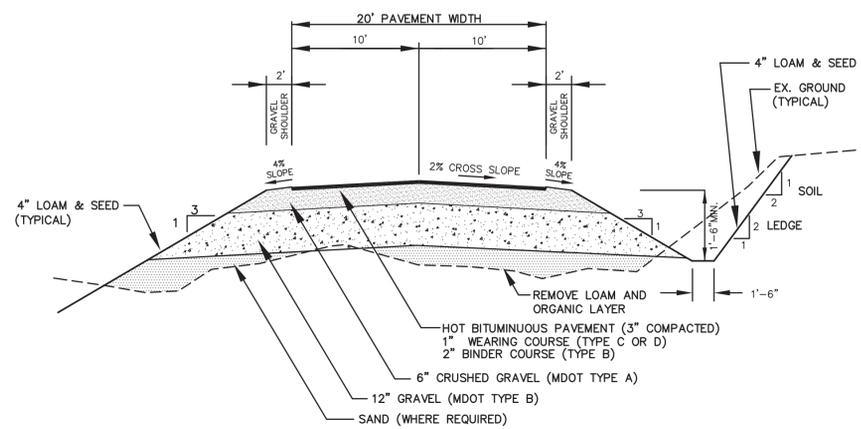
PROJECT:
PEARSON MEADOW
SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTERY, MAINE

TITLE:

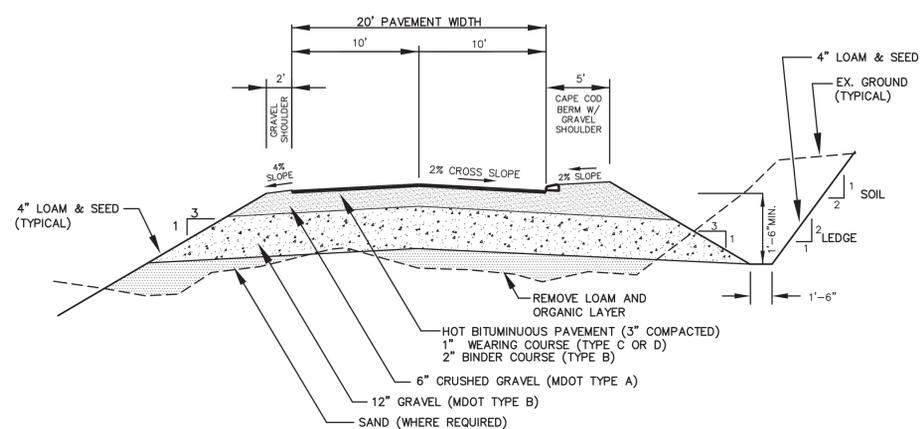
DETAIL SHEET

SHEET NUMBER:

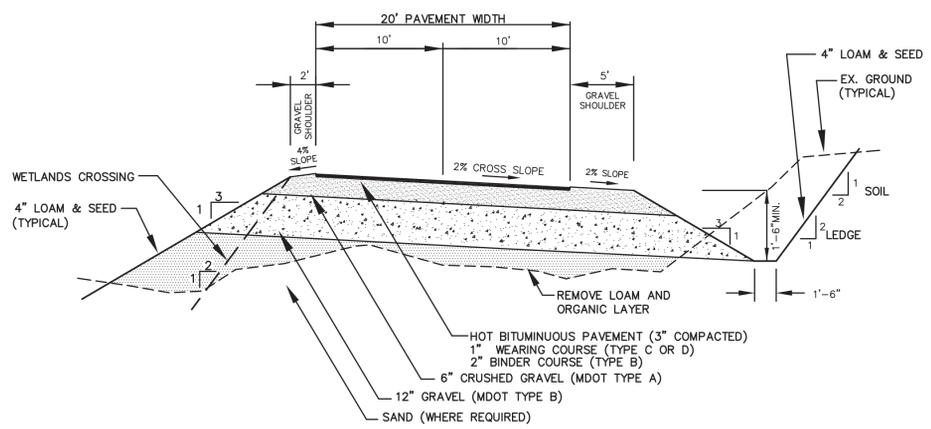
C - 8



TYPICAL ROADWAY CROSS SECTION
STA. 11+39 TO STA. 13+02
NOT TO SCALE

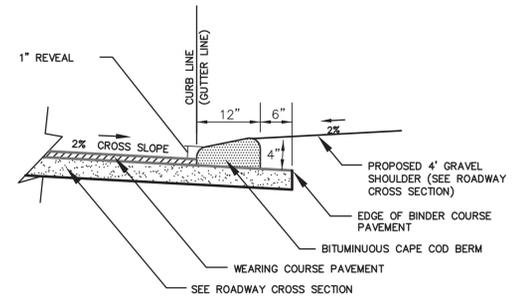


TYPICAL ROADWAY CROSS SECTION
STA. 9+42 TO STA. 11+39
NOT TO SCALE

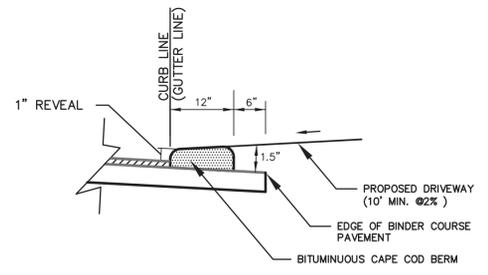


- NOTES:**
1. EACH GRAVEL BASE COURSE TO BE CONSTRUCTED AT THE PAVEMENT CROSS SLOPE.
 2. REMOVE ROCKS AND LEDGE 24" BELOW LOWEST WORK BEING INSTALLED.
 3. COMPACT ALL MATERIALS TO 95% MAXIMUM PROTOR DENSITY.
 4. REMOVE UNSTABLE MATERIAL BELOW THE LIMITS OF SHOULDER AND PAVEMENT.
 5. REMOVE ALL STUMPS BELOW PAVED AREAS AND SHOULDERS.

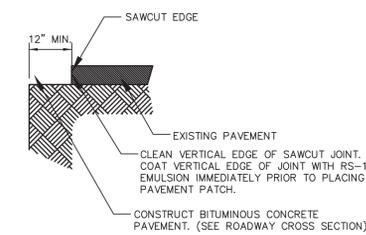
TYPICAL ROADWAY CROSS SECTION
STA. 0+00 TO STA. 9+42
NOT TO SCALE



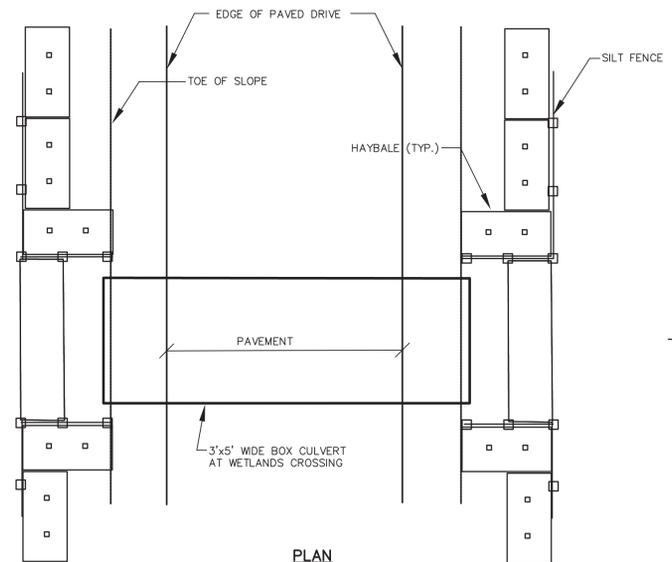
CAPE COD BERM DETAIL
NOT TO SCALE



DRIVEWAY CAPE COD BERM DETAIL
NOT TO SCALE

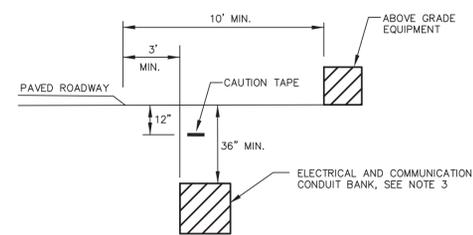


TYPICAL PAVEMENT SAWCUT DETAIL
NOT TO SCALE



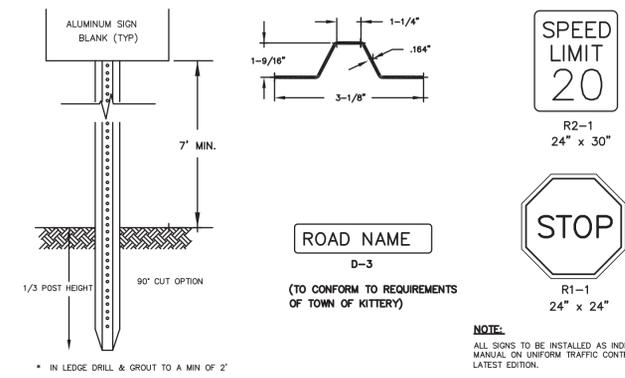
PLAN

CULVERT DETAIL AT WETLANDS X-ING
NOT TO SCALE



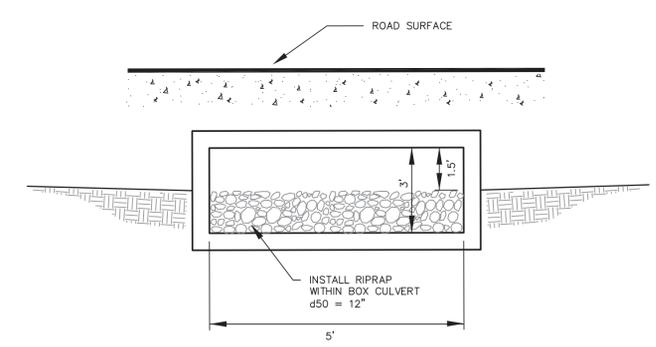
- NOTES:**
- 1) ELECTRICAL AND COMMUNICATION CONDUIT SIZE, MATERIALS AND SPACING SHALL BE IN ACCORDANCE WITH THE APPLICABLE UTILITY COMPANY STANDARDS.
 - 2) CONDUIT SHALL CROSS PAVED AREAS AT 90°.
 - 3) BACKFILL NOTES:
A) SELECTED SAND BACKFILL SHALL CONSIST OF A FINE GRANULAR MATERIAL OF WHICH 100% SHALL PASS THROUGH A 1/4" SIEVE.
B) EXCEPTION: NATURALLY OCCURRING SMOOTH ROUND PEBBLES NO GREATER THAN 3/8" IN DIAMETER ARE PERMITTED AS LONG AS THEIR TOTAL VOLUME PER CUBIC FOOT OF SAND DOES NOT EXCEED 1%.
C) THE SAND SHALL BE COMPLETELY FREE OF FROZEN LUMPS, ROCKS, STONES, DEBRIS AND RUBBISH.

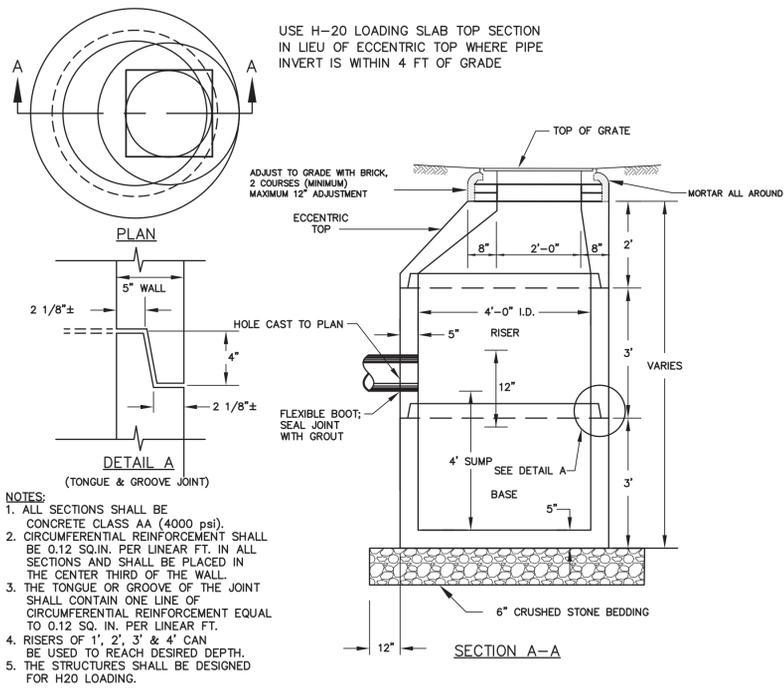
UNDERGROUND CONDUIT BANK DETAIL
NOT TO SCALE



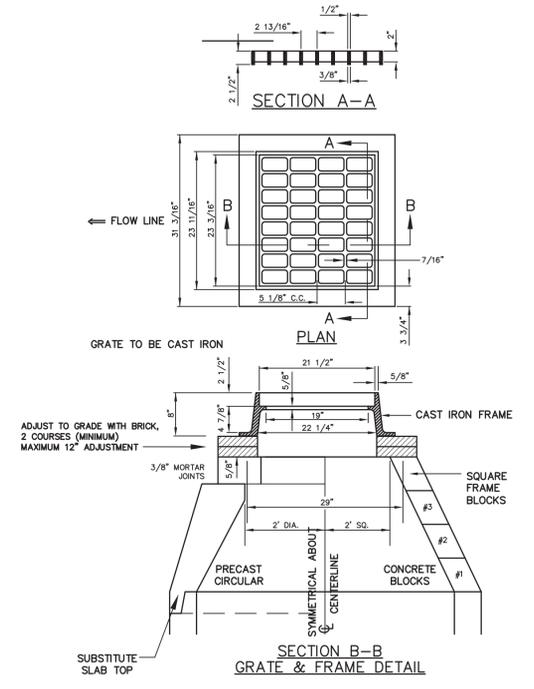
LENGTH: AS REQUIRED
WEIGHT PER LINEAR FOOT: 2.50 LBS. (MIN.)
HOLES: 3/8" DIAMETER, 1" C-C FULL LENGTH
STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR ASTM A-576 (GRADE 1070 - 1080)
FINISH: SHALL BE PAINTED WITH TWO COATS OF AN APPROVED GREEN BAKED ON OR AIR DRIED, PAINT OF WEATHER RESISTANT QUALITY. ALL FABRICATION SHALL BE COMPLETE BEFORE PAINTING.

SIGN POST DETAIL
NOT TO SCALE

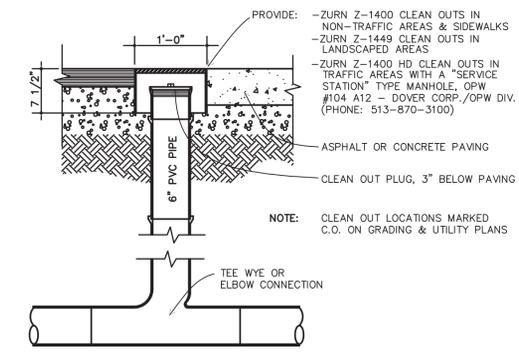




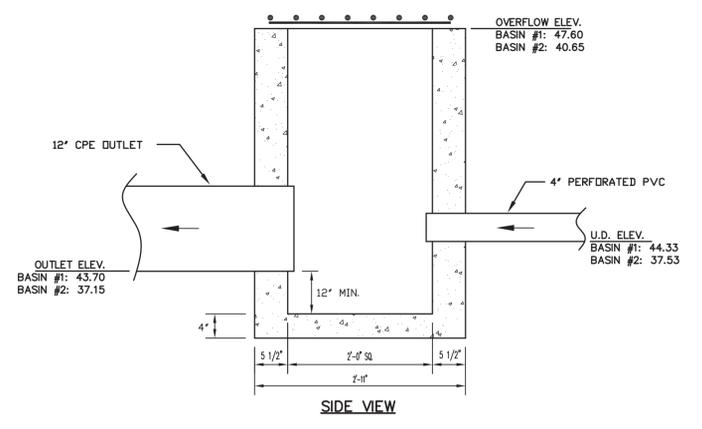
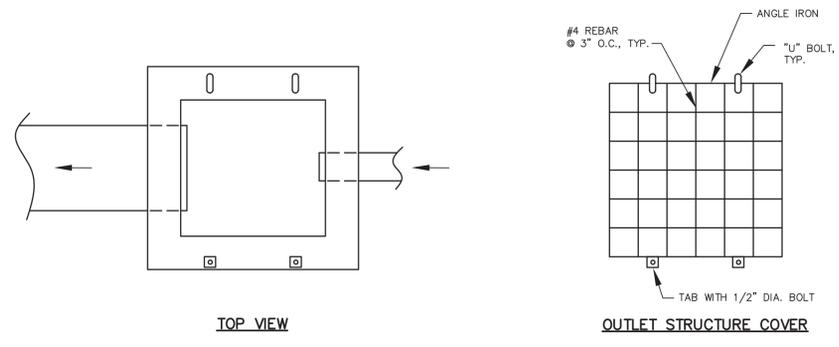
CATCH BASIN
NOT TO SCALE



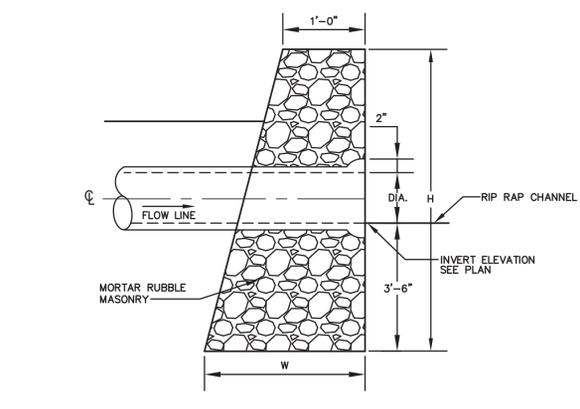
CATCH BASIN FRAME & GRATE
NOT TO SCALE



CLEANOUT DETAIL
NOT TO SCALE

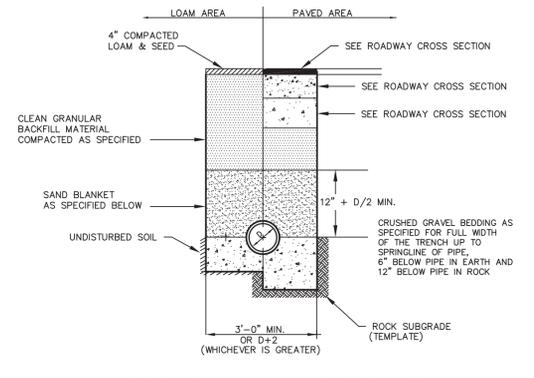


UNDERDRAIN FILTER BASIN OUTLET STRUCTURE
NOT TO SCALE



MORTAR RUBBLE MASONRY HEADWALL DETAIL
NOT TO SCALE

AREA OF PIPE (SQ. FT.)	MASS PER FT. (LBS.)	MASS PER SQ. FT. (LBS.)	MASS PER STD. HOLE (LBS.)	STRENGTH PER STD. HOLE (KIP)	LENGTH PER STD. HOLE (FT.)	PIPE EXC. PER STD. HOLE (CU. YD.)	HOR. EXC. PER STD. HOLE (CU. YD.)	ITEM PER STD. HOLE	HOR. LENGTH (FT.)	HOR. HEIGHT (FT.)	WDTH AT BOTTOM OF HOLE (FT.)	MASS IN SQUARE FOOT (LBS.)	HOR. EXC. PER SQ. FT. (CU. YD.)
6.68	0.186	1.08	0.61	9	3'-2"	0.111	0.789	0.30	3'-6"	3'-6"	0'-10.5"	0.28	1.037
12	0.79	1.08	0.61	9	3'-2"	0.111	0.789	0.30	3'-6"	3'-6"	0'-10.5"	0.28	1.037
15	1.23	0.202	1.73	0.85	11	3'-10"	0.120	0.947	0.35	4'-6"	3'-9"	0.31	1.232



SAND BLANKET		CRUSHED GRAVEL BEDDING	
SIETVE SIZE	% FINER BY WEIGHT	SIETVE SIZE	% PASSING BY WEIGHT
1/2"	90 - 100	3"	100
200	0 - 15	2"	95 - 100
		1"	55 - 85
		# 4	27 - 52
		# 200	0 - 12

MDOT TYPE A, CRUSHED GRAVEL

*(IN SAND PORTION) FRACTION PASSING THE #4 SIEVE.

BACKFILL MATERIAL BELOW PAVED OR CONCRETE AREAS, BEDDING MATERIAL, AND SAND BLANKET SHALL BE COMPACTED TO NOT LESS THAN 95% OF AASHTO T 99, METHOD C. SUITABLE BACKFILL MATERIAL BELOW LOAM AREAS SHALL BE COMPACTED TO NOT LESS THAN 90% OF AASHTO T 99, METHOD C.

TRENCH SECTION
NOT TO SCALE



NOT FOR CONSTRUCTION

ISSUED FOR: FINAL APPROVAL

ISSUE DATE: APRIL 4, 2014

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	M.D.E.P. SUBMISSION	JKC	12/18/13
1	M.D.E.P. COMMENTS	JKC	2/10/14
2	M.D.E.P. COMMENTS	JKC	3/03/14
3	FINAL APPROVAL	JKC	4/04/14

DRAWN BY: RMB
APPROVED BY: JKC
DRAWING FILE: 4353DS.DWG

SCALE: N.T.S.

OWNER:
GAIL BURNS
60 WILSON ROAD
KITTERY, MAINE 03904

APPLICANT:
CHINBURG BUILDERS, INC.
3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT:
PEARSON MEADOW SUBDIVISION
MAP 54 LOT 14
60 WILSON ROAD
KITTERY, MAINE

TITLE:

DETAIL SHEET

SHEET NUMBER:

**Town of Kittery
Planning Board Meeting
June 12, 2014**

Old Armory Way Mixed Use Development — Sketch Plan Review

Owner and Applicant Ken McDavitt is requesting consideration for plans to construct a 3-unit residential condominium with 12 commercial boat slips at the shorefront located at 15 Old Armory Way, Tax Map 4, Lot 51, and within the Mixed Use Kittery Foreside Zone and the Shoreland and Commercial Fisheries/Maritime Activities Overlay Zones. Agent is Edward Brake, Attar Engineering, Inc., Eliot, Maine.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan Review	Initiated 5/8/14, continued to 6/22	PENDING
NO	Site Visit	Scheduled for 6/5	COMPLETE
Yes	Preliminary Plan Review Completeness/Acceptance		
Yes	Public Hearing		
Yes	Final Plan Review		

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.

REFER TO 5/8/14 PACKET FOR PLAN INFORMATION

Background

Applicant began the process for parcel development in 2012, not proceeding beyond the sketch plan review level. Following further review and discussion with staff, the enclosed proposal is their latest submittal for sketch plan consideration.

Staff Comments

Comments from the May 8th meeting have been added to below.
Site walk was scheduled for June 5th and should be discussed at the June meeting.

MU-KF Zone (16.3.2.15):

As outlined in the General Notes on the Site Plan, the proposal appears to meet standard requirements found in 16.3.2.15.D for the MU-KF zone, with the following observations:

1. Proposal includes permitted uses in the MU-KF zone (dwelling units/parking lots/marinas).
2. GIS indicates public sewer and water is available to the site; there is no differentiation in standards regarding availability of sewer and water in this zone (note 4).
3. Plan indicates 5 parking spaces are provided for the 3 residential units (1.5 space per unit = 4.5 spaces), with 4 spaces in unit garages and 1 exterior parking space.
4. Plan appears to meet minimum and maximum setbacks, building coverage, lot size, etc. (see Plan Notes).

- Applicant demonstrates the parking illustrated meets the parking requirements for the MU-KF zone.
5. 16.8.9.4.F. *A Parking area must meet the wetland and water body setback requirements for structures for the district in which such areas are located, per Table 1 of Chapter 16.9, Minimum Setback from Wetlands and Waterbodies, except in the Commercial Fisheries/Maritime Uses Overlay Zone, parking area must be set back at least twenty-five (25) feet from the normal high-water line or the upland edge of a wetland. The setback requirement for a parking area serving public boat launching facilities, in zones other than the Commercial, Business-Local, Residential-Urban Zones, and the Commercial Fisheries/Maritime Uses Overlay Zone, may be reduced to no less than fifty (50) feet from the normal high-water line or upland edge of a wetland if the Planning Board finds no other reasonable alternative exists.*

Marine Related Development (16.11)

16.11.1.F. Where the Planning Board must review and approve a development plan involving a pier, ramp, flotation system or principal marine structure, and prior to Planning Board approval, the Port Authority must comment on the plan's conformance with Port Authority rules and regulations and navigational aspects of any proposed pier, ramp and float system or principal marine structure.

Access to the proposed dock from the parking is not shown. The parking/retaining wall design should accommodate this in subsequent development plans.

Boundary Survey

A boundary survey is required as part of the preliminary plan application. Specific to this site this information will be pertinent in documenting the Right-Of-Way for Old Armory Way (formerly Echo Street) and determine location and width so it is clear the proposed buildings conform to the front yard standard.

Screening

The Applicant should anticipate planting the island shown adjacent to the parking area proposed for commercial use.

Architecture and retaining wall

The applicant is expected to prepared and submit measured elevations of the proposed principal structures and retaining wall and address pertinent standards with the preliminary plan application. The architectural design is subject to review by the Kittery Foreside Committee.

The applicant is advised to confer with the Fire Chief when architectural designs are prepared to determine the anticipated fire-rating for the proposed exterior walls that are shown separated by 10 feet.

Recommendation

As a Sketch Plan, the applicant has submitted sufficient information for the Board to guide the applicant to Preliminary Plan review. At preliminary plan review, further development standards will be addressed including Design Review (16.3.2.15.F), as applicable.

Notwithstanding the potential issues raised regarding front yard setback and proposed single parking space, the site concept appears to be in general conformance to the land use development code, and the Board

**Town of Kittery
 Planning Board Meeting
 June 12, 2014**

ITEM 8–Knutel/56 Chauncey Creek Rd–Modification to an Appr’vd Plan -Shoreland Development Review
Action: Accept or deny plan application and schedule site walk and/or public hearing. Owner and applicant Philip Knutel is requesting approval of their plans to expand an existing non-conforming building located on Chauncey Creek Rd., Tax Map 44, Lot 55, in the Kittery Point Village and Shoreland Overlay zones. Agent is Architect Tom Emerson, Studio B-E.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		
NO	Site Visit		
YES	Completeness/Acceptance	Scheduled June 12, 2014	PENDING
NO	Public Hearing		
YES	Plan Approval		

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.

Overview

This is a minor amendment to a plan approved on July 11, 2013 (FOF and Plan attached for your reference) for construction in the shoreland zone. The applicant is requesting to replace the front porch with pressure treated wood and provide a canopy over the front porch. The previous porch was 5'2" x 5'9". The applicant is reducing the porch to 7'x3', resulting in a smaller footprint located further from the front property line. The proposed 3'x3' access step is allowed (16.7.3.5.12 Nonconforming Steps).

The property is a non-conforming lot with an existing, non-conforming structure in the Shoreland Overlay and KPV zones. The construction and additions previously approved did not extend further into the nonconforming front yard setback (40 feet), or encroach into the minimum side yard setback (15 feet). Prior expansion analysis for construction within the SLO zone:

<p>Volume: Existing Total: 17,249.75 CU FT* Proposed Expansion 3,826.20 CF** 29.157% (Allowance is 30%) * There are no previous expansions after 1/1/1989</p>	<p>Square Footage (Total Floor Area): Existing Total: 1,914 SF* Proposed Expansion: 425 SF** 28.54% (Allowance is 30%) * There are no previous expansions after 1/1/1989</p>
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Per the applicant's statement that there is no expansion in the footprint (area) of the porch or stairs, this analysis has not changed. The volume has not been impacted by the proposed changes.

Because this property is in the shoreland zone, Board review is required (16.10.3.2), though modifications are minor. Per 16.10.5.3.2.C a public hearing is not required. Approval may be granted if the Board finds the modifications are insignificant and substantially meet the Shoreland Overlay review criteria:

16.10.10.2.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 that the proposed use will:

1. *maintain safe and healthful conditions;*
2. *not result in water pollution, erosion or sedimentation to surface waters;*
3. *adequately provide for the disposal of all wastewater;*
4. *not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;*
5. *conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;*
6. *protect archaeological and historic resources;*
7. *not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/ maritime activities district;*
8. *avoid problems associated with floodplain development and use*
9. *is in conformance with the provisions of this Code; and*
10. *recorded with the York County Registry of Deeds.*

Recommendation

If the Planning Board determines a site walk and public hearing are not warranted and is comfortable approving the minor plan modification a motion may include:

Move to approve modification to the previously approved Shoreland Development Plan for Philip Knutel at 56 Chauncey Creek Rd., Tax Map 44, Lot 55, concluding the proposed improvements related to the front porch, associated steps and roof canopy meet all applicable standards including Title 16.10.10.2.D, and authorize the Vice-chair to sign amended Findings of Fact and revised development plan to be recorded at the York County Registry of Deeds.

**KITTERY PLANNING BOARD
FINDINGS OF FACT
for**

APPROVED

Knutel/56 Chauncey Creek Road – Shoreland Development Plan Review

WHEREAS: Owner and applicant Philip Knutel is requesting approval of plans to expand an existing non-conforming building located at 56 Chauncey Creek Rd., Tax Map 44, Lot 55, in the Kittery Point Village and Shoreland Overlay zones. Agent is Architect Tom Emerson, Studio B-E.

Hereinafter the “Development”.

Pursuant to the Plan Review meetings conducted by the Planning Board as duly noted; 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 (Hereinafter the “Plan”).

1. Shoreland Overlay Zone Project Plan Review Application, dated 5/19/13.
2. Annotated survey plan entitled; *Standard Boundary Survey and Site Plan for Property at 56 Chauncey Creek Road, Kittery Point, York County, Maine owned by Phillip Gerard Knutel, 56 Chauncey Creek Road, Kittery Point Maine, 03905* dated April 23, 2013.
3. Architectural drawings prepared by *Studio B-E Design Consulting* (no dates):
 - Sheet 1 - Basement Plan
 - Sheet 2 – First Floor Plan
 - Sheet 3 – Second Floor Plan
 - Sheet 4 – Back Elevation
 - Sheet 5 – Side Elevation

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:

FINDINGS OF FACT

I. Standards in the Shoreland Overlay Zone

Chapter 16.3 LAND USE ZONE REGULATIONS have been met.

16.3.2.17. D Shoreland Overlay Zone - Standards.	
Residential–Kittery Point Village (R-KPV) zones	40,000 square feet
Residential-Kittery Point Village (R-KPV) (shore frontage per lot)	150 feet
The property is a non-conforming lot with an existing, non-conforming structure in the Shoreland Overlay and KPV zones. The proposed construction and additions do not extend further into the nonconforming front yard (40 feet) or encroach into the minimum side yard (15 feet). The relocation of the bulkhead/storage is in line with the existing bulkhead and does not extend beyond the existing structure (to the front or side yard).	
Vote: <u>4</u> in favor <u>0</u> against <u>0</u> abstaining	

II. Standards in the Shoreland Overlay Zone

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS have been met

16.7.3.1 Prohibitions and Allowances.
A. <i>Except as otherwise provided in this Article, a non-conforming condition must not be permitted to become more non-conforming.</i>
The proposed additions are no closer than the existing structure to the protected resource.

16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Zones.

16.7.3.6.1 Expansion.

A non-conforming structure may be added to, or expanded, after obtaining 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 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.

<p>Volume: Existing Total: 17,249.75 CU FT* Proposed Expansion 3,826.20 CF** 29.157% (Allowance is 30%) * There are no previous expansions after 1/1/1989</p>	<p>Square Footage (Total Floor Area): Existing Total: 1,914 SF* Proposed Expansion: 425 SF** 28.54% (Allowance is 30%) * There are no previous expansions after 1/1/1989</p>
--	---

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.

There were no previous expansions after January 1, 1989. Total expansions for this proposal are less than 30%.

C. Whenever a new, enlarged or replacement foundation is constructed under a non-conforming 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.

The proposed addition (architectural sheets 1-3), located on the northwest side of the existing structure, is within the 15-foot side yard setback requirement. The relocated and expanded bulkhead located on the northeast side of the existing structure does not extend beyond the existing bulkhead location.

Vote: 4 in favor 0 against 0 abstaining

III. Procedures for Administering Permits for Shoreland Development Review

16.10.10.2 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 that the proposed use will:

<p>1. maintain safe and healthful conditions;</p>
<p>The proposed development does not appear to have an adverse impact.</p>
<p>Vote: <u>4</u> in favor <u>0</u> against <u>0</u> abstaining</p>
<p>2. not result in water pollution, erosion or sedimentation to surface waters;</p>
<p>The proposed development does not appear to have an adverse impact. The final plan must include notes that reflect adherence to the Maine DEP <i>Best Management Practices</i> for all work associated with site and building renovations to ensure adequate erosion control and slope stabilization. See Conditions of Approval #3.</p>
<p>Vote: <u>4</u> in favor <u>0</u> against <u>0</u> abstaining</p>
<p>3. adequately provide for the disposal of all wastewater;</p>
<p>The Board finds this standard is not applicable. The property is connected to a force main. There is no septic system on site.</p>
<p>Vote: <u>4</u> in favor <u>0</u> against <u>0</u> abstaining</p>

4. not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
The proposed development does not appear to have an adverse impact.
Vote: 4 in favor 0 against 0 abstaining
5. conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
The proposed development does not appear to have an adverse impact.
Vote: 4 in favor 0 against 0 abstaining
6. protect archaeological and historic resources;
The proposed development does not appear to have an adverse impact.
Vote: 4 in favor 0 against 0 abstaining
7. not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/ maritime activities district;
The Board finds this standard is not applicable.
Vote: 4 in favor 0 against 0 abstaining
8. avoid problems associated with floodplain development and use
The Board finds this standard is not applicable; the site is not located in a floodplain.
Vote: 4 in favor 0 against 0 abstaining
9. is in conformance with the provisions of this Code; and
The proposed addition appears to be in conformance to the Town Code, see sections I and II above. A Planning Board approval block needs to be included on the final plan. The Standard Boundary Survey certification needs to be signed and dated.
Vote: 4 in favor 0 against 0 abstaining
10. recorded with the York County Registry of Deeds.
The final plan is required to be recorded at the York County Registry of Deeds. A summary of floor/volume areas and percentages along with current base and overlay zoning information will be added to the recorded plan. See Conditions of Approval #2.
Vote: 4 in favor 0 against 0 abstaining

NOW THEREFORE the Kittery Town 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, contingent upon the following condition(s):

Application Waivers: None

Conditions of Approval: (Conditions of Approval must be included on the final plan prior to signature and recording)

1. Existing stone walls to be removed and relocated as shown on the approved plan.
2. Volume, floor area and impervious area calculations for the property shall be included on the plan prior to signature and recording.
3. Maine DEP *Best Management Practices* notes for all work associated with site and building renovations to ensure adequate erosion control and slope stabilization shall be included on the plan prior to signature and recording.

4. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan, unless in accordance with the Planner's and CEO's powers and duties as found in Chapter 16.4, or unless the plan has been resubmitted and the Planning Board specifically approves such modifications. In the event a final plan is recorded without complying with this requirement, the same is null and void, and the Planning Board must institute proceedings to have the plan stricken from Town records and the York County Registry of Deeds. (Title 16.10.9.1.2)
5. All Notices to Applicant included in the Findings of Fact.

Move to accept the above *Findings of Fact* as read, including *Conditions of Approval*, and approve the proposed *Development* in the Shoreland Overlay Zone on property located at 56 Chauncey Creek Rd., Tax Map 44, Lot 55, in the Kittery Point Village and Shoreland Overlay zones, and authorize the Planning Board Vice-Chairman to sign the Final Plan and Findings of Fact.

Vote: 4 in favor 0 against 0 abstaining

Approved by the Kittery Planning Board on July 11, 2013



Susan Tuveson
Planning Board Vice-Chairman

Notices to Applicant:

1. 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.
2. Prior to issuance of a building permit and any earth moving or soil disturbance, one (1) mylar copy and two (2) paper copies of the signed and recorded Plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department.
3. Title 16.6.2 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 Planning Board Meeting July 11, 2013

ITEM 10 – Knutel/56 Chauncey Creek Road – Shoreland Development Plan Review

Action: Accept or deny plan application and schedule site walk and/or public hearing. Owner and applicant Philip Knutel is requesting approval of their plans to expand an existing non-conforming building located on Chauncey Creek Rd., Tax Map 44, Lot 55, in the Kittery Point Village and Shoreland Overlay zones. Agent is Architect Tom Emerson, Studio B-E.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		
NO	Site Visit		July 2, 2013
YES	Completeness/Acceptance		June 13, 2013
YES	Public Hearing		July 11, 2013
YES	Preliminary/Final Plan Review and Approval		

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.

Overview

Applicant is requesting to:

1. construct a new, 10'x14', 3-story addition
2. replace the existing foundation and deck with a new deck on the rear (water side) of the structure, and extend the deck an additional story above;
3. relocate a bulkhead from existing location, moving toward front of property;
4. remove a portion of an existing stone wall to the rear of the property (in red on site plan) and relocate to the front of the property and to the side of the proposed addition (in blue on site plan)

The property is a non-conforming lot with an existing, non-conforming structure in the Shoreland Overlay and KPV zones.

The proposed construction and additions do not extend further into the nonconforming front yard setback (40 feet), or encroach into the minimum side yard setback (15 feet). The relocation of the bulkhead/storage is in line with the existing bulkhead and does not extend beyond the existing structure (to the front or side yard).

The applicant has provided the required expansion analysis for construction within the SLO zone.

16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Overlay 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 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, expanded 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 16.7.3.5.4 B, Nonconforming Structure Relocation,. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 16.7.3.6.1.A., 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.

Based on the analysis, the total increase in area is 28.54% and the total increase in volume is 29.15%, both below the allowed 30% over the lifetime of the nonconforming structure.

Board Review

The following is required as part of the Findings of Fact for development in the Shoreland Overlay:

16.10.10.2.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 that the proposed use will:

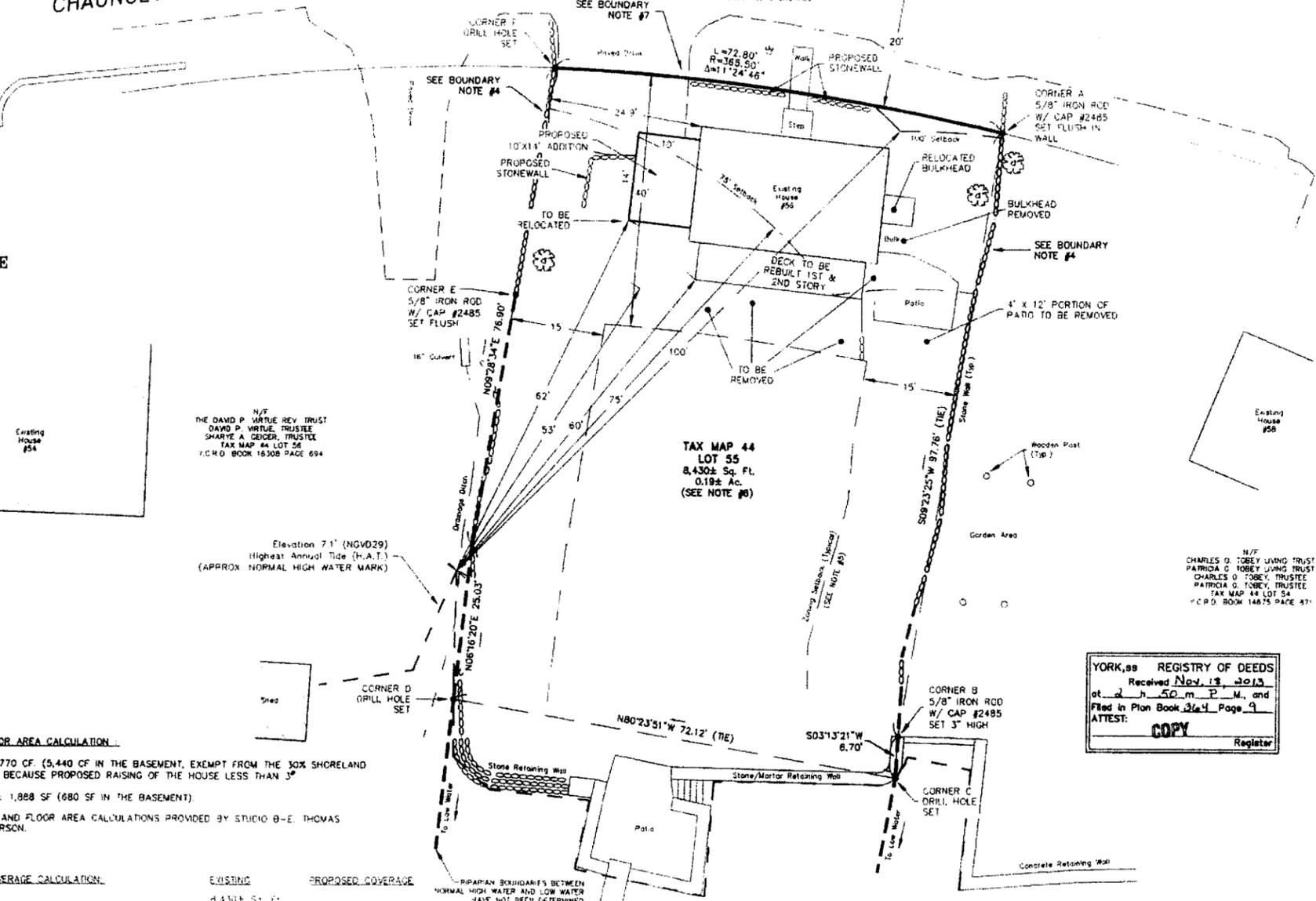
- 1. maintain safe and healthful conditions;*
- 2. not result in water pollution, erosion or sedimentation to surface waters;*
- 3. adequately provide for the disposal of all wastewater;*
- 4. not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;*
- 5. conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;*
- 6. protect archaeological and historic resources;*
- 7. not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/ maritime activities district;*
- 8. avoid problems associated with floodplain development and use*
- 9. is in conformance with the provisions of this Code; and*
- 10. recorded with the York County Registry of Deeds.*

The application appears to meet ordinance standards.

Prior to plan approval/signature, the existing and proposed area and volume increases, noted in square feet and percent, shall be included on the plan. This can be included as a condition of approval.

Following the public hearing, and review and acceptance of the site walk minutes, the Board may choose to approve the plan, read the Findings of Fact and note conditions.

CHAUNCEY CREEK ROAD



N/T
THE DAVID P. VIRTUE REV. TRUST
DAVID P. VIRTUE, TRUSTEE
SHARIE A. GEOR, TRUSTEE
TAX MAP 44 LOT 55
Y.C.R.D. BOOK 16308 PAGE 694

TAX MAP 44
LOT 55
8,430± Sq. Ft.
0.19± AC.
(SEE NOTE #6)

N/T
CHARLES O. TOBEY JUNIOR TRUST
PATRICIA O. TOBEY JUNIOR TRUST
CHARLES O. TOBEY, TRUSTEE
PATRICIA O. TOBEY, TRUSTEE
TAX MAP 44 LOT 54
Y.C.R.D. BOOK 14875 PAGE 471

YORK, ME REGISTRY OF DEEDS
Received Nov 13, 2013
at 2:45 P.M., and
Filed in Plan Book 3164 Page 9
ATTEST:
COPY
Registrar

VOLUME & FLOOR AREA CALCULATION

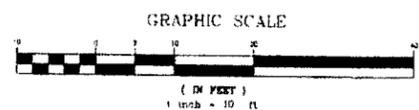
- VOLUME: 14,770 CF (5,440 CF IN THE BASEMENT, EXEMPT FROM THE 30% SHORELAND INCREASE LIMIT BECAUSE PROPOSED RAISING OF THE HOUSE LESS THAN 3"
- FLOOR AREA: 1,888 SF (680 SF IN THE BASEMENT)

NOTE: VOLUME AND FLOOR AREA CALCULATIONS PROVIDED BY STUDIO B+E, THOMAS BATTCOCK-EMERSON.

IMPERVIOUS COVERAGE CALCULATION

	EXISTING	PROPOSED COVERAGE
LOT AREA	8,430± Sq. Ft.	
TOTAL IMPERVIOUS AREA	1,888± Sq. Ft.	1,888± Sq. Ft.
TOTAL IMPERVIOUS COVERAGE	22.3%	22.3%

PIRIAPIAN SOILS/SHORES BETWEEN NORMAL HIGH WATER AND LOW WATER HAVE NOT BEEN DETERMINED AND ARE SHOWN AS APPROXIMATE



- Conditions of Approval:**
- EXISTING STONE WALLS TO BE REMOVED AND RELOCATED AS SHOWN ON THE APPROVED PLAN
 - VOLUME, FLOOR AREA AND IMPERVIOUS AREA CALCULATIONS FOR THE PROPERTY SHALL BE INCLUDED ON THE PLAN PRIOR TO SIGNATURE AND RECORDING
 - MAINE DEP BEST MANAGEMENT PRACTICES NOTES FOR ALL WORK ASSOCIATED WITH SITE AND BUILDING RENOVATIONS TO ENSURE ADEQUATE EROSION AND SLOPE STABILIZATION SHALL BE INCLUDED ON THE PLAN PRIOR TO SIGNATURE AND RECORDING
 - NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN, UNLESS IN ACCORDANCE WITH THE PLANNERS AND CEIS POWERS AND DUTIES AS FOUND IN CHAPTER 15-A, OR UNLESS THE PLAN HAS BEEN RESUBMITTED AND THE PLANNING BOARD SPECIFICALLY APPROVES SUCH MODIFICATIONS. IN THE EVENT A FINAL PLAN IS RECORDED WITHOUT COMPLYING WITH THIS REQUIREMENT, THE SAME IS NULL AND VOID, AND THE PLANNING BOARD MUST INSTITUTE PROCEEDINGS TO HAVE THE PLAN STRICKEN FROM THE TOWN RECORDS AND THE YORK COUNTY REGISTRY OF DEEDS (TITLE 16-A § 9-2)
 - ALL NOTICES TO APPLICANT INCLUDED IN THE FINDINGS OF FACT

PLAN REFERENCE

1. SURVEY SHOWING PARTITION OF PROPERTY BY WAIVER, DEED AND DEEDING A 5/8" IRON ROD SET CHAUNCEY CREEK ROAD, KITTERY MAINE, PREPARED BY PHILLIP GERARD KNUTEL, DATED JANUARY, 1982 AND RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS, BOOK 106 PAGE 56

ZONING DATA PER KITTERY TOWN CODE "LINE 18 LAND USE AND DEVELOPMENT CODE" (LAST AMENDMENT 9/24/12) (SEE NOTE #4)

BASE ZONE: RESIDENTIAL - KITTERY POINT (LATE 1940s)
 DISPLAY ZONE: WATER BODY/WETLAND PROTECTION AREA (2004)
 (17-18-2007)

BASE ZONE REQUIREMENTS:

- MINIMUM LAND AREA PER DWELLING UNIT: 4,000 SQ. FT.
- MINIMUM LOT SIZE: 40,000 SQ. FT.
- MINIMUM STREET FRONTAGE: 150 FT.
- MINIMUM FRONT YARD: 40 FT.
- MINIMUM REAR AND SIDE YARDS: 15 FT.
- MAXIMUM BUILDING COVERAGE: 20%
- MAXIMUM BUILDING HEIGHT: 35 FT.

MINIMUM SETBACK FROM WATER BODY AND WETLAND DEPENDENT USES (17-18-2007)

- MINIMUM SHORE FRONTAGE: 150 FT.
- MINIMUM SHORE FRONTAGE PER DWELLING UNIT: 100 FT.
- MAXIMUM IMPERVIOUS COVERAGE: 20%

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

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

NOTES:

- OWNERS OF RECORD: TAX MAP 44 LOT 55
 PHILIP GERARD KNUTEL
 Y.C.R.D. BOOK 11931 PAGE 262
 DATED AUGUST 30, 2002
- APPROXIMATE TOTAL EXISTING PARCEL AREA:
 TAX MAP 44 LOT 55
 8,430± Sq. Ft. (0.19 Ac.)
- BASIS OF BEARING IS PER PLAN REFERENCE #1
- THE BOUNDARIES BETWEEN THE SUBJECT PARCEL AND ADJACENT PARCELS COULD NOT BE DETERMINED WITH CERTAINTY BASED ON THE RECORD DEEDS. THE BOUNDARIES SHOWN HEREON ARE BASED ON LINES OF OCCUPATION AND PAROL TESTIMONY RECOVERED AT THE TIME OF SURVEY. IT IS RECOMMENDED THAT QUITCLAIM BE EXCHANGED BETWEEN ADJOINING OWNERS TO RESOLVE ANY BOUNDARY UNCERTAINTIES.
- ZONING SETBACKS AND DIMENSIONAL REQUIREMENTS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. AS THIS IS A NON-CONFORMING PARCEL OTHER DIMENSIONAL REQUIREMENTS MAY APPLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR CONSTRUCTION.
- IT APPEARS THAT THE SUBJECT PARCEL IS SUBJECT TO A PEDESTRIAN EASEMENT REFERENCE IS MADE TO DEED FROM CHARLES S. WILLIAMS AND MARY LEWIS TO ROBERT F. JOHNSON AND HILDA B. JOHNSON, DATED APRIL 15, 1942 AND RECORDED AT THE Y.C.R.D. AT BOOK 991 PAGE 418. SAID DEED CONTAINS THE FOLLOWING LANGUAGE: "RESERVING TO THE GRANTORS AND THEIR HEIRS THE RIGHT AND PRIVILEGE FOR NINETY-NINE YEARS TO GO ON FOOT ACROSS SAID LOT TO CHAUNCEY'S CREEK WITH THE RIGHT TO SHORE PRIVILEGES"
- CHAUNCEY CREEK ROAD IS ASSUMED TO BE 40' WIDE BASED ON PREVIOUS SURVEYS OF RECORD AND INFORMATION CONTAINED IN THE TOWN OF KITTERY ROAD FILE ON RECORD WITH THE DEPARTMENT OF PUBLIC WORKS. THE RIGHT OF WAY SHOWN HEREON IS BASED ON 20' FROM THE APPARENT ROAD CENTERLINE.
- EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.
- THE BOUNDARY SHOWN HEREON IS DETERMINED FROM WRITTEN RECORDS, FIELD EVIDENCE AND PAROL TESTIMONY RECOVERED AT THE TIME OF SURVEY AND MAY BE SUBJECT TO CHANGE IF OTHER EVIDENCE BECOMES AVAILABLE.
- SUBSURFACE UTILITIES ARE NOT SHOWN HEREON
- TO ENSURE ADEQUATE EROSION CONTROL AND SLOPE STABILIZATION, MAINE DEP EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES SHALL BE EMPLOYED.



APPROVED: TOWN OF KITTERY
Jim R. [Signature]
 DATE OF APPROVAL: 11 July 2013

PROPOSED SITE PLAN
 FOR PROPERTY AT
 56 Chauncey Creek Road
 Kittery Point, York County, Maine
 PLANNED BY:
 Phillip Gerard Knutel
 56 Chauncey Creek Road, Kittery Point, ME 03904

North
 W EASTERLY
SURVEYING, Inc.

SURVEYORS IN N.H. & MAINE 191 STATE ROAD, SUITE #1
 (207) 430-8333 KITTERY, MAINE 03904

SCALE: 1" = 10'	PROJECT NO: 13623	DATE: 8/22/13	SHEET: 1 OF 1	DRAWN BY: K.M.P.	CHECKED BY: K.D.M.
DRAWING No: 13623 Boundary		FIELD BOOK No: Kittery Street #13		Tax Map 44 Lot 55	





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: SITE OR SUBDIVISION PLAN -
 MINOR AMENDMENT TO AN APPROVED PLAN**

THIS REVIEW PROCESS REQUIRES APPROVAL FROM BOTH THE TOWN PLANNER AND THE CODE ENFORCEMENT OFFICER

FEE FOR REVIEW: \$100.00

Amount Paid: \$ 100
 Date: 5/22/14

PROPERTY DESCRIPTION	Parcel ID	Map	<u>44</u>	Lot	<u>55</u>	Zone(s):	<u>R-KPV</u>	Total Land Area	<u>8430</u>
	Physical Address	<u>56 CHANUNCEY CREEK ROAD</u>				Base:	<u>SITOPRELAND</u>		
						Overlay:	<u>X</u> YES ___ NO		
						MS4			

PROPERTY OWNER'S INFORMATION	Name	<u>PHIL KNUTEL</u>	Mailing Address	<u>56 CHANUNCEY CREEK RD. KITTERY POINT, ME 03905</u>
	Phone	<u>603.490.8570</u>		
	Fax	<u>-</u>		
	Email	<u>PKNUTEL@YAHOO.COM</u>		

APPLICANT'S AGENT INFORMATION	Name	<u>TOM EMERSON</u>	Name of Business	<u>STUDIO B-E ARCHITECTURE</u>
	Phone	<u>207.752.1371</u>	Mailing Address	<u>10 OX POINT DRIVE KITTERY, ME 03904</u>
	Fax	<u>-</u>		
	Email	<u>STUDIOB-E@COMCAST.NET</u>		

PROJECT DESCRIPTION	Project Name:	<u>KNUTEL RESIDENCE</u>
	Existing Use:	<u>SINGLE FAMILY RESIDENTIAL</u>
	Proposed Amendment Please describe how the approved plan is to be amended. State any known areas of non-compliance to the code and how this amendment will decrease or remove non-compliance, if applicable.	
	<u>EXISTING FRONT PORCH (BRICK) WILL BE REBUILT WITH PRESSURE TREATED WOOD & ROOF CANOPY WITH THE SAME IMPERVIOUS AREA, BUT PLACED FURTHER BACK FROM THE LOT LINE. STEPS WILL BE IN</u>	

CERTIFICATION: To the best of my knowledge, all the information submitted on this plan amendment and with my application is true and correct.

[Signature] Signature of Applicant [Signature] Date

SAME FOOTPRINT.

Minimal Plan Submittal Requirements

3 COPIES OF THE APPROVED SITE OR SUBDIVISION PLAN 3 COPIES OF THE AMENDED SITE OR SUBDIVISION PLAN

PRIOR TO COMMENCEMENT OF THE REVIEW PROCESS, THE PLANNING BOARD WILL DECIDE WHETHER SUFFICIENT INFORMATION HAS BEEN PROVIDED AND WILL VOTE TO DETERMINE COMPLETENESS/ACCEPTANCE.

THE APPLICANT IS RESPONSIBLE TO PRESENT A CLEAR UNDERSTANDING OF THE PLAN AMENDMENT.

- A) Paper size:
 - No less than 11" X 17" (reduced) or greater than 24" X 36" (full)
- B) Scale size:
 - Under 10 acres: no greater than 1" = 30'
 - 10 + acres: 1" = 50'
- C) Title block:
 - Applicant's name and address
 - Name of preparer of plans with professional information and professional seal
 - Parcel's tax map identification (map - lot)
 - Date of plan preparation
- D) Clearly show and reference the area on the plan that is revised. Use lines and symbols to identify areas of change and the associated revision.
- E) Describe the revision in a revision block (i.e. "moved elec. trans. box on sheet 3/12.) on the cover sheet and on the revised sheet.
- F) Provide all associated reference material and or documentation that clarify and or supports the purpose of the proposed revision.
- G) Revisions to the boundary, internal lots and or parcels must be made by a surveyor licensed in the State of Maine.
- H) Significant revisions to the proposed site must be made by a professional engineer licensed in the State of Maine.

16.10.9.3.1 Modifications to an Approved Plan.

06.10.9.3.1 Minor Modifications.

Modifications to a Planning Board approved plan, that no not require Planning Board review per Section 16.10.3.2, may approved by the Code Enforcement Officer and Town Planner. Such approvals must be issued in writing to the developer with a copy to the Planning Board. The developer must provide revised plans to the town Planner and be recorded in the York County Register of Deeds when required.

SUBMITTALS THAT STAFF DEEMS SUFFICIENTLY LACKING IN CONTENT WILL BE RETURNED TO THE APPLICANT WITHOUT REVIEW.

REVIEW ACTION

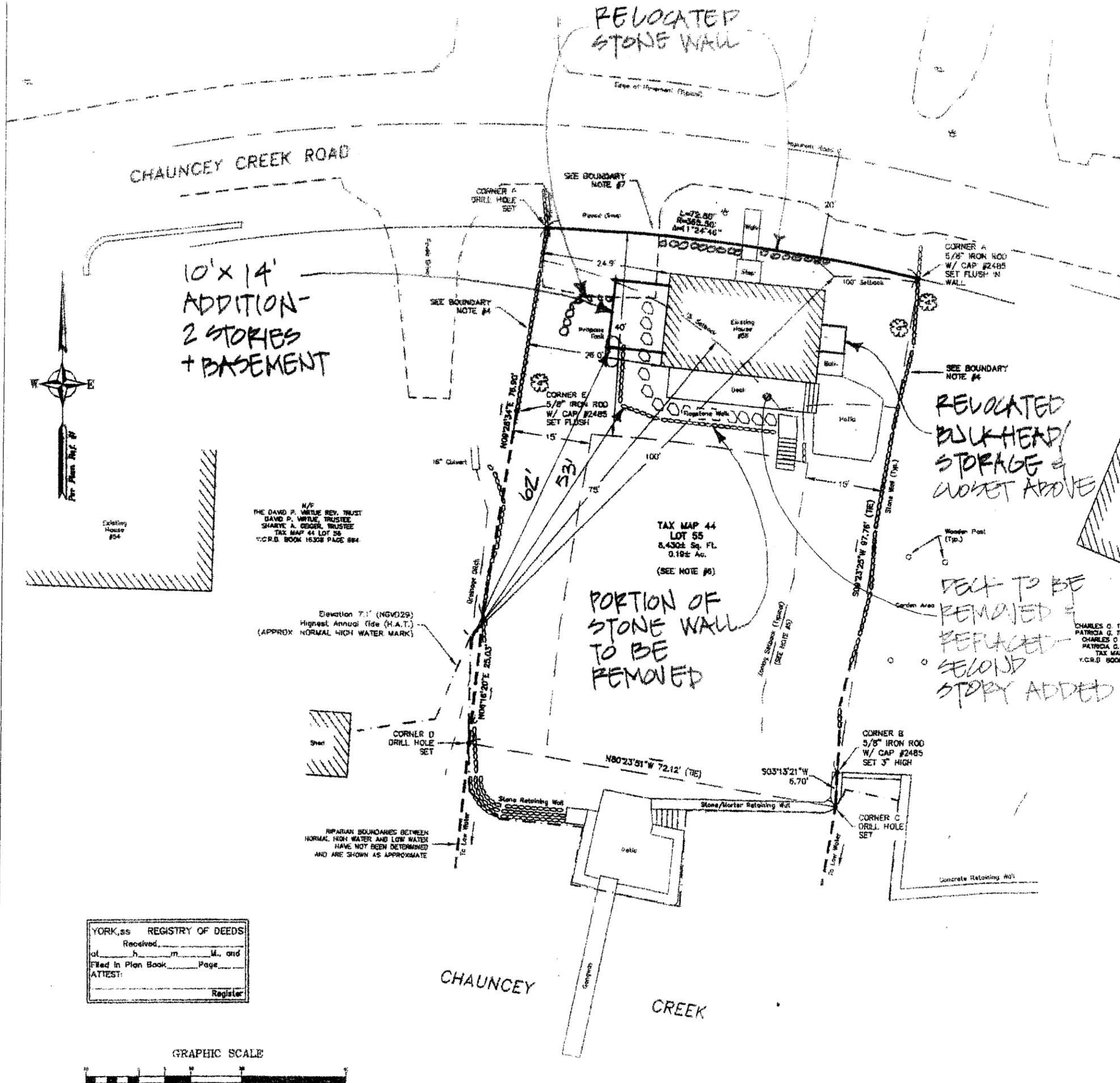
___ Approved

___ Approved with conditions as follows:

___ Denied

Town Planner _____ Date _____

Code Enforcement Officer _____ Date _____



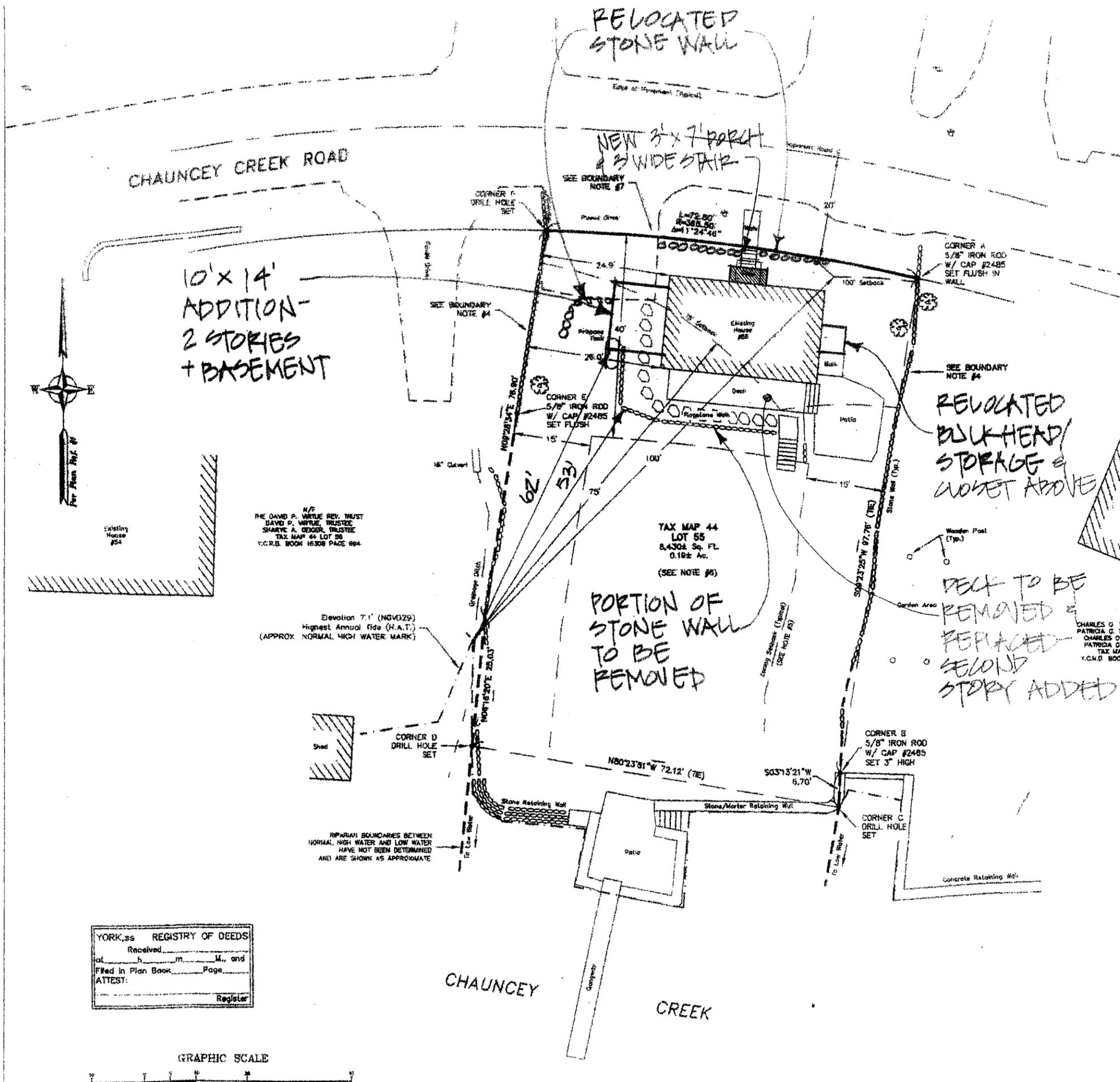
Knutel Residence

ADDITION/
RENOVATION

56 Chauncey
Creek Road
Kittery Point, ME

PREVIOUSLY
APPROVED
PLAN

FOR
ADDITION 1



M/E
 THE DAVID P. VIRTUE REV. TRUST
 DAVID P. VIRTUE, TRUSTEE
 SHARVE A. GEDER, TRUSTEE
 TAX MAP 44 LOT 55
 C.C.R.B. BOOK 16308 PAGE 964

TAX MAP 44
 LOT 55
 8,430± Sq. Ft.
 0.19± Ac.
 (SEE NOTE #5)

Elevation 7.1' (NGVD29)
 Highest Annual Tide (H.A.T.)
 (APPROX. NORMAL HIGH WATER MARK)

M,
 CHARLES O. TOB
 PATRICIA G. TOB
 CHARLES O. TOB
 PATRICIA G. TOB
 TAX MAP 1
 V.C.H.D. BOOK 1

YORK, ss REGISTRY OF DEEDS
 Received _____
 at _____ h _____ m _____ A.M., and
 Filed in Plan Book _____ Page _____
 ATTEST:

 Register

GRAPHIC SCALE



**Knutel
 Residence**

ADDITION/
 RENOVATION

56 Chauncey
 Creek Road
 Kittery Point, ME

REVISED
 PLAN

PORCH
 ADDITION **2**

Town of Kittery Planning Board Meeting June 12, 2014

Beatrice Way –Subdivision– Sketch Plan Review

Owner Operation Blessing LP, and applicant Richard Sparkowich, propose a 5-lot subdivision of remaining land from the previously approved 3-lot subdivision located between Highpoint Circle and Kittree Lane. The site identified as Tax Map 61 Lot 08, ±65 acres, in the Residential - Rural (R-RL) Zone. Agent is Ken Markley, Easterly Survey Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan Review	Scheduled 6/12/14	PENDING
NO	Site Visit	April 1, 2014 as part of ROW plan application	HELD
YES	Determination of Completeness/Acceptance		
	Waiver Request:	16.8 Article IV, Table 1 – Street Design Standards	TBD
YES	Public Hearing		
YES	Preliminary/Final Plan Review and Approval		

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.**

Staff Comments

Background

Operation Blessing, LP, represented by Richard Sparkowich, received subdivision approval in August 2008 for three lots. The remaining 58 acres (with existing access from Old Farm Road) maintains 78 feet of frontage along a right-of-way that formerly was owned by Goodhouse Construction (Highpoint Circle developer) and currently co-owned by abutters Hanson and Gasbarro.

Early in 2013 the applicant submitted an application to amend the 2008 Subdivision with the addition of a new Right-Of-Way that would allow the creation of one additional lot. The Modification of an Approved Plan included splitting the remaining 57-acre land into two lots; one with existing dwellings (total of 5) and the other with a single proposed dwelling. The applicant was not amenable to the requirements under the recently adopted cluster ordinance requiring setting aside open space, regardless of the number of lots being proposed. The Board never acted on the application within the required timeframe and thereby making it null and void.

Early this year the applicant submitted a Right-Of-Way Plan application. After a site walk and a public hearing the Applicant has decided that a subdivision yielding 4 new lots is necessary and the Right-Of-Way plan would not meet their needs. The latest plan application is a Sketch Plan (entitled 'Conceptual Subdivision') for a 5-lot non-clustered subdivision.

Review to date

Though the majority of the issues raised by the Right-Of-Way Plan application (see PRN 4/10/2014), some resolved and others still outstanding, are still pertinent to the Applicant's pursuit for subdivision review and approval, the first area of focus is for the Board to determine if the proposal will be reviewed as a cluster or conventional subdivision.

The applicant describes his reasoning in the attached narrative as to why the proposed development is not appropriate for cluster development and that they should be allowed an "exemption". If the Planning Board wants to consider the applicant's request the Board will need to grant a Special Exception Use Request (16.6.4.4) and find that the proposal meets the criteria in 16.6.6 and 16.10.8.3.4. The latter is also required for subdivision approval.

The submitted plan shows a 60-foot Right-Of-Way with a 20-foot wide street 600 feet in length terminating in a hammer-head approximately 140 feet from an existing stream. A cul-de-sac is shown providing frontage to three new lots. The fourth new lot is shown abutting the Gasbarro's property Map 61 Lot 9-8. A waiver would be required for the dead-end treatment; a paved turn-tee rather than a paved radius, and a boundary radius of approx. 110 feet rather than 60 feet. In addition, a driveway in excess of 500 feet would be required to provide access to 'Proposed Parcel A', the definition of a driveway limits the length to 500 feet.

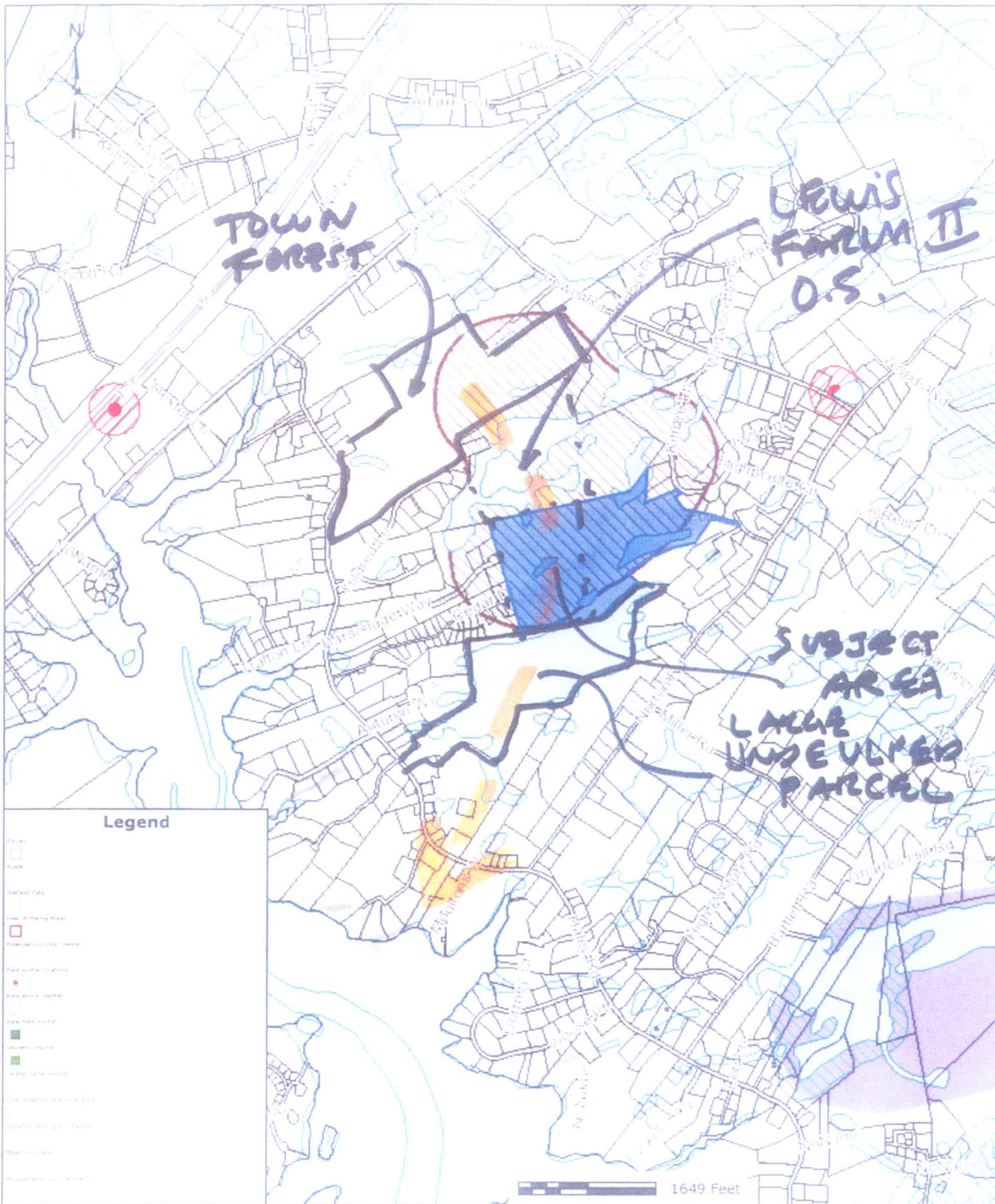
As a conventional subdivision the applicant is still required to set aside 15% of Common Open Space, per 16.3.2.1.D.3.b.i. The plan does not provide for this.

With regard to general plan comments, the indication of a Right-Of-Way shown on "Proposed Parcel 61-8G" should be removed since there is no legal basis that supports its existence. The setback/yard lines shown on the plan should be associated only with a building envelope, extending such lines into the wetlands is confusing. An annotated version of the plan highlighting the building envelopes is attached for your reference.

Also attached are the Plan Review Notes from March 28, 2013 when the application had been discussed in the context of cluster development along with the minutes from this initial application, 2/14 and 3/28.

Recommendation

Board should determine which review, clustered or conventional subdivision will be applied to the proposed development prior to reviewing for code compliance.



**Town of Kittery,
Maine**

Map 61 Lot 8

This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.

ITEM 4 – Beatrice Way Subdivision – Modification to an Approved Plan Review

Action: Consider Cluster Subdivision plan application as Sketch Plan, accept or deny application and schedule Site Walk. Owner Operation Blessing LP, and applicant Richard Sparkowich, propose to amend the previously approved 3-lot subdivision located between Highpoint Circle and Kittree Lane to create one additional lot. The site identified as Tax Map 61 Lot 08, ±65 acres, in the Residential – Rural (R-RL) Zone. The owner’s agent is Ken Markley, with Easterly Surveying, Inc.

Mr. Emerson read an email from Richard Sparkowich:

Please be advised that Operation Blessing Limited Partnership respectfully requests to table our application presently before the Kittery Planning Board. We will be in contact with the Planning Department regarding a new date.

Ms. Grinnell moved to table this item.

Ms. Tuveson seconded

Motion carries unanimously

ITEM 5 – Clayton Lane Subdivision - Modification to an Approved Plan Review

Action: Consider Cluster Subdivision plan application as Sketch Plan, accept or deny application and schedule Site Walk. Josh Abbott, owner and applicant proposes to amend the previously approved 4-lot subdivision located at 25 Remicks Lane with the addition of two dwelling units. The site is identified as Tax Map 65 Lot 12, ±21.4 acres in the Residential - Rural (R-RL) Zone. The owner’s agent is Ken Markley, with Easterly Surveying, Inc.

Ken Markley explained the original subdivision was approved in 2011 with four lots. The current request is to divide two existing lots and review the new plan under the cluster development ordinance. However, the owners of the original parcel #1 do not wish to participate in the subdivision process or the homeowners or road association as they access their property from Remicks Lane. He noted the existing stone wall and area between abutting parcels on proposed parcel 4B will be sold to Mr. Wilson, abutter, and the calculations will be adjusted. Owners have been in touch with the Kittery Land Trust to utilize their forestry management plan in establishing the open space on the proposed cluster development. He identified the proposed common and limited open space. No changes are proposed on the approved roadway, though a wetland alteration permit will be needed on parcel 4B for the proposed driveway.

Mr. Balano moved to accept the Clayton Lane modification as essentially complete and to schedule a public hearing and site walk.

Ms. Tuveson seconded

Motion carries unanimously

A site walk was scheduled for Wednesday, April 17 at 8:00 a.m.

Mr. Mylroie noted he and Mr. DiMatteo would not be available for this site walk.

Ms. Driscoll noted the plan address of 25 Remicks Lane needs to be removed from the plan.

Break

ITEM 6 – Title 16 Amendment – Brew Pub and Micro-Brewery use and definition

Action: Review proposed amendment and determine if complete for scheduling a Public Hearing. Proposed amendment includes adding Brew Pub and Micro-Brewery to the Town’s Land Use and Development Code’s definitions (Section 16.2) and to allow in various commercial related zones as a permitted use and as a special exception use in the Shoreland Overlay Zone (Title 16.3).

Ms. Tuveson and Ms. Driscoll asked if they needed to recuse themselves. [There was no decision regarding this question.]

Mr. Mylroie summarized there were interested parties searching for locations to establish a micro-brewery and brew pub business and found there were no suitable existing locations and the permitted use in zones was not clear. Following the recent Creative Kittery Opportunities meeting it was evident a code amendment was needed. He referenced a memorandum from Tod Mott explaining the difference between micro-breweries and large scale breweries, such as Budweiser or Coors. He suggested the definition of

ITEM 6 – Lynch Lane Subdivision– Modification to an Approved Plan Review.

Action: Accept or deny plan application and schedule a public hearing. Lynch Lane Association, Inc., owner and applicant, proposes to modify the previously approved subdivision plan to allow for Street Acceptance consideration. Property is located off Bartlett Road, identified as Tax Map 68 Lot 4A, ±54.9 acres in the Residential Rural (R-RL) Zone.

Brett Costa, Lynch Lane summarized the request is to remove from the original plan the removal of the condition that the road remain a private road. The original development began as a dirt road, but the road is now a paved road and meets Town standards, with waivers granted. Before the Council can consider accepting the road as a public road, the condition on the original plan must be removed. **Mr. Mylroie** stated the action is to accept the application and hold a public hearing. Following testimony at the public hearing, the Board must decide if they will amend the original plan condition.

Mr. Melanson moved to accept the Lynch Lane Association application and schedule a public hearing

Ms. Driscoll seconded

Motion carried unanimously by all members present

Mr. Emerson noted that Mr. Costa is a member of the Board of Appeals.

ITEM 7 – Beatrice Way Subdivision – Modification to an Approved Plan Review

Action: Accept or deny plan application and schedule a public hearing. Owner Operation Blessing LP, and applicant Richard Sparkowich, propose to amend the previously approved 3-lot subdivision located between Highpoint Circle and Kitree Lane to create one additional lot. The site identified as Tax Map 61 Lot 08, ±65 acres, in the Residential - Rural (R-RL) Zone.

Ken Markley, Easterly Survey, summarized the proposal whereby the applicant wishes to amend a previously approved subdivision by adding an additional lot comprising approximately 41 acres in order to sell the acreage and build a single family home and an access drive off Kittree Lane and Highpoint Circle. There is one wetland crossing of approximately 100 feet long. Chris Copi, DEP, has recommended the installation of two, 30-inch culverts at the crossing. The proposal includes an 18-foot gravel road to the house site.

Mr. Emerson noted the ordinance has changed to make Cluster development the new standard. **Mr. Markley** stated the original subdivision was not a cluster and to design for a cluster subdivision at this time is premature, as development may not come to fruition. If they wished to further divide, they would have to appear in front of the Board with a cluster design, but the proposed use now is for a single lot. The proposed ROW is approximately 800-1000 feet. **Mr. Emerson** stated this appears to be another road to nowhere. If the Board determines this should be viewed as a cluster subdivision, the application is not complete and a public hearing cannot be scheduled. **Mr. Sparkowich**, applicant, stated the parcel is not feasible for cluster development because of wetlands and vernal pools. Could the individuals interested in purchasing the parcel stipulate there would be no further development? **Mr. Emerson** stated the ordinance requires the applicant show that a cluster development is not feasible in order to proceed with a special exception standard subdivision. Discussion followed regarding whether the intent is for a two dwelling unit on a large parcel of land or whether future division or development is envisioned. **Mr. Mylroie** suggested the applicant return with a sketch plan showing the location of the dwelling units and outline the open space and cluster calculations, etc. as required by the cluster ordinance, and include covenants restricting further development. **Mr. Markley** stated most of the work has been done as this was originally designed as a 21-lot subdivision. **Rachel Sparkowich** asked if the Board would rather see 15 houses or one house. **Mr. Emerson** explained the Board is attempting to follow the ordinance and direct the applicant accordingly.

(over)

Ms. Driscoll moved to not accept the application for the Beatrice Way Subdivision Modification of an Approved Plan, Tax Map 68 Lot 4A, due to the fact that it does not comply with current zoning.

Ms. Tuveson seconded

Motion carried unanimously by all members present

Item 8 – Minutes of January 24, 2013

Ms. Tuveson stated the Board needs to determine what becomes the record of the meeting. If it is the recorded tape, you're asking for a transcription, not minutes. What does the Board want?

Ms. Driscoll stated the Board wants accurate minutes. **Mr. Alesse** stated the Board needs to know what substantive items were omitted from the minutes.

Ms. Driscoll provided an example:

Line 234 did not reflect that Charlie Williams is a phys ed teacher and runs adventure parks, which gives him credibility in his offer to help the Board craft a definition for commercial recreation.

Mr. Melanson suggested Ms. Driscoll sit down with the recorder and resolve her concerns.

Mr. Balano spoke about what was missing in the minutes earlier in the meeting, and notes should be compared. What level of detail does the Board expect in the minutes?

Mr. Emerson noted the Board has to be careful not to editorialize.

Ms. Driscoll suggested members could review the tape and compare the minutes and make a determination.

Mr. Alesse stated Ms. Driscoll should review the minutes with the recorder and decide how to proceed.

Mr. Melanson moved to continue the minutes of the January 24, 2013 meeting until February 28, 2013 meeting, and that Ms. Driscoll meet with the recorder and compare notes and come up with amended minutes.

Ms. Tuveson seconded

Discussion followed as to what constitutes the record of the Board. **Mr. DiMatteo** recommended the Town Clerk weigh in on this as well. **Mr. Mylroie** explained there is a lot of discussion that can be summarized, but expert testimony, findings of fact and Board decisions do need to be recorded in the minutes. **Mr. Emerson** stated he would be willing to sit in on a discussion with Ms. Driscoll and the recorder to set guidelines and, in addition, determine what constitutes a record.

Motion carried unanimously by all members present

Mr. Balano moved to adjourn

Ms. Driscoll seconded

Motion carried unanimously by all members present.

The Kittery Planning Board meeting of February 14, 2013 adjourned at 9:31 p.m.

Submitted by Jan Fisk, Recorder – February 21, 2013

Town of Kittery Planning Board Meeting March 28, 2013

Beatrice Way Subdivision – Modification to an Approved Plan Review

Owner Operation Blessing LP, and applicant Richard Sparkowich, propose to amend the previously approved 3-lot subdivision located between Highpoint Circle and Kittree Lane to create one additional lot. The site identified as Tax Map 61 Lot 08, ±65 acres, in the Residential - Rural (R-RL) Zone

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
NO	Site Visit	Board's discretion	
YES	Determination of Completeness/Acceptance	To be held February 14, 2013	
YES	Public Hearing		
YES	Preliminary/Final Plan Review and Approval		

Applicant: The purpose of these Plan Review Notes is to assist in Development Plan Review process. Complete compliance, however, is not all inclusive of the Town's plan review requirements; other local, state and federal approvals may be required. Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices by the Town Planner and the Town's plan review consultant, CMA Engineers, Inc. While the Planning Board (PB) refers to Plan Review Notes during the plan review process the comments and recommendations are non-binding until approved by the PB. 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, 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.

Staff Comments

Background

Operation Blessing, LP, represented by Richard Sparkowich, received subdivision approval in August 2008 for three lots. The remaining 58 acres (with existing access from Old Farm Road) maintains 78 feet of frontage along a right-of-way that formerly was owned by Goodhouse Construction (Highpoint Circle developer) and currently co-owned by abutters Hanson and Gasbarro. September 13, 2012 the Applicant withdrew their request for an extension to complete the project and finalized the road construction this past November.

At the 2/14/2013 meeting the Board found the applicant's plan submittal not complete. The Modification of an Approved Plan included splitting the remaining 57-acre land into two lots; one with existing dwellings and the other with a single proposed dwelling. This does not consider a cluster development design, as required by the Town Code. The applicant has submitted a revised plan for the Board's review.

Review to date

1. With additional consideration of the Town Code a Sketch Plan application would be more appropriate for the Board to review at this point in time and is required for Cluster Development. Staff recommends reviewing the current application as a sketch plan per Title 16, Article XI (16.8.11.5 page 202 and in part below).

A. In addition to the requirements of Chapter 16.10, the following are required at submittal of the Sketch Plan:

1. Calculations and maps to illustrate:

- a. proposed dimensional modifications and the dimensional standards required in the zone in which the development will be located:

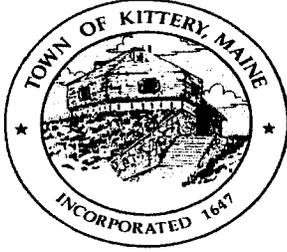
- Stated on the plan, however, it is not clear why the current proposal would need any dimensional standards modified.
 - With regard to design standards, however, the proposed road length extends 600 feet more than the 400-foot limit required for a dead-end Class II Private Street. The proposed building location is an additional 200 feet, making it a total of 1,200 feet from the existing street.
 - b. *non-buildable area (land not suitable for development as defined in Article VIII of Chapter 16.7);* Applicant has deducted wetlands and roadway from the entire parcel area as calculated on the plan.
 - c. *net residential acreage and net residential density;*
 - Included on the plan. Applicant states 49 dwelling units are allowed per the net residential density.
 - d. *open space as defined in Section 16.8.11.6.D.2 of this Article.*
 - Included on the site plan, however absent a written statement it is not clear what the intentions of the reserved open space is and how it might be maintained.
 - The open space abuts two large parcels, Lewis Farm II to the north and a large wetland to the south. The rear of the subject parcel is in a strategic location where the appropriate conservation would allow for a contiguous and un-fragmented corridor stretching from the Town Forest to almost Haley Road and Spruce Creek (approximately a mile in length).
 - The proposal only includes the wetlands and some of the associated setback as open space. Considering the strategic location as it pertains to neighboring large undeveloped tracts of land and the proximity of potential vernal pool habitat, it would be more appropriate for the rear of the subject property to be designated as reserved open space rather than developable land as currently proposed.
 - Upland associated with vernal pool and other wetland habitat is crucial for securing a viable place for wildlife to prosper. See attached Audubon paper on conserving vernal pools.
 - The area is identified by the Kittery Land Trust as focus area, however, is not a priority. The Trust expressed some interest in the open space if it included the area described above and if it was conveyed as fee-simple rather than an easement.
2. *A map showing constraints to development, such as, but not limited to, wetlands, resource protection zones, shoreland zones, deer wintering areas, side slopes in excess of thirty-three percent (33%), easements, rights-of-way, existing roads, driveway entrances and intersections, existing structures, and existing utilities.* It is not clear if all constraints have been identified other than wetlands and their associated setbacks.
- These setbacks should be noted on the plan that they are to be preserved as “no-cut, no-disturb buffer areas”.
 - In the application there is reference to a woods road formerly known as Parsonage Way. It is important to know if the property is burdened by any access easements or right-of-ways.
3. *A written statement describing the ways the proposed development furthers the purpose and objectives of this Article, including natural features which will be preserved or enhanced. Natural features include, but are not limited to, moderate-to-high value wildlife and waterfowl habitats, important agricultural soils, moderate-to-high yield aquifers and important natural or historic sites worthy of preservation.*
- Applicant should submit a written statement with this application. In such a statement the what, where, why and how should be addressed as to: what is being preserved, where is it located, why is it important and how will it be preserved and maintained.
 - Potential vernal pools are located on the plan, but nothing more.
 - *Beginning with Habitat* identifies a portion of this area as a deer wintering area.
 - The applicant does not go into any details of how the proposed development furthers the objectives of Cluster Development.
4. *The location of each of the proposed building envelopes. Only developments having a total subdivision or site plan with building envelopes will be considered.*

- The proposed building envelopes are illustrated, though while wetland setbacks are shown, no yards, setbacks from property lines are shown.
- It has been stated that the intent is not to develop more than the single family dwelling. The remaining land, however, most of which can be categorized as having some of the “highest ecological value”, is not protected as reserved open space and can still be developed in the future.
- It would be appropriate to identify the area for future development now that would provide the applicant the ability to expand the number of dwelling units in the future while preserving the ecologically important portion of the property.

Recommendation

Staff recommends the Board acknowledge receipt of the sketch plan, but that additional information is required to further review.

If the Board is comfortable with the concept as presented, the Board can direct the applicant to address the incomplete portions of sketch plan submittal and include with additional information as required by Title 16.8.11.6 Standards and Title 16.8.11.7 Open Space Dedication and Maintenance at the preliminary application phase. Review of these criteria would continue in depth at the preliminary and final plan review stages.



Received 5-22-2014

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

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5/22/14

APPLICATION: SITE OR SUBDIVISION-SKETCH PLAN REVIEW

Application Fee:		<input type="checkbox"/> \$300.00		Amount Paid: \$		Date:	
PROPERTY DESCRIPTION	Parcel ID	Map	61	Zone(s)-Base:	RR	Total Land Area	58 ACRES
		Lot	8	Overlay:		MSA	___ YES ___ NO
	Physical Address	None assigned until residence is built					
PROPERTY OWNER'S INFORMATION	Name	OPERATION BLESSING LIMITED PARTNERSHIP			Mailing Address	600A Lafayette Rd. Portsmouth, N.H. 03801	
	Phone	207-439-6141					
	Fax	same (call first)					
	Email	rick.sparkowich@gmail.com					
APPLICANT'S AGENT INFORMATION	Name	Richard Sparkowich			Mailing Address	22B Old Farm Rd. Kittery, ME. 03904	
	Phone	207-439-6141					
	Fax	same (call first)					
	Email	rick.sparkowich@gmail.com					
PROJECT DESCRIPTION	See reverse side regarding information to be provided.						
	Existing Land Use(s):						
	Approximately 9 acres of Lot 61-8 are used for Operation Blessing staff housing. The remaining 49 acres have been used for recreational use.						
	Proposed Land Use(s) and Development:						
	Create a 5 lot subd. vision with 4 additional lots, 2 of which will be sold and 2 to be passed on to blood relatives.						
	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)						
N.A.							
I certify, to the best of my knowledge, this application information is true and correct and I will not deviate from the Plan submitted without notifying the Town Planning and Development Department of any changes.							
Applicant's Signature:	<i>Richard Sparkowich</i>			Owner's Signature:	<i>Richard Sparkowich dba Operation Blessing LTD Partnership</i>		
Date:	5/22/2014			Date:	5/22/2014		

May 22, 2014
Kittery Planning Board
P.O. Box 808
Kittery, ME 03904

RE: Reasons why cluster subdivision provisions are not appropriate for "Beatrice Way" proposed right of way approval.

Dear Planning Board Members,

Operation Blessing LTD Partnership's (OB, LTD. P) intent has been to sell a large piece of property to a willing buyer that wants to eventually build one home on the large 42 acre lot. More than 5 years have passed since our property was subdivided.

If the town wants to promote cluster housing, it is our strong opinion that it should be imposed on the 42 acre piece in the event that someone tries to subdivide it, **after** the sale goes through. The town will have that opportunity (downstream) if that eventuality presents itself.

Please don't punish us by imposing the cluster concept at this stage. We've already gone through 10 years of financial and physical trails. What should have been a simple lot sale (needing a right-of-way) has mushroomed into all kinds of unintended consequences.

In Sept. 1997 and May 2006, O.B. LTD. P., following Kittery Planning Dept. guidance, secured building permits from the CEO's serving at the time, to construct housing. The CEO's required a 50 ft. R.O.W. sketch, using Old Farm Road for entry and egress, which has shaped development decisions that we are now forced to deal with.

It is our opinion that approvals by town officials back at that time should be honored (grandfathered) so as not to complicate matters further. The 7 acres occupied by previously approved building permits should be exempted from cluster housing.

Another reason for exemption from cluster housing is that the vast majority of our upland property is at the far end of lot 61-8 and would take two to three thousand feet of road to reach.

In 2006 Civil Consultants, out of South Berwick, determined that cluster housing was not economically feasible for our back 42 acres due to the wetland configuration and the distant location of our upland property.

Road and utility installation costs are higher than they've ever been, and we believe that cluster housing is a dangerous consideration which is totally inappropriate and could prove financially disastrous. We need to take the most conservative approach with the least risk of failure.

There are other reasons we will furnish, as to why cluster housing should not be imposed, as our 5/2/14 application is heard by the KPB.

Respectfully,
Richard Sparkowich
Gen. Partner
(207)-439-6141

PURPOSE OF PLAN:

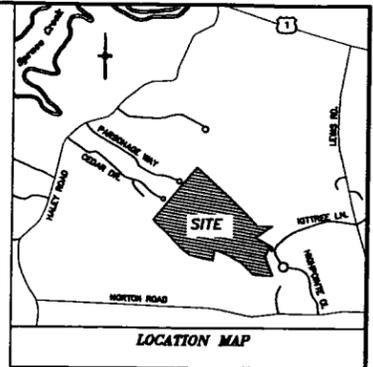
THE PURPOSE OF THIS PLAN IS TO PROPOSE A SUBDIVISION OF A 57.59± AC. PARCEL OF RECORD INTO FIVE LOTS. THIS PLAN ALSO PROPOSES A 60' WIDE RIGHT OF WAY TO BE KNOWN AS "BEATRICE WAY".

ZONING DATA PER TOWN OF KITTEEY LAND USE AND DEVELOPMENT CODE 16.3.2.1 (SEE NOTE #7):

ZONE: Rural Residential (R-RL)

REQUIREMENTS:*

- MINIMUM LAND AREA PER DWELLING UNIT: 40,000 Sq. Ft.
- MINIMUM LOT SIZE: 40,000 Sq. Ft.
- MINIMUM STREET FRONTAGE: 150 FT.
- MINIMUM FRONT SETBACK: 40 FT.
- MINIMUM SIDE SETBACK: 20 FT.
- MINIMUM REAR SETBACK: 20 FT.
- MAXIMUM BUILDING COVERAGE: 15%
- MAXIMUM BUILDING HEIGHT: 35 FT.



PLAN REFERENCES:

1. "MINOR SUBDIVISION OF LAND OF OPERATION BLESSING LIMITED PARTNERSHIP, HIGHPOINTE CIRCLE & KITTREE LANE, KITTEEY, MAINE, PREPARED FOR OPERATION BLESSING LIMITED PARTNERSHIP", PREPARED BY CIVIL CONSULTANTS, DATED AUGUST 14, 2008 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 331 PAGE 48.
2. "HIGHPOINTE ESTATES, 9 OLD FARM ROAD, KITTEEY, MAINE, PREPARED FOR GOODHOUSE CONSTRUCTION COMPANY, PROPERTY OF THE WILLIAM R. TOOTHAKER REVOCABLE TRUST, GEORGE T. & LORETTA C. MARTIN, & OPERATION BLESSING, LIMITED PARTNERSHIP", PREPARED BY CIVIL CONSULTANTS, LAST REVISED 5/28/04 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 291 PAGE 39.
3. "PLAN OF LAND OF THE WILLIAM R. TOOTHAKER REVOCABLE TRUST, 9 OLD FARM ROAD", PREPARED BY CIVIL CONSULTANTS, DATED 1/7/04 AND RECORDED AT THE Y.C.R.D. ON SEPT. 6, 2012 AS PLAN BOOK 357 PAGE 1.
4. "BOUNDARY PLAN PREPARED FOR A. DAVID MANN, KITTEEY, MAINE", PREPARED BY THOMAS F. MORAN, INC., DATED FEB. 16, 1987, STAMPED "PROGRESS PRINT" MAR. 4, 1987.
5. "SHEET 1 OF 2 PLAN OF LAND, LEWIS ROAD, KITTEEY, YORK COUNTY, MAINE, FOR A. DAVID MANN", PREPARED BY THOMAS F. MORAN, INC., DATED JULY 31, 1989.
6. "CONCEPT SKETCH, CONVENTIONAL LAYOUT, OPERATION BLESSING, 22-24 OLD FARM ROAD, KITTEEY, YORK COUNTY, MAINE, 03904, TAX MAP 61 LOT 8", PREPARED BY CLD CONSULTING ENGINEERS, DATED MAR. 2007.
7. "HIGH INTENSITY SOIL SURVEY, OPERATION BLESSING, 22-24 OLD FARM ROAD, KITTEEY, YORK COUNTY, MAINE, TAX MAP 61 LOT 8", PREPARED BY CLD CONSULTING ENGINEERS, DATED MAR., 2007.

NOTES:

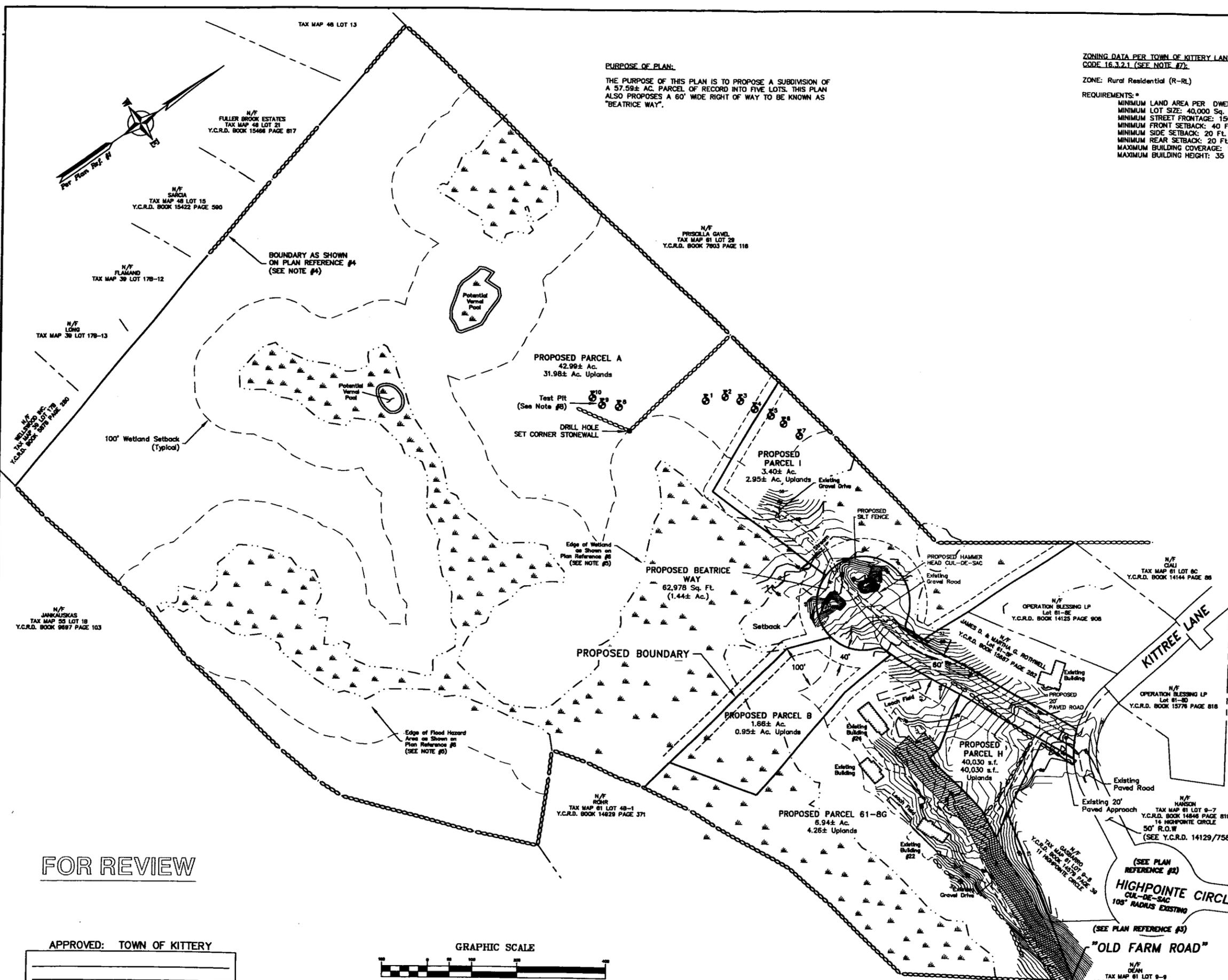
1. OWNERS OF RECORD:
TAX MAP 61 LOT 8
57.59± Acres (Based on Record Surveys)
OPERATION BLESSING, LP
Y.C.R.D. BOOK 14125 PAGE 908
DATED JUNE 8, 2004
2. BASIS OF BEARING IS PER PLAN REFERENCE #1.
3. APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
4. THE EXTERIOR BOUNDARY SHOWN HEREON IS PER RECORD PLAN REFERENCES RECOVERED AT THE TIME OF SURVEY. SEE REFERENCED PLANS FOR FURTHER INFORMATION.
5. THE WETLAND DELINEATION AND FLOOD HAZARD AREAS SHOWN HEREON ARE BASED ON PLAN REFERENCE #6 AND INFORMATION PROVIDED BY THE CLIENT. WETLANDS MUST BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION.
6. EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.
7. DIMENSIONAL REQUIREMENTS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTEEY PRIOR TO DESIGN OR DEVELOPMENT.
8. TEST PIT LOCATIONS ARE PER PLAN REFERENCE #7. SEE SAID PLAN AND REPORT BY MICHAEL CUOMO, SOIL SCIENTIST, DATED SEPT. 2006 FOR A COMPLETE DESCRIPTION OF SOILS AND TEST PITS. NOT ALL TEST PITS ARE SHOWN.

CONCEPTUAL SUBDIVISION & "BEATRICE WAY" RIGHT-OF-WAY PLAN
FOR PROPERTY AT
22/24 Old Farm Road/Highpointe Circle/Kittree Lane
Kittreey, York County, Maine
OWNED BY
Operation Blessing, LP
c/o Richard D. Sparkowich
PO Box 4069, Portsmouth, NH 03802

North
EASTERLY
SURVEYING, Inc.
SURVEYORS IN N.H. & MAINE 191 STATE ROAD, SUITE #1
(207) 439-8333 KITTEEY, MAINE 03904

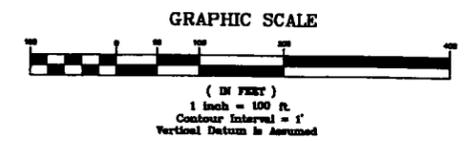
SCALE: 1" = 100'	PROJECT NO. 12726	DATE 2/5/14	SHEET 1 OF 1	DRAWN BY A.M.P.	CHECKED BY K.D.M.
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REV	DATE	DESCRIPTION	BY	DATE	REVISIONS AS PER REVIEW BY PLANNER	S.T.B.	K.D.M.	K.D.M.
D	5/27/14	REVISION OF PROPOSED LOT LINES	A.M.P./K.D.M./K.D.M.	5/9/14	ADD SURVEYED WETLANDS	A.M.P.	K.D.M.	K.D.M.
				2/27/14	REVISIONS AS PER REVIEW BY PLANNER	A.M.P.	K.D.M.	K.D.M.



FOR REVIEW

APPROVED: TOWN OF KITTEEY
DATE OF APPROVAL:



DRAWING No. 12726_DIVISION_MAY21_2014
