



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, April 9, 2015

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

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE – APPROVAL OF MINUTES – 3/26/2015

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.

OLD BUSINESS

ITEM 1 – Bartlett Hill Multifamily Cluster Subdivision – Subdivision Preliminary Plan Review

Action: grant or deny preliminary approval. Owner and applicant Peter J. Paul, Trustee of AMP Realty Holdings, LLC, is requesting consideration of plans to develop a multi-family residential cluster subdivision. The approximately 18 acres parcel is located on a portion of Tax Map 28, Lot 14 with frontage along Fernald Road and Route 236, in the Residential – Suburban (R-S) Zone with portions in the Commercial (C-2) Zone and Resource Protection Overlay (OZ-RP) Zone. Agent is Tom Harmon, Civil Consultants.

PUBLIC HEARING/NEW BUSINESS

ITEM 2 – 2 Chauncey Creek Road – Shoreland Development Plan Review

Action: accept or deny plan application, hold a public hearing, approve or deny development plan. Owners and applicants Daniel O. and Linda P. Seaward are requesting consideration of their plan to add a screen porch and deck to an existing single family dwelling at 2 Chauncey Creek Road, Map 36, Lot 63 in the Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SL-250') Zones. Agent is Adam Pray, North Easterly Surveying, Inc.

ITEM 3 – 100 Pepperrell Road – Shoreland Development Plan Review

Action: accept or deny plan application, hold a public hearing, approve or deny development plan. Owners and applicants Johnathan King and James W. Stott are requesting consideration of their plan to remove the 20th-century additions to the John Bray house and connect new construction consisting of a main dwelling wing with attached garage, a guest wing, a summer house, and a deck and pool. 100 Pepperrell Road is located at Map 27, Lot 45 in the Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SL-250') Zones. Agent is Simon Jacobsen, Jacobsen Architecture, LLC.

ITEM 4 – Board Member Items / Discussion

A. TBD

ITEM 5 – Town Planner Items:

A TBD

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 CONTACT STAFF AT (207) 475-1323.

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

UNAPPROVED
March 26, 2015

4
5 Meeting called to order: at 6:00 p.m.

6 Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Secretary Deborah Davis,
7 Mark Alesse, David Lincoln, Robert Harris.

8 Members absent: None

9 Staff present: Chris DiMatteo, Town Planner; Elena Piekut, Assistant Town Planner

10
11 Pledge of Allegiance

12
13 Minutes: March 12, 2015

14 Mr. Lincoln and Ms. Davis requested amendments.

15 **Ms. Kalmar moved to approve the minutes of March 12, 2015 as amended with gratitude to**
16 **Jan Fisk, who served as Recorder since 2008.**

17 **Mr. Alesse seconded.**

18 **Motion carried: 6-0-0**

19
20 Public Comment: There was no public comment period, as there was no public present.

21
22 **ITEM 1 – Town Code Amendment – Title 16.4.4.1 Inspection of Required Improvements;**
23 **16.10.3.7 Independent Review/Inspection Consultant Review; 16.10.3.8 Independent Review**
24 **Applicant Funding; 16.10.8.2.2 Performance Guaranty Conditions; and 16.10.9.1 Post**
25 **Approval Actions Required.**

26 Action: review amendment and make recommendation to Town Council. Proposed amendment:
27 codifies the need to hold a pre-construction meeting; updates provisions associated with
28 inspections; and provides clarity through minor changes where needed.

29
30 Public Hearing: No members of the public were present.

31
32 Mr. Lincoln asked whether the proposed change is to put into code the need to hold a pre-
33 construction meeting.

34 Mr. DiMatteo responded that it does, although the amendments do more than codify current
35 practice only. They also include work on related provisions in the code.

36 Mr. Alesse suggested edits to lines 29-31, 171-173, and 174-175.

37 Ms. Davis questioned the meaning of “nuisances” on line 57.

38 Mr. DiMatteo referred to Item 1 Staff Review Notes and its mention of M.R.S.A Title 17, §2802, also
39 referenced by Town Code Title 1.2.2.2 Definitions, where examples of nuisances are defined.

40 Ms. Davis noted that on line 138, “development that requires inspections” creates some confusion
41 and questioned what projects do and don’t require inspections.

42
43 Discussion ensued regarding clarity. Ms. Davis and Ms. Kalmar suggested removing the sentence
44 in question as the requirement is covered by 16.4.4.1. Mr. Lincoln suggested a change in format to
45 that section for greater clarity.

46
47 Ms. Grinnell asked whether comments submitted by Mr. Harris at the previous meeting had been
48 resolved.

49 Mr. Harris reported that a discussion with Mr. DiMatteo, then submitted additional comments
50 before the meeting.

51 Mr. DiMatteo explained that Mr. Harris' comments are geared toward staff's focus on trying to
52 develop procedures to execute the code, clarifying business days vs. calendar days, and whether
53 there are penalties involved in not meeting deadlines.

54
55 Ms. Kalmar questioned the description of a "professional engineer or accomplished and qualified
56 contractor" in line 37.

57
58 Discussion ensued regarding wording and use of the title "Professional Engineer" and the Board
59 settled on "Professional Engineer or qualified contractor."

60
61 Ms. Kalmar suggested line 89 indicate the text was "moved and modified" rather than deleted.

62
63 **Ms. Kalmar moved to recommend to Town Council the adoption of Town Code Amendment**
64 **to Title 16.4.4.1 Inspection of Required Improvements, 16.10.3.7 Independent**
65 **Review/Inspection Consultant Review, 16.10.3.8 Independent Review Applicant Funding,**
66 **16.10.8.2.2 Performance Guaranty Conditions, and 16.10.9.1 Post Approval Actions**
67 **Required as presented in the March 26, 2015 staff notes and as amended.**

68 **Ms. Davis seconded.**

69 **Motion carried: 5-1-0 with Mr. Harris opposed.**

70
71 Ms. Grinnell asked the Board to entertain Item 4 out of order.

72
73 **ITEM 4 – Thron and Arris – Request for Adjustment of Common Boundary Line of**
74 **Nonconforming Lots.**

75 Action: review request and grant or deny approval. Owners and applicants Mary Thron and
76 Raymond J. Arris are requesting consideration of their application for a Miscellaneous Variation
77 regarding the adjustment of the common boundary line between 71 Tower Road (Map 58, Lot 42-
78 A and 73 Tower Road (Map 58, Lot 42), both in the Residential – Rural Conservation (R-RLC)
79 and Shoreland Overlay (OZ-SL-250'), and Resource Protection Overlay (OZ-RP) Zones.

80
81 Ms. Thron, applicant, explained that one of the proposed lots no longer meets the road frontage
82 requirement because the State requires that it meet the 20,000-square-foot shoreland minimum lot
83 size.

84
85 Ms. Davis asked about the three lots shown on the plan.

86 Ms. Thron explained that 73 Tower Road was originally two lots, before it was purchased by the
87 applicant in 1972, shown as 31 and 32 on the plan.

88
89 **Ms. Kalmar moved to grant conditional approval for the request for adjustment of common**
90 **boundary lines of nonconforming lots 71 Tower Road (Map 58, Lot 42-A) and 73 Tower**
91 **Road (Map 58, Lot 42), application dated February 11, 2015, for owner/applicants Mary**
92 **Thron and Raymond J. Arris.**

93 **Mr. Alesse seconded.**

94
95 Ms. Grinnell reminded the Board to discuss any concerns with the findings of fact before each
96 finding is voted on. Each finding requires four votes in the affirmative, or the main motion will
97 fail.

98
99 Ms. Kalmar thanked Ms. Thron and Mr. Arris for their persistence and perseverance in getting an
100 ordinance amendment passed which will benefit the townspeople and the town. Their particular
101 plan demonstrates how that will work by decreasing nonconformity.

102
103 Mr. Harris explained his choices to abstain from voting on findings of fact at the previous meeting
104 because those findings were “not applicable.”
105 Mr. DiMatteo explained that “not applicable” is a staff suggestion and the Board is asked to make
106 its own determination on each finding by a vote.
107

108 **Motion carried: 6-0-0**

109
110 Ms. Kalmar read the Findings of Fact:

111
112 **KITTERY PLANNING BOARD**

113 **FINDINGS OF FACT**

114 **For**

115 **Thron & Arris, 71 & 73 Tower Road**

116 **Adjustment of Common Boundary Line of Nonconforming Lots**
117

118 Mary Thron and Raymond J. Arris, owners and applicants (for The Mary Thron Revocable Trust and The
119 Raymond Arris Revocable Trust), requested approval to adjust a common boundary line of
120 nonconforming lots at 71 Tower Road (Map 58, Lot 42-A) and 73 Tower Road (Map 58, Lot 42) in the
121 Residential – Rural Conservation, Shoreland Overlay, and Resource Protection Overlay Zones.

- 122 1. The subject land is located at 71 Tower Road (Map 58, Lot 42-A) and 73 Tower Road (Map 58,
123 Lot 42).
- 124 2. Lots 42 and 42-A share a common boundary line.
- 125 3. Both lots are co-owned by Mary Thron and Raymond J. Arris, and the principal use of each lot is
126 a legally created single family residential unit.
- 127 4. Both lots are located in the Residential – Rural Conservation Zone (R-RLC), as well as the
128 Shoreland Overlay (OZ-SL-250') and Resource Protection Overlay (OZ-RP) Zones.
- 129 5. Per 16.3.2 Zone Definitions, Uses, and Standards, dimensional standards for lots in the
130 Residential – Rural Conservation and Shoreland Overlay Zone include:
 - 131 a. Minimum Lot Size: 80,000 square feet
 - 132 b. Minimum Road Frontage: 200 feet
 - 133 c. Minimum Shore Frontage: 250 feet
 - 134 d. Maximum Building Coverage: six percent
- 135 6. Both lots are nonconforming with the required dimensional standards.
- 136 7. Ms. Thron and Mr. Arris submitted an application to the Town of Kittery Planning and
137 Development Department on February 11, 2015.
- 138 8. Per the requirements of 16.7.3.5.12 Adjustment of Common Boundary Line of Nonconforming
139 Lots, the Planning Board reviewed the plan for a proposed reconfiguration of lots on March 26,
140 2015.
- 141 9. The proposed dimensions for Lot 42 are:
 - 142 a. Lot Size: 30,469 square feet
 - 143 b. Road Frontage: 196.14 feet
 - 144 c. Shore Frontage: 151 feet
 - 145 d. Building Coverage: 7.6 percent
- 146 10. The proposed dimensions for Lot 42-A are:
 - 147 a. Lot Size: 20,100 square feet
 - 148 b. Road Frontage: 123.07
 - 149 c. Shore Frontage: 151 feet
 - 150 d. Building Coverage: 7.3 percent
- 151 11. The Code Enforcement Officer determined that the proposed lot line adjustment makes Lot 42
152 *more nonconforming* with the dimensional standards in the R-RLC zone.

- 153 12. The proposed lot line adjustment makes Lot 42-A *less nonconforming* with the dimensional
154 standards in the R-RLC zone.
155 13. Each resulting lot is not less than 20,000 square feet in lot size and not less than 100 feet in shore
156 frontage, and therefore each adheres to State Minimum Lot Size Law (12 M.R.S. sections 4807-A
157 through 4807-D).
158 14. Each resulting lot is conforming to the Maine DEP Mandatory Shoreland Zoning minimum lot
159 standards for principal structures and uses and will remain conforming to those requirements.

160
161 Conclusion

162
163 The Planning Board determines that each resulting lot is as conforming as practicable to the Maine
164 Department of Environmental Protection Mandatory Shoreland Zoning minimum lot standards for
165 principal structures and uses as well as the requirements of the Town of Kittery Land Use Development
166 Code, section 16.7.3.5.12 Adjustment of Common Boundary Line of Nonconforming Lots.

167
168 The Kittery Planning Board adopts each of the foregoing Findings of Fact and based on these Findings
169 determines the proposed Plan will have no significant detrimental impact, and the Kittery Planning Board
170 hereby grants approval for the Plan and Request at the above reference properties, including any waivers
171 granted or conditions as noted.

172
173 Waivers: None

174
175 Conditions of Approval (to be included on the final plan):

- 176
177 1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final
178 plan (Title 16.10.9.1.2).
179 2. All Notices to Applicant contained in the Findings of Fact (dated: March 26, 2015).

180
181 The Planning Board authorizes the Planning Board Chairperson to sign the Final Plan and the Findings of
182 Fact upon confirmation of compliance with any conditions of approval.

183
184 **Vote of: 6 in favor 0 against 0 abstaining**

185
186 Per Title 16.6.2.A – An aggrieved party with legal standing may appeal a final decision of the Planning Board to the York
187 County Superior Court in accordance with Maine Rules of Civil Procedures Section 80B, within forty-five (45) days from the
188 date the decision by the Planning Board was rendered.

189
190 **ITEM 2 – Board Member Items/Discussion**

191
192 A. Committee Updates

193 Ms. Davis shared that the Comprehensive Plan Committee is on hold for now. The Kittery Community
194 Market has a new manager and will now be open on Sunday from 10 a.m. to 2 p.m.

195 Mr. Lincoln asked about the method by which a board member might propose a new code item.

196 Ms. Grinnell and Ms. Kalmar suggested that it be brought up to the Board at the next meeting and added
197 to the action list.

198
199 Mr. Harris suggested 16.6.2 should be amended so that Planning Board decisions are appealed to the
200 Board of Appeals prior to going to the Superior Court in the interest of time and expense.

201 Ms. Grinnell said this would duplicate volunteer board efforts.

202 Mr. DiMatteo noted that decisions of all three boards in the Town are appealed to the court and the
203 process has been structured that way for decades.

204 Ms. Kalmar noted that sending Planning Board appeals to the Board of Appeals before Superior Court
205 would result in two “non-professional legal interpretations” before reaching the legal authority for a final
206 decision, resulting in more expense and time lost.

207
208 Ms. Grinnell reported on the Kittery Port Authority and said that no new moorings will be issued until
209 after December 31, 2015 as the Harbormaster is inventorying existing moorings.

210
211 B. Action List

212 Ms. Kalmar asked that item one be changed to priority two.

213 Mr. DiMatteo said that item five will be discussed at the May 28, 2015 meeting.

214 Mr. DiMatteo will provide a draft on item 11 for the April 23, 2015 meeting.

215 Mr. Lincoln questioned maintaining delayed items at priority one.

216 Mr. DiMatteo explained that item 14 has been recommended to Town Council and is pending.

217 Ms. Grinnell asked Ms. Davis about item 21, regarding parking credits in the Kittery Foreside area.

218 Ms. Davis explained that the Board was waiting for the results of the Foreside Forums, and Mr. DiMatteo
219 explained that he and the Town Manager are working on preparing a request for proposals for a study of
220 parking in the area.

221 Discussion ensued concerning the relationship of item 21 to item 23, how to move forward with a
222 possible Foreside Review Committee.

223 Ms. Kalmar suggested that, to address item 21 and item 23, the Board should discuss the Foreside Forums
224 report at the April 23 meeting.

225
226 **ITEM 3 – Town Planner Items**

227 Mr. DiMatteo reported that the Kittery Area Comprehensive Transportation System (KACTS) will report
228 on its bicycle/pedestrian planning efforts at the April 23 meeting as well. The presentation is intended as a
229 stakeholder meeting and staff will advertise and invite businesses abutting the Route 1 Bypass.

230 Mr. DiMatteo reported that Memorial Circle Improvement planning is still underway, including dealing
231 with budget overages.

232 Mr. DiMatteo provided copies of the work plan for the sewer expansion project.

233 Mr. DiMatteo addressed ongoing code amendments, particularly the four that have been in progress over
234 the winter. After the May 5 joint workshop with the Town Council, he will provide a final draft for
235 recommendation to the Council.

236 Mr. DiMatteo asked the Board to consider the draft agenda for April 9. Public hearings will be scheduled
237 for that date for two shoreland development plan reviews.

238
239 Mr. Alesse moved to adjourn.

240 Ms. Kalmar seconded.

241 Motion carried 6-0-0.

242

243 The Kittery Planning Board meeting of March 26, 2015 adjourned at 7:30 p.m.

244

245 Submitted by Elena Piekut, Assistant Town Planner, March 30, 2015

**Town of Kittery
 Planning Board Meeting
 April 9, 2015**

Bartlett Hill Multifamily Cluster Subdivision – Subdivision Preliminary Plan Review.

Action: Grant or deny preliminary plan approval. Owner and applicant Peter J. Paul Trustee of AMP Realty Holdings LLC, is requesting consideration of plans to develop a multi-family residential cluster subdivision. The approximately 18 acre parcel is located on a portion of Tax Map 28, Lot 14 with frontage along Fernald Road and Route 236, in the Residential Suburban Zone with portions in the Commercial C-2 zone and Resource Protection Overlay Zone. Agent is Tom Harmon, Civil Consultants.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan Review	Initiated July 11, 2013, Approved August 8, 2013	APPRVD
NO	Site Visit	Scheduled August 8, 2013	HELD
YES	Completeness/Acceptance	Scheduled for 10/10/2013	GRANTED
YES	Public Hearing	Scheduled for 11/14/2013	HELD
YES	Preliminary Review and Approval	Started at 11/14/2013	PENDING
YES	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

The proposed cluster subdivision is located off Fernald Road and behind the commercial lots along Route 236. The Board first reviewed this project as a Sketch Plan and approved the concept at their August 8, 2013 meeting. Subsequent to this the Board accepted and held a public hearing for a preliminary plan application in late 2013. Due to pending changes to the Code the applicant waited before coming back to the Board and late last year the Board continued the plan application.

The Applicant has submitted revised preliminary plans that include changes to the proposed stormwater buffers required by Maine DEP. It appears that the abutting commercial lots along Rt. 236 are no longer burdening the subject property with stormwater buffers. In addition, the revised plan reflects proposed stormwater buffers for the Bartlett Hill development incorporated into the proposed reserved open space. Town’s Peer Review Engineer, CMA, has prepared a review of the current plan application attached for your reference and consideration.

Staff Review

Site Design Issues (raised at the 11/14/2013 meeting):

- 1) *The current plans show the encroachment of the 100-foot wetland setback buffer in several places. Title 16.8.11.6.1.5 Development Setbacks states that setbacks from wetlands and waterbodies must be permanently maintained as no-cut/no-disturb buffer areas. It is Staff’s interpretation that this provision does not accommodate any development in the setback regardless if the site design incurs varying wetland setbacks. For example wetland setbacks from structures, parking and roadways may not all be the same*

dimension. Allowing for a driveway to be constructed within the 100-foot wetland setback for structures (as per Table 16.9 allows) negates the goal to preserve the setback as a no-cut/no-disturb buffer area. If this was not a cluster subdivision then the provision would not apply.

There are four instances where there are encroachments within the required buffer (See Sheet C6): Building 3 & 4 driveway and associated grading; level spreader behind Building 4; force main south of Building 9; and the terminus of the cul-de-sac and associated grading. The Board may want to consider waiving full compliance due to unique site constraints and, in the case of the cul-de-sac, the area has already been disturbed.

UPDATE: The revised plan appears to have removed encroachments to the no-cut/no-disturb buffer area.

- 2) *Pedestrian walkway not shown connecting to walkway planned as part of the adjacent Commercial Lot Subdivision. The subdivision or site plan need to show this connection and any required easements. The Board may want to consider bituminous rather than stone dust for the walkway surface.*

UPDATE: The revised plan remains to show no accommodation for pedestrians along the proposed street. See comments from CMA peer-review report.

Open Space:

- 3) *The proposed open space configuration does not seem to be the most appropriate for an area that has significant ecological resources to protect. Only the wetlands and the applicant prescribed 40-foot buffer is placed in reserved open space, while upland contiguous to the wetland resource and disconnected from the primary area of development is placed in common open space. Staff recommends that the entire area, as practicable, that consists of wetlands, 100-foot wetland setback, and upland disconnected from the primary development area be designated as reserved open space which is more ecologically focused than common open space. (see exhibit)*

UPDATE: The revised plan remains to show a variety of hatching denoting differences, the purpose of which is not apparent. As suggested in the previous staff notes, there should be a minimum of one contiguous open space area clearly defined with survey delineations. Unless it is clear why there is a distinction between differing areas within or outside 40 feet from the wetland, the designation should be removed and, absent of a resource management plan, the entire reserved open space should be designated a no-cut/no disturb area. Staff recommends a natural resource management plan be prepared to identify the specific habitat(s) that can be accommodated and how and by what means can the habitat(s) be preserved/established and maintained. A reserved open space may be disturbed, removal of vegetation for example, as supported by a management plan with stated clear ecological goals and objectives.

- 4) *In addition, Staff recommends the Applicant/Owner to transfer land that includes the resource area associated with the stream to the north of the commercial lots to the Bartlett Hill Development “(see exhibit), thereby providing an opportunity to include as much of the protected resource under one legal entity as possible. This may be possible with a conservation easement, however, it is more difficult to monitor land that is not under fee simple ownership.*

UPDATE: The Board voted not to require this area be included in the open space for the residential subdivision when they approved the Route 236 commercial subdivision/site plan.

- 5) *The plan shows an area identified as “common space” and not included in the common open space. As Staff understands it, this is area that the applicant would like to maintain as much flexibility for the future and not commit it to common open space. Staff recommends that at a minimum a portion of this area that abuts the conservation property (M28 L6) is preserved as a no-cut/no disturb buffer.*

UPDATE: The revised plans do not address this comment. The Board should consider the steepness of the topography in this area and the close proximity to the existing conservation land. Steep slopes are not receptive to clearing and excavation that is typical of common space in a residential; development.

Further, considering the proximity of the development and street to the conservation land, staff finds requiring a 50-foot no-cut/no-disturb buffer along the common boundary appropriate.

- 6) *It is important for the applicant to describe their intention regarding the management of the reserved and common (if there is any) open space. At a minimum, a management plan that identifies the responsible party(ies), what is required for the preservation and how it is accomplished. One important component of such a plan is monitoring for encroachment and ensuring that the land is being preserved as intended. This may not be as important if the open space transferred/conveyed to a land trust, presumably capable of managing natural resource properties.*

UPDATE: the applicant has not addressed this comment. The letter from the Maine Department of Inland Fisheries and Wildlife (Att. C in the applicant's updated submission book) suggest that the open space may be good habitat for cottontails, an endangered species. Perhaps the applicant should consider a management plan that includes establishing and maintaining such habitat.

Resource Protection Overlay Zone

- 7) *Title 16.3.2.17 describes what areas apply to the Shoreland Overlay Zone. Per 16.3.2.17.A.2.a.iii, land areas within 250 feet of the land edge of a freshwater wetland connecting to a protected stream as identified on the Zoning Map is included in the Shoreland Overlay Zone. The Town's Land Use Zoning Map identifies a stream in the vicinity of subject property and presumably the same stream is shown on the FEMA flood map included in the submitted application. The stream is not identified on the applicant's plans, however, it is shown on the USGS map. Perhaps the stream is located off the subject property, though its location is important in determining if the subject site is within the Shoreland Overlay Zone. It is possible that the site's wetlands are associated with the protected stream identified on the Zoning Map.*

UPDATE: This is addressed with the assessment of a wetland scientist with Sebago Technics dated January 17, 2014, and attached for your reference.

Subdivision Plan

- 8) *The drawing, labeled Sheet 1, should be entitled "Subdivision Plan" rather than "Clustered Multifamily Development". In addition to the drawing title the plan must have the following information:*
- a) *-net residential acreage calculations*
 - b) *-open space calculations*
 - c) *-all easements and covenants, including MDEP stormwater buffers*
 - d) *-list all modifications to town standards, i.e. 40-foot ROW rather than 60 feet*
 - e) *-show/identify maximum number of residential units for each lot proposed*
 - f) *-show the actual open space lots; reserved and common and identify their respective square foot area.*

UPDATE: The comments appear to have been addressed, however the net residential acreage calculations need to relate better to the deductions found in 16.7.8 Land Not Suitable for Development. In addition, there should be an area identified by the high intensity soils information (in this case for Scantic soils) on the Existing Conditions Plan (C-1) that correlates with the calculations on the Subdivision Plan.

The Board should determine if d) above concerning modifications and waivers (Att.1 in the applicant's submittal book) are acceptable.

Item f) is not entirely addressed, square area shown, however no distinct lot(s). Staff recommends the lots be defined as suggested in the attached plan exhibit ATT. 1.

Dimensional Modifications

- 9) *The proposed modifications to dimensional standards, i.e. lot size, yards, and ROW are consistent with other approved cluster subdivisions.*

UPDATE: Still appears to be true.

New Comments:

10) The applicant needs to complete and submit a Street Naming Application prior to submittal of the final plan application.

11) Staff concurs with CMA's comments in their April 1, 2015 review including the request for engineering and geotechnical support for the proposed retaining walls as part of the final plan application.

Board Action

The Board should consider the waiver requests and determine if they are acceptable.

After review of the information provided and presentation by the applicant's agent, with consideration of comments by Staff and CMA's peer review, Staff recommends that the Board grant conditional preliminary approval.

Move to grant conditional approval for the Preliminary Plan Subdivision application, Bartlett Hill A Multifamily Residential Cluster Development, located at Fernald Road in the vicinity of Route 236 (Tax Map 28 Lot 14) in the Residential Suburban zone with portions of the site in the C-2 and Shoreland Overlay zones, for owner/applicant AMP Realty Holdings, LLC.

Conditions include:

{the Board should review Staff and CMA's comments and determine if they concur and which recommendations should be conditions}



CMA ENGINEERS, INC.

CIVIL/ENVIRONMENTAL ENGINEERS

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April 1, 2015

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

**RE: Town of Kittery, Planning Board Services
Bartlett Hill Subdivision Preliminary Review #3
Route 236 and Fernald Road, Tax Map 28, Lot 14
CMA #591.75**

Dear Chris:

CMA Engineers has reviewed the preliminary subdivision proposal for the Bartlett Hill Multi-Family Subdivision on Fernald Road (under our Assignment #75). The project was reviewed in July 2013 as a sketch plan application concurrently with the preliminary subdivision application for the adjacent two lot subdivision on Route 236 in the commercial C-2 zone and reviewed twice as a freestanding subdivision in October 2013.

We have reviewed the following information:

- 1) Cluster Development Plan Review Application for "Bartlett Hill" Multifamily Residential Cluster Development, September 2013 updated March 2015. Prepared for AMP Realty Holdings, LLC by Civil Consultants, South Berwick, ME.
- 2) Bartlett Hill, A Multifamily Residential Cluster Development, US Route 236, Kittery, ME, Preliminary Application. Prepared for AMP Realty Holdings, LLC by Civil Consultants, South Berwick, ME. Dated September 12, 2013, Revised March 25, 2015.

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.

16.3 Zoning

Because the project is proposed with community leachfields that are not on any of the proposed four lots with buildings, in accordance with the Maine minimum lot size law, the total required area per residence can be made up of the proposed lot size, plus common area outside the lots. In the Kittery LUDC 16.8.11.6.D requires that the 9 proposed units require 8,000 square feet per bedroom. Lots are shown to be 7,000-9,000 square feet and number of bedrooms per unit/lot is not identified. The total number of bedrooms should be provided, and multiplied by 8,000 square

total square feet. Then the total lot space plus common area that will be dedicated in a homeowner association agreement should be identified, and confirmed to meet the total land requirements of both Maine state code and local code for lot size.

16.8 Design and Performance Standards

Article IV. Streets and Pedestrian Ways

Sidewalk/Pedestrian Way:

Sidewalk/Pedestrian Way: The Typical Roadway Section detail on Sheet R1 includes a 6-ft walk. The walk location and extents are not indicated on the plan or reflected on the grading plan.

We propose the following design considerations for the walkway:

- Is it possible to put the walkway next to the road?
- If the travel way is reduced to 18', and the shoulder on the uphill side reduced from 2' to 1', then 5-6 feet can be reserved on the west side of the road.

These changes may relocate the walkway to a location where it can be readily used, meet reasonable design criteria, be maintained and be preferable to the current detail.

Additionally, there is a dashed line indicating the approximate location of a stonedust pathway. The detail and stonedust pathway location do not appear to match. Is the stonedust pathway proposed in addition to the walk?

Is the walk or stonedust pathway proposed to connect with the adjacent subdivision and extend down Fernald Road?

Article VIII. Surface Drainage

The Applicant has requested two waivers with regard to stormwater management plans:

- That the MeDEP Chapter 500-502 review be acceptable in lieu of a review by the Town's consulting engineer. (Our review of the submittal is/will be on the Town's behalf, which may address issues separate from the MeDEP's interests or jurisdiction).
- That a stormwater management plan submission be waived at the preliminary stage and submitted as part of the final plan application. (Full stormwater management review at the final submission stage is appropriate).

Additional surface drainage comments:

- The conceptual drainage design appears to be well-reasoned and supportable. A full stormwater management plan will be submitted and review completed during final review.
- The shallow surface swale along the property line to the east with the commercial subdivision on Route 236 should be graded in.
- At the entrance to Fernald Road, for the level spreader receiving from the catch basins and piping (already constructed), is there a dedicated wooded buffer for treatment on this

property and also the adjacent property, such as is proposed for other level spreaders in the project? The level spreader should be graded in.

- As part of the project material, we previously reviewed the ME DEP NOI for the two proposed subdivisions (the Bartlett Hill subdivision and the Route 236 commercial subdivision) that is dated April 2013. Has this been updated or superseded?

Article XI. Cluster Residential and Cluster Mixed-Use Development

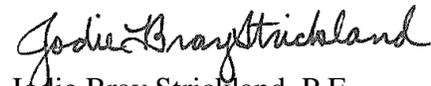
The Applicant has included an area referred to as “common space” on the plans and provides supporting calculations for the area. What is the purpose of this common space?

General Engineering Comments

1. Units 8 and 9 show a retaining wall system with a 2:1 backslope (Section D-D on Sheet C7). Final subdivision review should include structural and geotechnical feasibility of this design.

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

Very truly yours,
CMA ENGINEERS, INC.



Jodie Bray Strickland, P.E.
Project Engineer

cc: Tom Harmon, PE, Civil Consultants



11201
January 17, 2014

Thomas Harmon
Civil Consultants
PO Box 100
South Berwick, ME 03908

Re: Bartlett Hill – Kittery, Maine

Dear Tom:

On January 15, 2014 I performed a site reconnaissance of the non-forested portion of the wetland adjacent to the proposed Bartlett Hill development per your request. The Maine DEP Shoreland Zoning Guidelines define a freshwater wetland as freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, which are:

1. Of ten or more contiguous acres; or of less than 10 contiguous acres and adjacent to a surface water body, excluding any river, stream, or brook, such that in a natural state, the combined area is in excess of 10 acres; and
2. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

You have provided me with an aerial photograph which included an outline of the non-forested wetland area adjacent to your project site. The total area within this outline is 7.2 acres. I have walked around that area and taken a few key gps points to confirm this location. I am in full agreement with this outline. The southerly end of the wetland includes approximately 300 feet of forested wetland between the transmission line and the non-forested wetland area on your project site, making it two separate non-forested wetland areas. The northerly border is Bolt Hill Road where the outlet of this wetland is constricted. There are no non-forested wetlands adjacent to the north side of Bolt Hill Road. Attached are a few photos showing these areas. In my opinion, the non-forested wetland as depicted on your plan is not a freshwater wetland as defined above.

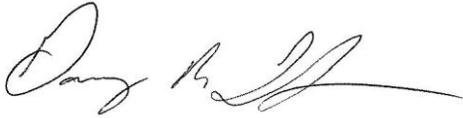
You have also asked if there is a stream flowing southerly through this wetland as depicted on the USGS topographic map. The topography appears to slope slightly towards Bolt Hill Road. Any flow that I could see within this wetland was heading toward the north. The only stream I could identify would be the one flowing westerly under Route 236 onto the project site and

then exiting the site to the north under Bolt Hill Road. Using Google Earth, it appears this stream flows northerly through several large bogs, crosses under Route 236 a couple of times and then eventually flows under Route 103 where it enters the Piscataqua River.

I hope this information is sufficient for your use. Please feel free to contact me with any questions.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Gary M. Fullerton", with a long horizontal flourish extending to the right.

Gary M. Fullerton, CSS, LSE
Director of Natural Resources

GMF:gmf/jsf



PHOTOGRAPH #1: Looking southerly at wetland from Bolt Hill Road.



PHOTOGRAPH #2: Looking northerly at non-forested wetland.



75 John Roberts Road, Suite 1A
 South Portland, ME 04106-6963
 Tel. (207) 200.2100

Wetland Photographs

TAKEN BY: Gary M. Fullerton

LOCATION:

Bolt Hill Road
 Kittery, Maine

APPLICATION BY:

Civil Consultants

SCALE: None

DATE: 1-15-14

SHEET:

1 of 2



PHOTOGRAPH #3: Looking at southerly edge of forested wetland.



PHOTOGRAPH #4: Looking at north side of Bolt Hill Road.



CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

75 John Roberts Road, Suite 1A
 South Portland, ME 04106-6963
 Tel. (207) 200.2100

Wetland Photographs

TAKEN BY: Gary M. Fullerton

LOCATION:
 Bolt Hill Road
 Kittery, Maine

APPLICATION BY:
 Civil Consultants

SCALE:	None
DATE:	1-15-14
SHEET:	2 of 2

PUBLIC HEARING

ITEM 1 – Bartlett Hill Multifamily Cluster Subdivision – Subdivision Preliminary Plan Review.

Action: Grant or deny preliminary plan approval. Owner and applicant Peter J. Paul Trustee of AMP Realty Holdings LLC, is requesting consideration of plans to develop a multi-family residential cluster subdivision. The approximately 18 acre parcel is located on a portion of Tax Map 28, Lot 14 with frontage along Fernald Road and Route 236, in the Residential Suburban Zone with portions in the Commercial C-2 zone and Resource Protection Overlay Zone. Agent is Tom Harmon, Civil Consultants.

Tom Harmon, Civil Consultants, introduced Jay Stevens, Civil Consultants and Peter Paul, applicant. He summarized the plan before the Board:

- Identified plan sheets submitted;
- 3 duplexes and one tri-plex for a total of 9 residential units proposed;
- Municipal water with common septic systems;
- Identified location of open space, reserve areas, and buffers;
- Walkway proposed along right-of-way, following contours;
- Stormwater management plan currently under review by the DEP;

Christine Bennett, Kittery Land Trust (KLT), noted the KLT has an 88 acre preserve adjacent to this project, and has the following observations:

- Access to a very popular network of trails on the Remick Preserve is via an easement adjacent to the project.
- The proposed amount of tree removal will impact the mature forest canopy and diminish the experience of visiting the Preserve. No-cut, no disturb buffers would help reduce this impact.
- The multiple impromptu entrances onto the Remick Preserve by residents of the proposed development are of concern. The KLT would like one controlled entrance, and would also like to pursue a new easement from the proposed right of way, which would be accessible by the residents of the development and the general public.
- One of the common septic areas appears too close to the Preserve and far removed from the buildings it will be servicing. The KLT would like to see the preserved open space be contiguous to the adjacent Preserve.

Sammy Yaso, Volunteer, KLT, noted his support of staff recommendations, specifically:

- Consider the atypical cul-de-sac design that would reduce the development footprint, and consider including the septic system within the center of the cul-de-sac, away from sensitive areas.
- Preserving those areas abutting the existing preserved land better meets the objectives of cluster development, instead of placing a septic system in those sensitive areas.
- The proposed walkway could be graded into the parking area open to the public and residents, providing access to the Remick Preserve.

Steve Hall, Conservation Commission, asked if the Board has considered the wetland across from 236 that drains into the abutting property, and whether stormwater is draining from one lot to another.

Ms. Tuveson noted this will most likely be discussed under item 2.

Mr. Mylroie added the following:

- The Fire Chief asked the name of ‘Bartlett Hill’ be changed because of the similar name of a local street, in consideration of E911.
- The Fire Chief asked that road standards be consistent for all subdivisions and meet minimum standards should these private streets become public streets. Discussion followed regarding minimum street standards based on trips. Mr. Melanson stated the proposal should meet minimum standards.
- The Police Chief asked about street lighting at the project.

The public hearing closed at 6:40 p.m.

Ms. Tuveson asked the applicant to address the following staff concerns:

- 100-foot wetland setbacks: Mr. Harmon stated they are measuring the setback from the wetland based on the location of the driveway, not the structure. Mr. DiMatteo noted it is the intent, through the cluster ordinance and in Board discussions, that a wetland setback from structures is 100-feet. Ms. Grinnell noted the 100-foot setback for a structure cannot be disturbed by a driveway. Mr. Harmon explained that Table 2 allows for roadways closer to the wetlands. Discussion followed regarding how to interpret the ordinance regarding water and wetland setbacks. The Board concurred the applicant needs to meet the 100-foot setback requirement.
- Pedestrian walkway not shown – Jay Stevens spoke about location of a walkway along Fernald Road and connection to the adjacent parcel on Rt. 236. Discussion followed regarding sidewalk connections.
- Open Space – applicant has provided 79% open space. Staff requested that areas close to the adjacent Reserve be identified as reserved open space and the common space (upland) provide a no-cut/no-disturb buffer adjacent to the Reserve. Mr. Stevens stated they would be willing to include some of the open space areas with the reserved open space, and identified the ‘common space’ adjacent to the KLT parcel as the only remaining land on the parcel that could be further developed, with Board review and approval. Ms. Grinnell is uncomfortable with this area remaining for potential future development. Ms. Driscoll stated the intent of the cluster ordinance is to provide for common open space for use by the residents, such as recreational use. Mr. Harmon stated this area cannot be developed as the total number of units have been reached with the density available. He explained the location of the proposed septic system creates the least disturbance while located where soils support a septic system. Discussion followed regarding common vs. individual septic systems and maintenance provisions. [unidentified] explained the identified septic area are double the size needed, but are done so to show there is sufficient area for back-up if needed. Mr. DiMatteo stated the Board needs to be consistent regarding identification of reserved open space areas, especially when adjacent to contiguous conservation areas.
- Stream – Staff requests the extent of the stream be identified on the plans as it impacts those land areas that could be part of the Shoreland Overlay zone. Staff will review further with the applicant for Board consideration.

Mr. Mylroie noted the Police Chief requested access from the private way to the commercial property. The Board felt this would negatively impact a residential area. Ms. Kalmar asked if the current ordinance guidelines for determination density were followed. Mr. Harmon stated the manual referenced in the code is no longer in print. Ms. Kalmar stated she would like to know if the proposal meets the existing requirements, in comparison with what has been proposed.

Ms. Grinnell moved to continue review, not to exceed 90 days.

Ms. Driscoll seconded

In summary, the 100-foot buffer needs to be maintained. Mr. Harmon stated this would then change the development of individual lots, and potentially a standard subdivision design. Discussion followed regarding the cul-de-sac and lot locations.

Motion carried unanimously by all members present

OLD BUSINESS

ITEM 2 – Rt. 236 Commercial Lot Development – Paolucci Realty –Subdivision Preliminary Plan Review.

Action: Grant or deny preliminary plan approval. Owner and applicant Peter J. Paul Trustee of Paolucci Realty, is requesting consideration of plans to divide an existing commercial lot located at 93 Route 236, thereby creating a second division within 5 years and requiring subdivision review. The 4.1 acre parcel is

located on a portion of Tax Map 28, Lot 14, in the Commercial C-2 Zone. Agent is Tom Harmon, Civil Consultants.

Mr. Mylroie summarized the Board can approve this project as a subdivision or as a proposed development to allow for clearing and grading. Mr. Paul, owner, stated he wished to clear the lot for future division and sale, but wished to use the lot for firewood storage. Mr. DiMatteo explained the applicant is wishing to develop the parcel and there are development standards that must be met. Without knowing what the potential use will be, it is difficult to determine if standards can be met. With the proposed use as for wood storage, there may be a need for screening, access, parking, etc. Mr. Harmon explained they could return to the Board with specific use, meeting all the required development standards. Ms. Kalmar asked if tree removal could be minimized in case a future use could benefit from a less intensive removal of vegetation. Mr. Paul stated he would 'do whatever it takes'. Ms. Tuveson asked about the utility easement. Mr. Harmon stated this will have to be formalized with the water district. Ms. Driscoll asked if stored firewood would be sold on site. Mr. Harmon stated he would have to check the ordinance. Ms. Kalmar asked if there is a method by which the applicant can show what the property would look like 'as proposed'. Mr. Harmon explained a commercial site needs to be level with the road for visual and vehicular access, and this lot is not level. Mr. Alesse suggested some buffer of trees be retained along Route 236. Mr. Harmon explained they have included landscaping along the front. Mr. DiMatteo suggested the applicant return with a design that meets an approved use. Ms. Tuveson noted she believes the applicant should be able to utilize the site, in the interim, as long as such use is in compliance with the code.

Mr. Melanson moved to direct the applicant to submit a plan that complies with a permitted use in the Commercial C-2 zone.

Ms. Grinnell seconded

Motion carried unanimously by all members present

OPEN SPACE
LOTS RECOM.
BY STAFF ATT. 1



CIVIL CONSULTANTS
Engineers
Planners
Surveyors
P.O. Box 100
South Berwick
Maine
03908
207-384-2500
civcon@comcast.com

NO.	REVISIONS	DATE
1	ADJUST ROW - ADD OPEN SPACE CALC. UPDATE OPEN SPACE RESERVED	03/29/13
2		10/30/13

BARTLETT HILL
A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
LAND OF AMP REALTY HOLDINGS, LLC
U.S. ROUTE 236 KITTERY, MAINE
PREPARED FOR:
PETER J. PAUL
MAILING ADDRESS: 281 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
DRAWN: JAA, CALC.: ES
DATE: 12 SEPTEMBER 2013
CHECKED:
APPROVED:
SCALE: 1"=80'
SHEET TITLE:
SUBDIVISION PLAN
CLUSTERED MULTIFAMILY DEVELOPMENT
SHEET NUMBER:
S1
SHEET 1 of 1
PROJECT # 12-198.00

NOTES:

- ASSESSOR'S INFORMATION: TOWN OF KITTERY
PORTION OF ASSESSOR'S MAP 28
LOT 14
 - RECORD OWNER: AMP REALTY HOLDINGS, LLC
291 HAROLD L. DOW HIGHWAY
ELIOT, MAINE 03903
 - DEED REFERENCE: Y.C.R.D. 14573/762
Y.C.R.D. 14505/598
 - ZONING INFORMATION: RESIDENTIAL SUBURBAN (R-S) ZONE
LOT SIZE: 40,000 sq.ft.
MINIMUM FRONTAGE: 150'
SETBACKS:
FRONT YARD: 40'
SIDE YARD: 15'
REAR YARD: 15'
MAXIMUM BUILDING HEIGHT: 35'
MAXIMUM BUILDING COVERAGE: 20%
- PROPOSED
MIN. 7.75% PROPOSED
MINIMAL INDIVIDUAL FRONTAGE PROPOSED
- 0' SETBACK FROM INTERNAL DRIVE/RIGHT-OF-WAY
(MAINTAIN 15' TO EDGE OF SHOULDER)
- SIDE YARD SETBACK MAINTAINED AROUND PERIMETER OF PROJECT BOUNDARY.
INTERNAL BLDG SEPARATION ~25' OR PER FIRE DEPARTMENT.
- REAR YARD SETBACK MAINTAINED FROM PERIMETER OF PROJECT BOUNDARY.
NO CHANGE
- NO CHANGE
- THE MAJORITY OF THE PARCEL IS LOCATED IN FLOOD HAZARD ZONE C AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF KITTERY, COMMUNITY PANEL NO 230171 0004 D. EFFECTIVE DATE: JULY 5, 1984. FLOOD ZONE C IS DEFINED AS AREAS OF MINIMAL FLOODING. A PORTION OF THE SOUTHWEST CORNER OF THE PARCEL IS LOCATED IN ZONE A. ZONE A IS DEFINED AS AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
 - TOTAL PARCEL AREA= 17.97 ACRES.
 - COMMUNITY SEPTIC SYSTEM(S) WILL BE PROVIDED.
 - PROJECT WILL BE SERVICED BY PUBLIC WATER FROM EXISTING WATER MAIN IN U.S. ROUTE 236. UNDERGROUND UTILITIES WILL BE PROVIDED.
 - ASHLEY MORGAN WAY IS A PRIVATE ROAD AND WILL BE MAINTAINED AS A PRIVATE ROAD. THE ROADWAY WILL NOT BE ACCEPTED BY THE TOWN OF KITTERY UNLESS THE ROADWAY IS IMPROVED TO STANDARDS APPROVED BY THE KITTERY PLANNING BOARD AT THE TIME ACCEPTANCE IS PROPOSED.
 - NO DISTURBANCE MARKERS TO BE INSTALLED ALONG THE 40' WETLAND BUFFER AS SHOWN HEREON.
 - OPEN SPACE SHOWN HEREON MAY NOT BE USED FOR FUTURE BUILDING LOTS.
 - A PART OR ALL OF THE OPEN SPACE MAY BE DEDICATED FOR ACCEPTANCE BY THE TOWN OF KITTERY.
 - THE OPEN SPACE PLAN IS DEPICTED HEREON.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	22.26'	21.54'	N 73°57'13" W	57°01'30"
C2	170.00'	51.31'	51.22'	S 88°30'13" E	1°17'15"
C3	80.00'	142.38'	134.32'	S 49°08'13" W	101°57'48"
C4	58.38'	110.82'	95.42'	N 32°33'32" E	106°52'28"
C5	58.38'	134.83'	107.72'	S 08°33'04" E	130°11'22"
C6	170.00'	35.72'	35.66'	S 60°49'47" W	12°02'24"
C7	170.00'	78.10'	78.39'	S 80°19'45" W	26°39'31"
C8	170.00'	18.84'	18.83'	N 63°10'57" W	6°37'00"
C9	130.00'	35.07'	34.96'	S 87°36'05" E	13°27'23"
C10	25.00'	24.89'	23.87'	N 58°08'06" E	57°02'14"

LINE	BEARING	DISTANCE
L1	N 56°12'53" E	78.90'
L2	S 79°52'24" E	31.56'
L3	N 25°50'51" E	23.80'
L4	S 36°27'43" E	19.56'
L5	N 01°32'45" E	26.16'
L6	N 60°45'21" W	46.38'
L7	S 60°45'43" E	44.37'
L8	S 35°52'32" E	55.14'

RESERVED OPEN SPACE
COMMON OPEN SPACE

PLAN REFERENCE:

"BOUNDARY AND EXISTING CONDITIONS LAND OF AMP REALTY HOLDINGS, LLC AND PETER J. PAUL, TRUSTEE - ROUTE 236 TAX MAP 28 LOT 14 KITTERY YORK COUNTY MAINE", BY CIVIL CONSULTANTS, DATED: 4/8/2013. PLAN FROM CIVIL CONSULTANTS OFFICE FILES, JOB #12-198.00

OPEN SPACE CALCULATIONS:

TOTAL AREA OF SITE = 783,006 sq.ft.
"OPEN SPACE RESERVED" = 376,203 sq.ft.
"OPEN SPACE COMMON" = 225,426 sq.ft.
TOTAL OPEN SPACE ON LOT = 585,629 sq.ft.
REQUIRED OPEN SPACE IS 50% -- 78.1 > 50 O.K.

NET RESIDENTIAL AREA OF SITE (SEE DENSITY CALCS BELOW) = 411,678 sq.ft.
OPEN SPACE SHOWN THAT IS PART OF NET RESIDENTIAL AREA = 225,426 sq.ft. = 54.8%
REQUIRED OPEN SPACE MUST INCLUDE 30% OF NET RESIDENTIAL AREA -- 54.8 > 30 O.K.

"COMMON SPACE" = 110,542 sq.ft.
NOTE: "OPEN SPACE RESERVED" INCLUDES WETLANDS, WETLAND BUFFER AND STORMWATER BUFFERS.
"OPEN SPACE COMMON" INCLUDES SEPTIC SYSTEM AREAS.
NO "OPEN SPACE PUBLIC" IS PROPOSED.

CLUSTER DENSITY CALCULATIONS:

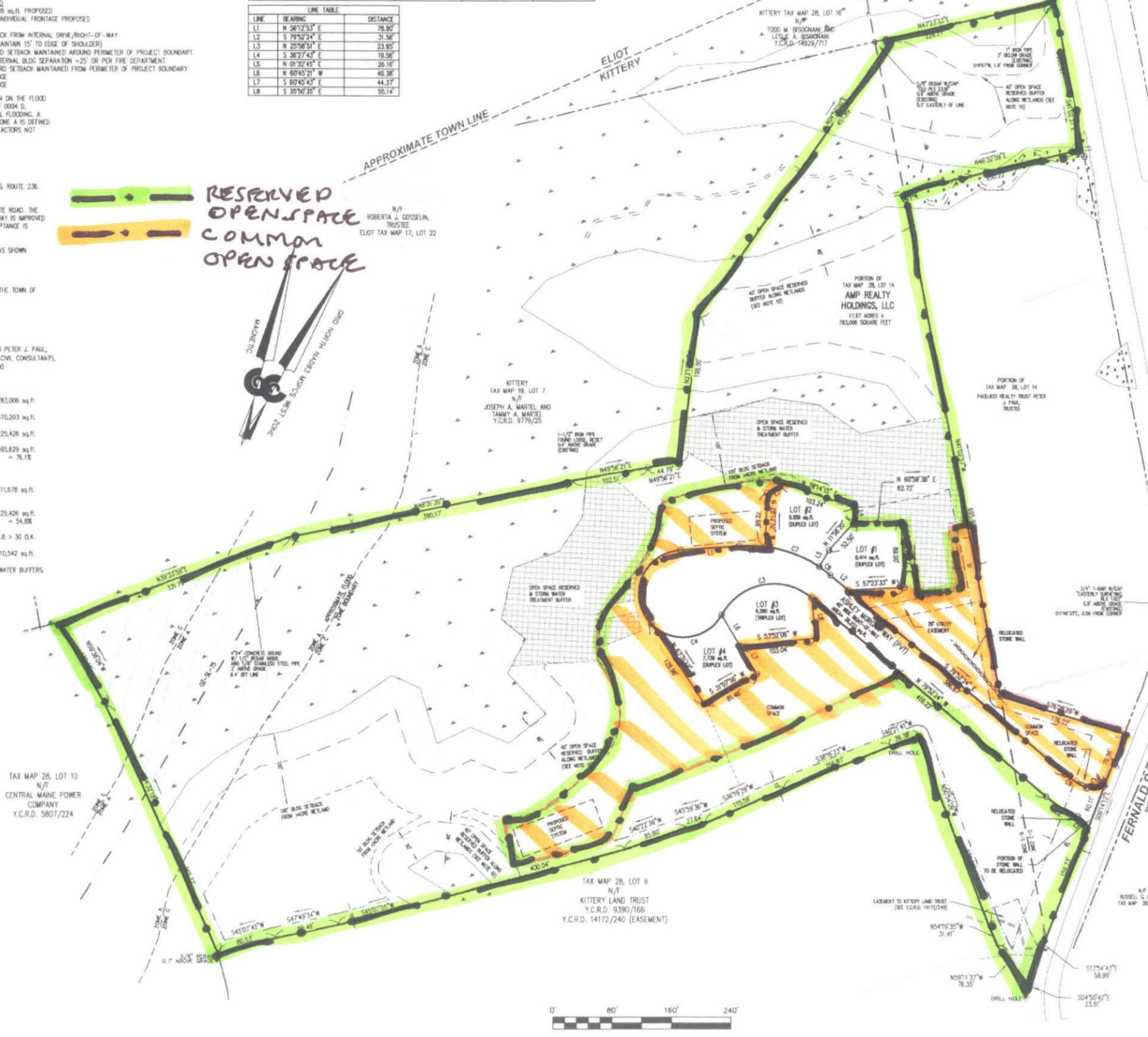
TOTAL AREA OF SITE IN RESIDENTIAL ZONE = 706,023 sq.ft.
LESS VERY POORLY DRAINED SOILS - SCANTIC SOILS & FLOOD ZONE = 291,012 sq.ft.
LESS ACCESS RIGHT OF WAY - DRIVE & LAND TRUST = 43,333 sq.ft.
LEAVES NET RESIDENTIAL AREA = 411,678 sq.ft.
UNITS ALLOWED = 411,678/40,000 = 10.29 10 UNITS

PLAN APPROVED
KITTERY PLANNING BOARD

TAX MAP 28, LOT 10
N/A
CENTRAL MAINE POWER COMPANY
Y.C.R.D. 5807/224

DATE _____

STATE OF MAINE
YORK COUNTY ss. REGISTRY OF DEEDS
RECEIVED _____, 20____
AT _____h____m____, AND RECORDED IN
PLAN BOOK _____, PAGE _____
ATTEST _____ REGISTER



March 26, 2015

Mr. Christopher DiMatteo, Town Planner
Town of Kittery
200 Rogers Road
Kittery ME 03904

Re: **Proposed Multi-Family Subdivision, AMP Realty Holdings, LLC
Fernald Road, Kittery, Maine**

Dear Mr. DiMatteo:

Enclosed is an updated application package for continued consideration of the subject project.

We have updated the soils data to reflect changes in USDA Natural Resources Conservation Service soil classifications. The results of these changes increase the potential number of units to 10, however, we are still proposing only 9 units.

While we believe our original design met all code requirements, we have shortened the roadway length based upon review comments, planning board discussions and talks with IF&W.

All other parts of the application remain essentially as previously submitted.

Should you have any questions or need further information, please call.

Very truly yours,
CIVIL CONSULTANTS

A handwritten signature in black ink that reads "Thomas W. Harmon". The signature is written in a cursive style with a horizontal line extending to the right.

Thomas W. Harmon, PE
Principal

Enclosures

cc: Peter Paul, gray binder, file

**Cluster Development
Plan Review Application**

**“Bartlett Hill”
A Multifamily Residential
Cluster Development
Fernald Road, Kittery, Maine**

September 2013
updated March 2015

Owner: AMP Realty Holdings, LLC
291 Harold Dow Highway
Eliot, Maine 03903

Engineer: CIVIL CONSULTANTS
293 Main Street
South Berwick, Maine 03908



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550



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

CLUSTER DEVELOPMENT PLAN REVIEW

FEE FOR REVIEW: <input type="checkbox"/> \$500.00 PLUS <input type="checkbox"/> \$50.00/LOT OR DWELLING UNIT	Application Fee Paid: \$ _____ Date _____ Review Escrow Fee Paid: \$ _____ Date: _____	Map # <u>28</u> Lot # <u>part of Lot 14</u> Zones: Base Residential Suburban (RS) & Commercial C-2 Overlay(s) Shoreland: 0Z-SL-75 Physical Address: <u>Fernald Road</u>
---	---	--

PROPERTY OWNER'S INFORMATION (print clearly)	Name	AMP Realty Holdings, LLC	Mailing Address	AMP Realty Holding LLC 291 Harold Dow Highway Eliot, ME 03903
	Phone	207-439-6800		
	Fax			
	Email	peter@northernpoolandspa.com		
APPLICANT'S AGENT INFORMATION (print clearly)	Name	Thomas W. Harmon, PE	Name of Business	CIVIL CONSULTANTS
	Phone	207-384-2550		
	Fax	207-384-2112	Mailing Address	293 Main Street PO Box 100 South Berwick, ME 03908
	Email	tharmon@civcon.com		

PROJECT DESCRIPTION	Existing Use(s): Undeveloped Woodland.			
	Number of Proposed Lots	9 dwelling units	Subdivision Name	"Bartlett Hill" A Multifamily Residential Cluster Development
	Proposed Road Name: <u>Ashley Morgan Way</u> (A separate application is required and approval received from Public Safety/DPW/Planning Board prior to final plan signature.)			
	Ownership:(check)	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Condominium	Responsibilities: (check)	<input type="checkbox"/> Total Development <input type="checkbox"/> Other

ADDITIONAL SUBMITTAL INFORMATION	<p style="text-align: center;"><u>Article XI, Chapter 8 – Cluster Residential and Cluster Mixed-Use Development</u></p> <p>To begin Preliminary Plan Review for Cluster Development, the Applicant must have received Sketch Plan acceptance through Planning Board action, including all requirements for Sketch Plan submittal as described in Title 16.8.11.5. As part of the preliminary plan review, sketch plan review submittal information must be attached to this plan application, including documentation of Planning Board action on the sketch plan. All other requirements as outlined in Article XI, Chapter 8 must be addressed at the Preliminary Plan Review level and included herein.</p> <p>To begin Final Plan Review for Cluster Development, the Applicant must have received Preliminary Plan approval through Planning Board</p> <p>Throughout plan review, it is the responsibility of the Applicant/Agent to provide information as required in Chapter 16.8 Design and Performance Standards-Built Environment, Chapter 16.9 Design and Performance Standards-Natural Environment and Chapter 16.10 Development Plan Application and Review, and other requirements as referenced.</p>
---	--

Title 16.7.4.1:		In granting modifications or waivers, the Planning Board must require such conditions as will, in its judgment, substantially meet the objectives of the requirements so waived or modified.
REQUESTED WAIVERS	Ordinance Section	Describe why this request is being made.
	EXAMPLE 16.32.560 (B)- OFFSTREET PARKING.	***EXAMPLE*** Requesting a waiver of this ordinance since the proposed professional offices have a written agreement with the abutting Church owned property to share parking.
	16.10.5.2.B. 2. – Plan scale (s)	Entire Site cannot fit on one plan sheet using a scale of 1"=50'. Project will fit using a scale of 1"=80' All detail sheets will be at a scale of 1"=50' or better.
	16.10.5.2.C.6 - E&S Plan Reviewed by YCS&WCD or Town's engineering consultant	Use MeDEP Chapter 500 – 502 review in lieu of YCS&WCD or Town's engineering consultant. Wait and submit at Final as changes may occur during preliminary review.
	16.10.5.2.C.7 – Stormwater Management Plan	Wait and submit at Final as changes may occur during preliminary review.

NOTE: *Written waiver request is included as Attachment 1.*

ABUTTER NOTIFICATION

16.10.5.1.1. Preliminary Plan Application Filing and Completeness Review. The application must be accompanied by a Plan and the required fee together with a certification the applicant has notified abutters by mail of the filing of the Plan application for approval.

Submitted Applications must include a list of the names and addresses of the abutters and date notification mailed.
The abutter Notice of Filing must include the owner/applicant name, address and description of the proposed project.

Applications will not be accepted without submittal of all plan requirements as specified herein, and without a complete, signed application page (page 6)

NOTE: *Abutters List and a copy of the NOTICE sent to abutters (Return Receipt Requested) on 29 August 2013 is included as Attachment 2.*

Minimum Plan Submission Requirements (Title 16.10.5.2)

- 15 COPIES OF THIS APPLICATION** (and supporting parts) **15 COPIES OF THE PLAN – 5 OF WHICH MUST BE 24" X 36"**
 1 PDF OF THE SITE PLAN SHOWING GPS COORDINATES

Prior to starting 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 clearly describe the project. The following requirements must be addressed, and noted if not applicable.

Paper size:

- No less than 11" X 17" (reduced) or greater than 24" X 36" (full)

Scale size: (WAIVER Requested see Application Page 2 of 8)

- Under 10 acres: no greater than 1" = 30'
 10 + acres: 1" = 50'

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

Boundary survey performed and sealed by licensed surveyor:

- Identify all existing boundary markers
 Show all proposed boundary monuments (per ordinance)

Provide orientation:

- Arrow showing true north and magnetic declination
 Graphic scale Parcel Owners and map and lot
 Deed docket and page numbers Signature blocks

Show location and description of:

- All structures Floor plans
 Elevations of principle structures
 All structures and accesses within 100 feet

Show parcel data:

- Total parcel area Rights-of-way area Wetlands area
 Area to be disturbed Length of street frontage
 Building setback lines Wetland setbacks
 All parcels of land proposed to be dedicated to public use and the conditions of such dedication **(NONE)**

Indicate how the existing ground will change by showing:

- Existing contours Proposed contours % grade
 Finished grades Proposed slopes Finished floor elevations

- Show **names and addresses of all owners of record on abutting parcels** and the assessor's map and lot numbers.

- Label all zoning districts abutting the property boundaries.**

- Show **locations of natural physical features** such as water bodies, watercourses, forest cover, and ledge outcroppings.

Show the **locations of existing and proposed utilities** and identify which utilities are to be privately owned/ municipally owned:

- Overhead Electric underground electric Water mains Wells
 Gas mains Cable TV Sewer mains Test pits Septic tanks
 Leach fields Storm drain lines Catch basins Culverts
 Gutters Stormwater storage basins Rain gardens Nearest fire hydrant

Indicate required landscaping including: (NONE)

- Type of plant material Plant/Tree sizes
 Placement Irrigation systems

Show natural and historical topography:

- Rock walls Railroad beds
 The location of all natural features or site elements to be preserved.

Provide a **locus map** showing the property in relation to surrounding roads, within 2,000 feet of any property line of the development.

Provide a **vicinity map and aerial photograph** at a scale not more than **400 feet to the inch** showing the relation to other properties and geographic features and show:

- All the area within five hundred (500) feet of the boundary line of the proposed development including roads, geographic features, natural resources (wetlands, etc.), historic sites, applicable comprehensive plan features such as proposed park locations, land uses, Zones and other features;
 Any smaller area between the tract and all existing streets, provided any part of such a street used as part of the perimeter for the vicinity map is at least five hundred (500) feet from any boundary of the proposed development.

Show the locations of any:

- Parks Open space Conservation easement

Identify and locate each:

- Easements Rights-of-way Street alignments
 All intersecting property lines within 50 feet of the parcel.

Include plans, profiles and typical sections of all **roads and other paved ways**, including all relevant street data.

- Intersections or Distance to nearest intersection
 Driveways onsite Distance to nearest driveway
 Sight visibility lines

Show all existing and proposed lighting

- Map of all street lighting, attached lighting, and area lighting
 Location of lighted signs Photo-metrics map

- Indicate the **location of any permanently installed machinery** likely to cause appreciable noise at the lot lines. **(N/A)**

Provide description of these materials stored on the property: (N/A)

- Hazardous Toxic Raw Waste

Indicate the location and dimensions of (existing and proposed):

- Sidewalks Curbs Driveways
 Fences Retaining walls Other artificial features

Show parking calculations and parking spaces on the site plan and:

- Existing parking, if applicable proposed parking spaces
 Handicapped spaces

Copies of State and Local permit applications: (upon APPROVAL)

- Notice of Intent NRPA Permit by Rule
 all other applicable permits

- Copy of **FIRM Map** showing proposed parcel boundary.

PRIOR TO A SITE WALK, TEMPORARY MARKERS MUST BE ADEQUATELY PLACED THAT ENABLE THE PLANNING BOARD TO READILY LOCATE AND APPRAISE THE LAYOUT OF THE DEVELOPMENT.

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

Plan Findings of Fact

The following Findings (Title 16.10.8.3.4) must be sufficiently addressed in writing by the applicant/agent and submitted to the Planning Department with the Preliminary Plan application. These Findings must be updated as necessary during the review process, and the Plan must be in compliance with these Findings prior to Final Plan approval by the Planning Board.

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

Plan conforms to current Kittery Codes.

B. Freshwater Wetlands Identified 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.

All known freshwater wetlands on the site are shown on the Existing Conditions Plan (Plan Sheet C1) as well as various other plan sheets as appropriate.

C. River, Stream or Brook Identified 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.

One stream has been identified and it is shown on the Existing Conditions Plan (Plan Sheet C1) as well as various other plan sheets as appropriate.

D. Water Supply Sufficient The proposed development has sufficient water available for the reasonably foreseeable needs of the development.

The proposed development will be serviced by Municipal Water (see Section E below).

E. Municipal Water Supply Available The proposed development will not cause an unreasonable burden on an existing water supply, if one is to be used.

The Kittery Water District has provided a letter that states they can provide sufficient water for the development.

F. Sewage Disposal Adequate The proposed development will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.

The development will be serviced by two common on-site septic systems pursuant to Maine DHS requirements.

G. Municipal Solid Waste Disposal Available 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.

The project is a residential development with a Homeowners Association that will contract for solid waste pick-up.

H. Water Body Quality and Shoreline Protected 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.

The Stormwater Management Plan is designed to treat stormwater before it reaches any wetland areas. Developer is providing a 40' undisturbed buffer around all wetlands.

I. Groundwater Protected The proposed development will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

There will be no activities on site that would adversely affect the quality or quantity of groundwater. Onsite septic systems will meet all Maine DHS requirements.

J. Flood Areas Identified and Development Conditioned 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.

No activities are proposed within the 100 year flood elevation as shown on the appropriate flood maps.

K. Stormwater Managed The proposed development will provide for adequate stormwater management.

Stormwater water is being controlled and/or treated pursuant to MeDEP requirements.

<p>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.</p> <p><i>The proposed erosion and sediment control plan will be reviewed as part of the MeDEP Chapter 500 and 502 Permit process.</i></p>
<p>M. Traffic Managed The proposed development will:</p> <ol style="list-style-type: none"> 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. <p><i>Traffic generation by this project is limited to low volume residential trips. There is adequate access onto Fernald Road. Internal circulation is provided by a 20' paved common access road/drive with a cul-de-sac.</i></p>
<p>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:</p> <ol style="list-style-type: none"> 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. <p><i>Area being developed is outside the 100 year floodplain. Soils beneath common septic fields meet Maine DHS requirements for septic systems. Stormwater from developed areas is treated before discharging to lower areas. The stormwater discharges into wetlands not the stream. Applicable state and local health and water resource rules and regulations are being met. No hazardous materials are involved with the project.</i></p>
<p>O. Aesthetic, Cultural and Natural Values Protected The proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the department of inland fisheries and wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.</p> <p><i>Except for views down the entrance access road/drive from Fernald Road, the entire development is screened from view from adjacent roadways. There are no historic sites within the project (see attached letter). IF&W did not identify and significant wildlife habitat, however, they did suggest measures to improve habitat potential (see attached letter). There is no shoreline with public rights on the site.</i></p>
<p>P. Developer is Financially and Technically Capable</p> <p><i>The developer is financially capable and will provide documentation for final approval. The developer has retained a licensed engineer to advise him on technical issues and assist with construction.</i></p>
<p>Q. Wireless Communication Facility Development (requirements as specified)</p> <p><i>Not applicable.</i></p>
<p>R. Shoreland, Resource Protection or Commercial Fisheries/Maritime Use Overlay Zone Development (requirements as specified)</p> <p><i>Not applicable.</i></p>
<p>S. Right-of-Way Plan (requirements as specified)</p> <p><i>Not applicable.</i></p>
<p>T. Special Exception Use (requirements as specified)</p> <p><i>Not applicable.</i></p>

16.10.8.2.5 - Conditions or Waivers.

Conditions required by the Planning Board at the final plan review phase must have been met before the final plan may be given final approval unless so specified in the condition or specifically waived, upon written request by the applicant, by formal Planning Board action wherein the character and extent of such waivers which may have been requested are such that they may be waived without jeopardy to the public health, safety and general welfare.

Title 16.10.8.2.6 - Conditions on Plan

The decision of the Planning Board, plus any conditions, must be noted on three copies of the final plan to be recorded at the York County Registry of Deeds, when required. One copy must be returned to the applicant, one retained by the Town Planner and one forwarded to the Code Enforcement Officer.

Notes to Applicant:

1. Prior to the issuance of a Building Permit by the Town’s Code Enforcement Officer, the Developer must submit:
 - A. A recorded copy of the Plan and all related legal documents that may be required.
 - B. Payment of all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
 - C. A Performance Guarantee and/or an escrow account to pay for any required field inspections (see attached ‘Cost Estimates’).
2. Before construction or soil disturbance:
 - A. The owner and/or developer must stake all corners of the building envelope, as shown on the plan. 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.
 - B. 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 (see attached ‘Cost Estimates’).

16.10.9.1.2 - Plan Revisions After Approval

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.

I certify, to the best of my knowledge, the information provided in this Application is true and correct, and abutters to the project have been notified., and		
Applicant’s Signature: Date:	<i>Original Signed</i> <hr style="border: 1px solid black;"/> 26 March 2015	The following supporting documents are also part of this application: Attachment A – Discussion of 16.8 Design and Performance Standards (Built Env) Attachment B – Discussion of 16.8.11 Cluster Specific Requirements Attachment C – Discussion of 16.9 Design and Performance Standards (Natural Env) Attachment D – Discussion of 16.10.5 Preliminary Plan Application Process

I will not deviate from the approved plan without following code requirements.

Owner’s Signature: Date:	<i>Original Signed</i> <hr style="border: 1px solid black;"/> 26 March 2015
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TOWN OF KITTERY

Planning & Code Enforcement

COST ESTIMATES

for Improvements to be Covered by
PERFORMANCE ASSURANCE

Prior to the issuance of building permits, the applicant shall secure performance assurances and escrow agreements. All conditions of approval shall be included on the record reproducible plan.

(Note: The Excel format of this application is available separately and in Site and Subdivision applications on Kittery's web site)

Parcel No.		M:	B:						
Project Name:									
Project Address / Location									
COMPLETE WHERE APPLICABLE	Unit	ON-SITE			Unit	OFF-SITE			
	Measure	# Units	Unit Cost	Subtotal	Measure	# Units	Unit Cost	Subtotal	
1. STREET/SIDEWALK									
Roads				0				0	
Paving				0				0	
Granite Curbing				0				0	
Sidewalks								0	
Esplanades								0	
Monuments								0	
Street Lighting								0	
Street Opening Repairs				0				0	
Other:				0				0	
2. EARTH WORK				0				0	
Cut				0				0	
Fill				0				0	
3. SANITARY SEWER				0				0	
Manholes				0				0	
Piping				0				0	
Connections				0				0	
Main Line Piping				0				0	
House Service Piping				0				0	
Pump Stations				0				0	
Other:				0				0	
4. WATER MAINS				0				0	
5. SITE LIGHTING				0				0	
6. STORM DRAINAGE				0				0	

To Be Provided
Prior To Construction

			Unit Measure	# Units	Unit Cost	Subtotal	Unit Measure	# Units	Unit Cost	Subtotal
	Manholes					0				0
	Catchbasins					0				0
	Piping					0				0
	Detention Basin					0				0
	Other*:					0				0
						0				0
7.	EROSION CONTROL									0
	Silt Fence									0
	Check Dams									0
	Pipe Inlet/Outlet Protection									0
	Level Lip Spreader					0				0
	Soil Stabilization					0				0
	Geotextile					0				0
	Hay Bale Barriers					0				0
	Catch Basin Inlet Protection					0				0
	Other*:					0				0
8.	RECREATION & OPEN					0				0
	SPACE AMENITIES					0		0	0	0
9.	LANDSCAPING					0				0
	(Attach detail for landscaping; inc. units & cost)									
10.	MISCELLANEOUS					0				0
	TOTAL:					-				-
					Grand Totals:	\$ -				
					Total Required for LOC:	\$ -			Issued by Bank. Lending Institution	
					INSPECTION FEES = 2% OF GRAND TOTALS:	\$ -			Payable to the Town of Kittery; Check, Cash, MO	
	*other									
	Item 5. Includes connections to the existing system.						Prepared By:			
	Item 7. Includes dust control, tree protection, and cleaning of storm drains/structures upon project completion.							Print & Sign		
							Date:			

Application for Cluster Development Plan Review – *updated* March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

25 March 2015



**CIVIL
CONSULTANTS**

*Engineers
Planners
Surveyors
P.O. Box 100
South Berwick
Maine
03908
207-384-2550*

Kittery Planning Board
Town Planning and Development Department
200 Rogers Road
Kittery, Maine 03904

RE: **“Bartlett Hill” – A Multifamily Residential Cluster Development
Waiver Requests**

Gentlemen:

On behalf of the developer of the subject project, we request your consideration of three waivers for the project submission as follows:

Section 16.10.5.2. B. 2. – Plan Scale

The subject requirement states that the maximum plan scale for projects over 10 acres in area is 1”=50’.

Unfortunately, due to the configuration of the property boundary, the entire site cannot be shown on one plan sheet at a scale of 1”=50’.

Whereas it is very beneficial to see the entire site on a single plan, we propose to use a scale of 1”=80’ for plans that show overall conditions and a scale of 1”=40’ for plans that show details of improvements.

Section 16.10.5.2. C. 6. – E&S Plan Reviewed by YCS&WCD or the Town’s engineering consultant

The subject requirement is that we provide verification that the Erosion and Sediment Control Plan has been review and approved by the YCS&WCD or the Town’s engineering consultant.

Whereas the project will be reviewed by the MeDEP as part of the Chapter 500 and 502 process (which includes erosion and sediment control), we request that receipt of a valid Chapter 500 – 502 permit be submitted in lieu of YCS&WCD or Town’s engineer review. This would be provided at final submittal as the plan may change as a result of the preliminary review process and we do not wish to have the plan reviewed twice.

Section 16.10.5.2. C. 7. – Stormwater Management Plan

The subject requirement is that we provide a stormwater management plan prepared by a registered professional engineer.

We request that we be permitted to provide the details of the Stormwater Management Plan at final submittal as the plan may change as a result of the preliminary review process and since the plan must go to the MeDEP, we do not wish to have the plan reviewed twice.

Thank you for your consideration of these requests.

Respectfully’

CIVIL CONSULTANTS

Thomas W. Harmon, P.E.
Principal



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development Plan Review – *updated March 2015***“Bartlett Hill” - A Multifamily Residential Cluster Development****LIST OF ABUTTERS**AMP Realty Holdings (part of Map 28 Lot 14), as of August 28, 2013 (*updated March 25, 2015*)

<i>MAP</i>	<i>LOT</i>	<i>NAME & MAILING ADDRESS</i>
28	14	AMP REALTY HOLDINGS, LLC 291 DOW HIGHWAY ELIOT, ME 03903
28	14-1	SYNERGY STORAGE STRUCTURES, LLLC 401 DANIEL WBSTER HIGHWAY, SUITE 5 MERRIMACK, NH 03054
28	14-2	PAOLUCCI REALTY TRUST 291 DOW HIGHWAY ELIOT, ME 03903
28 P/O Eliot 17/20	15	MORGRIDGE, WILLIAM C MORGRIDGE, RAYMAH M PO BOX 23 SOUTH BERWICK, ME 03908
28 P/O Eliot 17/21	16	BISOGNANI, TODD M BISOGNANI, LESLIE A 382 BOLT HILL RD ELIOT, ME 03903
28	19-1	LONSINGER TRUSTEE, NANCY L N L REALTY TRUST 2 HAROLD L DOW HIGHWAY ELIOT, ME 03903-2087
28	20	MARTEL INVESTMENT GROUP LP C/O CAPITAL VIDEO CORPORATION 44 BEDSON ROAD CRANSTON, RI 02910
28	7A	BUNTING, RUSSELL G BUNTING, ANITA R 28 FERNALD ROAD KITTERY, ME 03904-5558
28	6	KITTERY LAND TRUST PO BOX 467 KITTEY, ME 03904
28 P/O Eliot 17/22	17	GOSSELIN TR, ROBERTA T & R GOSSELIN RES TR 6/16/00 36 GOVERNOR HILL ROAD ELIOT, ME 03903
28 P/O Eliot 17/24-2	18	BEROUNSKY, SUSAN, M BEROUNSKY, BRIAN G 17 ENGLISH DRIVE ELIOT, ME 03903
19	10	CENTRAL MAINE POWER CO C/O UTILITY SHARED SERVICES LOCAL TAX DEPARTMENT 70 FARM VIEW DR FREEPORT BLDG NEW GLOUCESTER, ME 04260
19	7	MARTEL, JOSEPH A MARTEL, TAMMY A 18 ENGLISH DRIVE ELIOT, ME 03903

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**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development Plan Review – *updated* March 2015
“Bartlett Hill” - A Multifamily Residential Cluster Development

Copy of NOTICE sent to abutters (Return Receipt Requested) on 29 August 2013:

NOTICE

August 28, 2013

RE: Proposed Clustered Multifamily Development, Fernald Road

As an abutter to the subject project, please be advised that AMP Realty Holdings, LLC, will be submitting preliminary plans to the Town of Kittery on or before 19 September 2013 for a Multifamily Residential Cluster Development on property off Fernald Road in Kittery, Maine, as shown below:



Scheduling information for future actions on this project is available at the Town of Kittery Planning Office and on the Town's web site.

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**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development**16.8 DESIGN AND PERFORMANCE STANDARDS – BUILT ENVIRONMENT.**

<u>Requirement</u>	<u>Applicant Comments</u>
Article I. Purpose	<i>No action required.</i>
Article II. Monuments	<i>Boundary markers that exist or are proposed are shown on plan sheet S1 – Subdivision Plan - Clustered Multifamily Development. Markers are appropriate for the purpose installed.</i>
Article III. Street Signage	<i>Proposed driveway sign is shown on the plans.</i>
Article IV. Streets and Pedestrian Ways/Sidewalks Site Design Standards	<i>A private access road/drive (with cul-de-sac) is proposed to service the dwelling units within this project. The design of the access road/drive meets the requirements for a Class II private street (per PB discussions to minimize footprint) and a Class III private cul-de-sac.</i>
Article V. Acceptance of Streets and Ways 16.8.5.1 Conditions.	<i>The “roadway” in the project is designed as a private access road/drive. A note to that effect is on the plans.</i>
Article VI. Water Supply	<i>This project will connect to municipal water. A letter from the Kittery Water District is attached (see Attachment A-1). A fire hydrant is shown along the access road/drive (location pursuant to discussions with the Fire Chief).</i>
Article VII. Sewage Disposal	<i>The project will be serviced by two common septic systems. The general location of the primary and reserve areas for each system are shown on plan sheet C5 – Utility Plan. Detailed design plans will be provided for final approval.</i>
Article VIII. Surface Drainage	<i>Conceptual details of the Stormwater Management Plan are shown on various plan sheets and will be explained in the Stormwater Management Plan to be submitted with the final submittal (waiver requested).</i>
Article IX. Parking, Loading and Traffic	<i>Per the traffic memo prepared for this project (see Attachment A-2), the maximum traffic expected for this project is less than 90 trips per day. Each unit has parking for 4 vehicles (2 in garage and 2 in front of garage outside access road/drive ROW) see Plan Sheet C3 – Layout Plan.</i>
Article X. Signs	<i>At this time no signs are proposed for this development. If the developer and/or home owner association desires a sign in the future he/they will need to comply with all applicable rules/regulations.</i>
Article XI. Cluster Residential and Cluster Mixed-Use Development.	<i>See separate attachment (Attachment B).</i>
Article XII. Mobile Home Parks, Seasonal Trailer Parks and Campgrounds	<i>Not Applicable</i>



Attachment A

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

Article XIII. Manufactured Housing	<i>Not Applicable</i>
Article XIV. Junkyards and/or Automobile Salvage Yards	<i>Not Applicable</i>
Article XV. Piers, Wharves, Marinas and Other Uses Projecting into Water Bodies	<i>Not Applicable</i>
Article XVI. Lots	<i>Lots conform to cluster regulations.</i>
Article XVII. Utilities	<i>Utility improvements are shown on the plans (sheet C5 – Utility Plan).</i>
Article XVIII. Landscaping	<i>Site clearing is being held to the minimum necessary to construct required improvements. Landscaping around individual buildings will be left to building owners.</i>
Article XIX. Sprinkler Systems	<i>Units will have sprinkler systems.</i>
Article XX. Subdivision Noise Pollution Buffer	<i>Development is toward the center of the lot with perimeter vegetation remaining undisturbed.</i>
Article XXI. Temporary, Intra-Family Dwelling Unit	<i>Not Applicable</i>
Article XXII. Home Occupation	<i>Not Applicable</i>
Article XXIII. Wireless Communication Services Facilities	<i>Not Applicable</i>
Article XXIV. Exterior Lighting	<i>No exterior lighting is proposed except as used around individual units. No individual unit lighting will reflect on properties abutting the project.</i>
Article XXV. Accessory Dwelling Units	<i>Not Applicable</i>
Article XXVI Campgrounds and Campsites	<i>Not Applicable</i>
Article XXVII. Essential Services	<i>Not Applicable</i>
Article XXVIII. Single and Duplex Family Dwellings	<i>No work proposed in Resource Protection or Shoreland Overlay Zones.</i>

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 From Kittery Ordinance 20100726 with ammendments20110926, 20120123, 20120530,



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

ROGER C. RAYMOND, JR., President
ROBERT P. WYMAN, Treasurer

JAMES E. GOLTER, Secretary
MICHAEL S. ROGERS, Superintendent

OFFICE OF
KITTERY WATER DISTRICT

17 State Road
Kittery, Maine 03904-1565
TEL: 207-439-1128
FAX: 207-439-8549
Email: kitterywater@comcast.net

Kittery Planning Board
200 Rogers Road
Kittery, ME 03904

September 3, 2013

Re: Proposed 9 lot subdivision off Fernald Road, Kittery

Dear Planning Board Members,

Please accept this letter as verification that the Kittery Water District does have capacity to supply the proposed 9 residential lots identified as Tax Map 28, lot 14 located off of Fernald Road, Kittery with municipal water service including both domestic and for fire protection purposes.

Sincerely,



Michael S. Rogers
Superintendent

cc: Thomas W. Harmon, PE, Civil Consultants



Traffic Generation

The following figures are based upon the Institute of Transportation Engineers’ “Trip Generation Manual”, 9th Edition:

If the project was Single-Family Detached Housing (Land Use 210) –

Total Weekday trips would be $9.52 \times 9 = 85.68$ (87) w/AM peak of $0.75 \times 9 = 6.75$ (7) and PM peak of $1.00 \times 9 = 9.00$
Saturday trips would be $9.91 \times 9 = 89.19$ (90) and Sunday trips would be $8.62 \times 9 = 77.58$ (78)

If the project is considered Residential Townhouse/Condominiums (Land Use 230) –

Total Weekday trips would be $5.81 \times 9 = 52.29$ (53) w/AM peak of $0.44 \times 9 = 3.96$ (4) and PM peak of $0.52 \times 9 = 4.68$ (5)
Saturday trips would be $5.67 \times 9 = 51.03$ (52) and Sunday trips would be $4.84 \times 9 = 43.56$ (44)

If the project is considered Residential Planned Unit Development (Land Use 270) –

Total Weekday trips would be $7.50 \times 9 = 67.5$ (68) w/AM peak of $0.51 \times 9 = 4.59$ (5) and PM peak of $0.62 \times 9 = 5.58$ (6)
Saturday trips would be $6.82 \times 9 = 61.38$ (62) and Sunday trips would be $5.09 \times 9 = 45.81$ (46)

The project is clearly not Single-Family Detached Housing so the total daily trips will be less than the 90 noted above for Single-Family Detached Housing (Saturday being the worst case).

Whereas a cluster development is “planned”, the Residential Planned Unit Development figures would appear more appropriate than the Residential Townhouse/Condominium figures above. Using the PUD figures, it is our opinion that “Bartlett Hill” will generate 68 trips on the highest day (including weekends) with the peak hour value being 6 trips (peak weekday afternoon hour).



Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development**Article XI. Cluster Residential and Cluster Mixed-Use Development.**

<u>Submittal Requirement</u>	<u>Applicant Responses</u>
16.8.11.5 Application Procedure	
All development reviewed under this Article is subject to the application procedures in Chapter 16.10, Development Plan Application and Review, and the following:	
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: <p>a. proposed dimensional modifications and the dimensional standards required in the zone in which the development will be located;</p> <p>b. non-buildable area (land not suitable for development as defined in Article VIII of Chapter 16.7);</p> <p>c. net residential acreage and net residential density; and</p> <p>d. open space as defined in Section 16.8.11.6.D.2 of this Article.</p>	<p><i>Plan sheet S1 – Subdivision Plan - Clustered Multifamily Development, includes a listing of the dimensional standards for the zone and what is proposed for the cluster development and includes open space reservations.</i></p> <p><i>A separate plan – ND1 (see Attachment B-1), graphically shows non-buildable areas and includes the calculations for net residential density.</i></p> <p><i>A separate plan – OSI (see Attachment B-2), graphically shows proposed open space areas and includes the calculations for meeting required open space areas.</i></p>
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	<i>Plan sheet C1 – Existing Conditions, includes this information.</i>
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.	<i>Town currently requires a residential development to be clustered. This proposal is a cluster. Developed area is a small portion of the overall parcel. Large open areas are provided adjacent to other open space property (i.e. Kittery Land Trust).</i>
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.	<i>Plan sheet C2 – Overall Multifamily Site Plan, includes this information.</i>
B. An applicant with a project that includes proposed public open space must obtain Town Council acceptance for the public land or easement following Preliminary Plan approval. Town Council acceptance is contingent upon receipt of Final Plan approval by the Planning Board.	<i>No Public Open Space proposed.</i>
16.8.11.6 Standards	
A. The purpose and intent of this Code must be upheld for any reviews conducted under this Article.	<i>No response necessary.</i>



Attachment B

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

<p>B. A cluster mixed-use and cluster residential development must meet all requirements for a subdivision (and site plan where applicable), and all other applicable federal, state and local ordinances, except as modified by action of the Planning Board, where authorized.</p>	<p><i>No response necessary.</i></p>
<p>C. Public or privately shared sewer and water must be provided unless it is demonstrated to the Planning Board’s satisfaction that alternative methods used result in a development that is compatible with Section 16.8.11.</p>	<p><i>Project will connect to municipal water and will utilize two “community” septic systems (see sheet C5 – Utility Plan).</i></p>
<p>D. Unless a public or shared sewer collection and treatment system is provided, no lot may be smaller than twenty thousand (20,000) square feet per single family residence and eight thousand (8,000) square feet per bedroom per multifamily residence as outlined in the Maine Minimum Lot Size Law, Title 12 MRS § 4807-A.</p>	<p><i>Shared sewer collection systems are proposed (see sheet C5 – Utility Plan).</i></p>
<p>E. Open Space Requirements</p>	
<p>1. Open space must contain at least 50% of the total area of the property, and no less than 30% of the total net residential acreage, as defined.</p>	<p><i>As shown on sheet OSI (Attachment B-2), over 50% of the total property & over 30% of the total net residential acreage is designated as open space.</i></p>
<p>2. Total calculated open space must be designated as follows (See Open Space definitions Section 16.2): a. Open Space, Reserved; b. Open Space, Common; and/or c. Open Space, Public.</p>	<p><i>Proposed open space includes “Open Space, Reserved” and “Open Space, Common.” No “Open Space, Public” is proposed. This information is shown on Attachment B-2 and is included on sheet S1 – Subdivision Plan - Clustered Multifamily Development.</i></p>
<p>3. The use of any open space may be further limited or controlled by the Planning Board at the time of final approval, where necessary, to protect adjacent properties or uses.</p>	<p><i>No response necessary.</i></p>
<p>4. Open space must be deeded in perpetuity for the recreational amenity and environmental enhancement of the development and be recorded as such. Such deed provisions may include deed/plan restrictions, private covenants, or arrangements to preserve the integrity of open spaces and their use as approved by the Planning Board.</p>	<p><i>Details will be included in Homeowner Documents. Copies of deed provisions will be provided to the Town before final approval.</i></p>
<p>5. Open space must also be for preserving large trees, tree groves, woods, ponds, streams, glens, rock outcrops, native plant life, and wildlife cover as identified in applicant’s written statement. In the Business Park (BP) zone, open space may be both man-made and natural. Man-made open space must be for the development of recreational areas, pedestrian ways and aesthetics that serve to interconnect and unify the built and natural environments.</p>	<p><i>Open space areas include significant woodland areas, wetlands, a stream, and a rock outcrop. Open space areas also include spaces for passive and active recreation opportunities.</i></p>



Attachment B

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

6. Open space should be in a contiguous form of unfragmented land to protect natural resources, including plant and wildlife habitats.	<i>All open space is interconnected.</i>
7. A portion of the open space should be in close proximity to other open spaces used for recreation (e.g. a common green, multi-purpose athletic field, gardens, and playgrounds).	<i>Portions of the open space directly abut Kittery Land Trust property as well as the internal private access road/drive.</i>
F. In the Business Park (BP) zone, the maximum building height is forty (40) feet. If the Planning Board finds that provisions for fire safety are adequate to allow buildings of greater height, then the Board may allow a building height of up to sixty (60) feet as a part of the development plan review and approval process.	<i>Not Applicable</i>
G. In cluster residential developments, no individual lot or dwelling unit may have direct vehicular access onto a public road existing at the time of development.	<i>All unit access is onto the internal private access road/drive.</i>
H. Where cluster residential development abuts a body of water, stream, or a significant wetland, then a usable portion of the shoreline, as well as reasonable access to such body, stream or wetland must be a part of the commonly held land.	<i>As shown on sheet OSI (Attachment B-2), the open space has direct access to the internal private access road/drive.</i>
I. The developer must take into consideration the following points, and illustrate the treatment of buildings, structures, spaces, paths, roads, service and parking areas, recreational facilities, and any other features determined by the Planning Board to be a part of the proposed development.	<i>Plans include these various items.</i>
1. Orientation. Buildings, view corridors and other improvements are to be designed so scenic vistas and natural features are integrated into the development. Buildings should be sited to consider natural light and ventilation.	<i>Buildings are built into their respective slopes to minimize site disturbance and take advantage of terrain changes.</i>
2. Utility Installation. All utilities are to be installed underground, wherever possible. The Planning Board must require the developer to adopt a prudent avoidance approach when permitting above ground electrical service installations. Transformer boxes, pumping stations and meters must be located so as not to be unsightly or hazardous to the public.	<i>Utilities will be underground (see sheet C-5 Utility Plan).</i>
3. Recreation. Facilities must be provided consistent with the development proposal. Active recreation requiring permanent equipment and/or modification of the site may not be located within the wetland setback areas or contiguous reserved open space areas.	<i>No permanent equipment is proposed for open space areas. The area above the septic fields will be available for active recreation uses.</i>



Attachment B

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

<p>4. Buffering. Planting, landscaping, form and siting of building and other improvements, or fencing and screening must be used to integrate the proposed development with the landscape and the character of any surrounding development.</p>	<p><i>Structures are located near the center of the lot and will not be visible to abutters except along the access road/drive.</i></p>
<p>5. Development Setbacks. Setbacks from wetlands and water bodies, must demonstrate compliance to Table 16.9 of Chapter 16.9.4.3. These setbacks must be permanently maintained as no cut, no disturb buffer areas. If the setback areas are not of substantial vegetation to provide a sufficient buffer, the Planning Board may require additional plantings.</p>	<p><i>Permanent no-disturb markers will be installed along the perimeter of wetland buffers noted on the plans.</i></p>
<p>J. The location of subsurface wastewater disposal systems and a reserve area, if required, must be shown on the plan. The reserve areas must be restricted so as not to be built upon. The report of a site evaluator, licensed by the state of Maine, must accompany the plan. If the subsurface disposal system is an engineered system, approval from the Maine Department of Human Services, Division of Health Engineering and the municipal plumbing inspector must be obtained prior to Planning Board approval.</p>	<p><i>The locations of the two common septic fields are shown on plan sheet C5 - Utility Plan. A copy of the HISS report prepared for this site is included with this submittal (see attachment B-3) with the results shown on plan sheet C1 – Existing Conditions Plan.</i></p>
<p>16.8.11.7 Open Space Dedication and Maintenance.</p>	
<p>A. Prior to approval of the final plan by the Planning Board, documents for open space must be submitted to the Town for review by legal counsel. Subsequent to approval, there may be no further division of the open space; however, tracts or easements dedicated for public utilities, public access or structures accessory to noncommercial recreation, agriculture or conservation may be permitted within the open space.</p>	<p><i>The noted documents will be provided at final review.</i></p>
<p>B. The open space(s) must be shown on the development plan with appropriate notation on the face thereof to indicate that:</p>	
<p>1. The open space must not be used for future building lots; and</p>	<p><i>Notes are included on plan sheet S1 – Subdivision Plan - Clustered Multifamily Development.</i></p>
<p>2. A part or all of the open space may be dedicated for acceptance by the Town.</p>	<p><i>No open space is proposed for dedication to the Town.</i></p>
<p>C. If any, or all, of the open space is to be reserved for ownership by the residents and/or by commercial entities, the bylaws of the proposed homeowner’s or similar governing association for commercial owners (in the Business Park zone), and/or the recorded covenants must specify maintenance responsibilities and be submitted to the Planning Board prior to approval. See subsection A above.</p>	<p><i>Homeowner documents will be provided for Town review prior to final plan approval.</i></p>



Attachment B

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

D. Association Responsibilities.	
1. Maintenance: The homeowner’s association or similar association for commercial owners is responsible for the maintenance of open space(s), and other common facilities unless and until accepted by the Town. The stormwater management system must be maintained in accordance with Section 16.8.8.2, Post-construction Stormwater Management. Associations must maintain adequate funds to defray these expenses. The Planning Board shall require an initial capital fund for associations to be paid by the developer to cover these expenses.	<i>These responsibilities will be included in the Homeowner documents that will be submitted as part of the final plan review process.</i>
2. Inspection: Annually, by June 30, the developer or association must complete and submit to the Code Enforcement Officer a Maintenance Compliance Report on a form prepared by the Code Enforcement Officer certifying compliance with any open space use and protection requirements. Said report must be completed by a Maine licensed civil engineer or certified soil scientist.	<i>This requirement will be included in the Homeowner documents that will be submitted as part of the final plan review process.</i>
E. Transition of Responsibility. The developer must maintain control of such open space(s) and be responsible for maintenance until development, sufficient to support any and all associations, residential or commercial, has taken place. Responsibility and authority must be clearly defined and described in the recorded covenants, and such information must be distributed to any and all associations in a timely manner so the transition of responsibilities is seamless.	<i>This requirement will be included in the Homeowner documents that will be submitted as part of the final plan review process.</i>
16.8.11.8 Pre-Development Requirements. Prior to the beginning of site work, the applicant must file with the Town Planning Department all required performance guarantees and inspection escrows in forms acceptable to the Town Manager in accordance with Chapter 16.10.8.2.2.	<i>No response required</i>

From Kittery Ordinance 20100726 with ammendments20110926, 20120123,20120530,

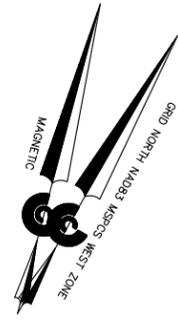
J:\aaa\2012\1219800\Planning Board\RESIDENTIAL Development\20150326Submittal\AttachmentB-20150326-ArticleXI-CHPT8-Cluster



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Attachment B-1
 Application for Cluster Development
 Plan Review – updated March 2015
**“Bartlett Hill” - A Multifamily
 Residential Cluster Development**



CLUSTER DENSITY CALCULATIONS

TOTAL AREA OF SITE IN RESIDENTIAL ZONE = 706,023 sq.ft.
 LESS VERY POORLY DRAINED SOILS – SCANTIC (LIGHT PINK) & FLOOD ZONE (DARK PINK) = 251,012 sq.ft.
 LESS ACCESS ROW – DRIVE & LAND TRUST (LIGHT GRAY) = 43,333 sq.ft.
 LEAVES NET RESIDENTIAL AREA (GREEN) = 411,678 sq.ft.
 UNITS ALLOWED = $411,678 / 40,000 = 10.29$ 10 UNITS



NOTE: Scale is 1"=160' when printed on 11"x17" paper



CIVIL CONSULTANTS
 Engineers
 Planners
 Surveyors
 P.O. Box 100
 South Berwick
 Maine
 03908
 207-384-2550
 civcon@civcon.com

NO.	REVISIONS	INT.	DATE
1	UPDATED DENSITY CALCS	JAA	03/03/15

PROPOSED MULTIFAMILY SUBDIVISION ON
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236
 KITTERY, MAINE
 PREPARED FOR:
 Cluster Development
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903



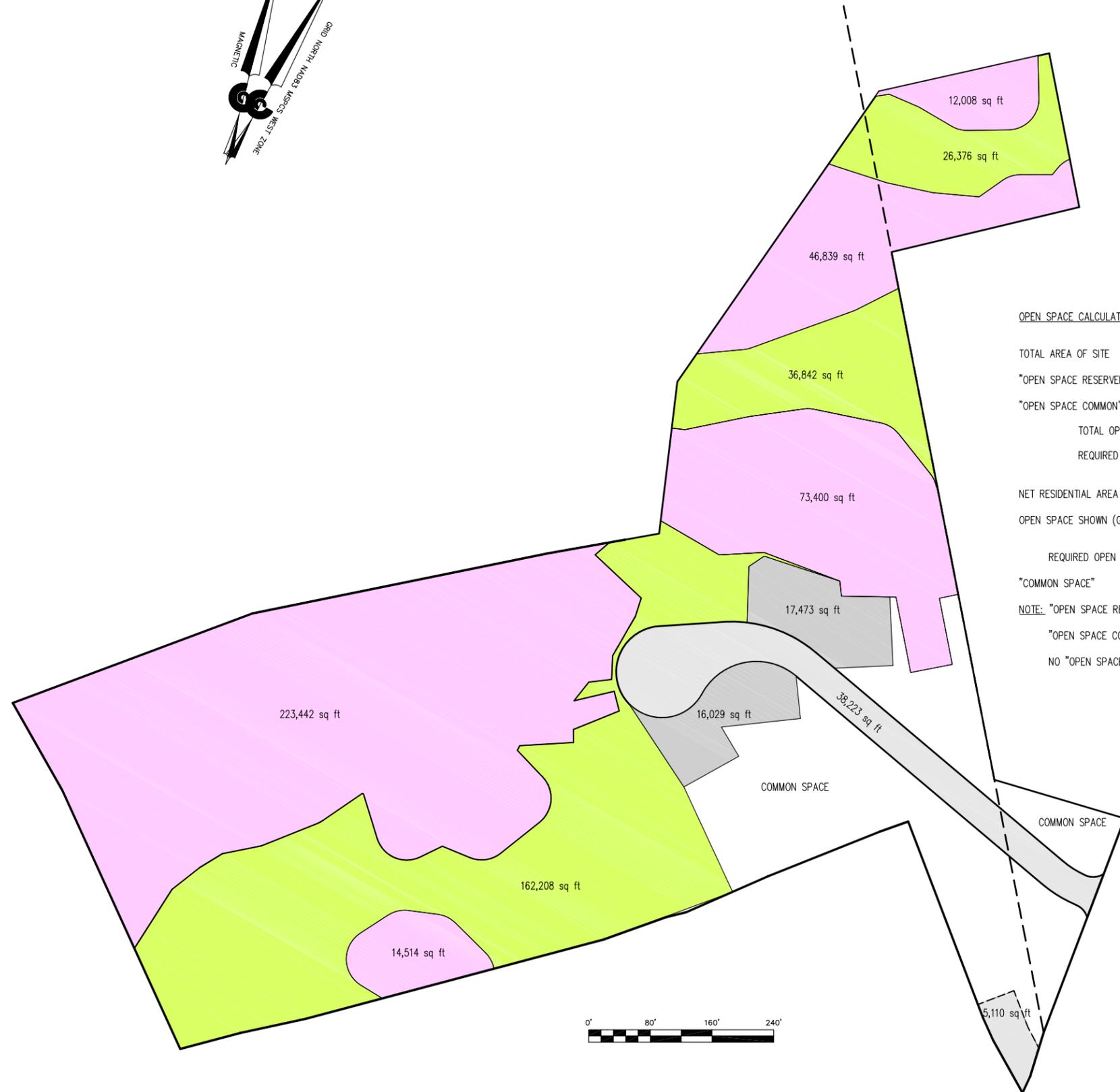
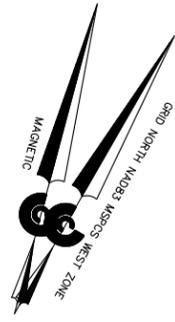
DRAWN JAA CALC. JES
 DATE 29 AUGUST 2013
 CHECKED
 APPROVED
 SCALE 1"=80'

SHEET TITLE:
**DENSITY
 CALCULATIONS
 Cluster Development**

SHEET NUMBER:
ND1

SHEET
 PROJECT # **12-198.00**

Attachment B-2
 Application for Cluster Development
 Plan Review – updated March 2015
**“Bartlett Hill” - A Multifamily
 Residential Cluster Development**



OPEN SPACE CALCULATIONS

TOTAL AREA OF SITE = 783,006 sq.ft.
 “OPEN SPACE RESERVED” (PINK) = 370,203 sq.ft.
 “OPEN SPACE COMMON” (GREEN) = 225,426 sq.ft.
 TOTAL OPEN SPACE ON LOT = 595,629 sq.ft.
 = 76.1%
 REQUIRED OPEN SPACE IS 50% -- 76.1 > 50 O.K.

NET RESIDENTIAL AREA OF SITE (SEE DENSITY CALCS ON SHEET ND1) = 411,678 sq.ft.
 OPEN SPACE SHOWN (GREEN) THAT IS PART OF NET RESIDENTIAL AREA = 225,426 sq.ft.
 = 54.8%

REQUIRED OPEN SPACE MUST INCLUDE 30% OF NET RESIDENTIAL AREA -- 54.8 > 30 O.K.
 “COMMON SPACE” = 110,542 sq.ft.

NOTE: “OPEN SPACE RESERVED” (PINK) INCLUDES WETLANDS, WETLAND BUFFER AND STORMWATER BUFFERS.
 “OPEN SPACE COMMON” (GREEN) INCLUDES SEPTIC SYSTEM AREAS.
 NO “OPEN SPACE PUBLIC” IS PROPOSED.

NOTE: Scale is 1"=160' when printed on 11"x17" paper

CIVIL CONSULTANTS
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NO.	REVISIONS	INT.	DATE
1	UPDATED OPEN SPACE CALCS	JAA	03/03/15

PROPOSED MULTIFAMILY SUBDIVISION ON
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236
 KITTERY, MAINE
 PREPARED FOR:
 PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
 DRAWN JAA CALC. JES
 DATE 29 AUGUST 2013
 CHECKED
 APPROVED
 SCALE 1"=80'
 SHEET TITLE:
**OPEN SPACE PLAN
 (& CALCULATIONS)**
 SHEET NUMBER:
OS1
 SHEET
 PROJECT # 12-198.00

Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

KENNETH GARDNER
Soil Consultant
JRK Soil Search, Inc.
PO Box 291
Limington, Maine 04049

Applicant: Civil Consultants – CMP Land
Town: Kittery, ME
Road: Fernald & Route 236

SOIL SERIES: Brayton FSL 0 – 3% and 3 – 8%
(Aeric Haplaquepts)

Parent Material: Glacial Till

Landform: Glaciated Uplands

Position in Landscape: Small depressions and lower elevations on the site

Slope Gradient Ranges: 0 – 3% and 3 – 8%

COMPOSITION AND SOIL CHARACTERISTICS

Drainage Class: Somewhat poorly drained and poorly drained

Typical Profile

Description: Surface Layer: 0” – 6” dark grayish brown friable fine sandy loam
Subsurface Layer: 6” – 12” olive gray friable fine sandy loam
Subsoil Layer: 12” – 20” olive gray friable sandy loam
Substratum: 20” – 30” firm olive gray sandy loam

Hydrologic Group: C

Surface run off: Slow

Permeability: Moderate in the Solum, slow in the Substratum

Depth to Bedrock: Greater than 40”

Hazard to flooding: Seasonal ponding of the poorly drained soil

INCLUSIONS (within mapping unit)

Similar: Scantic 5 – 10%

Contrasting: Peru

USE AND MANAGEMENT

These areas are not suited for septic disposal. Adequate footing drains should be used if any dwellings are located on the areas.



Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

KENNETH GARDNER
Soil Consultant #61
JRK Soil Search, Inc.
PO Box 291
Limington, Maine 04049

Applicant: Civil Consultants – CMP Land
Town: Kittery, ME
Road: Fernald & Route 236

SOIL SERIES: Colonel FSL 0 – 3%, 3 – 8% and 8-15%
(Aeric Haplorthods)

Parent Material: Glacial Till

Landform: Glaciated Uplands

Position in Landscape: Small depressions and lower elevations on the site

Slope Gradient Ranges: 0 – 3%, 3 – 8% and 8-15%

COMPOSITION AND SOIL CHARACTERISTICS

Drainage Class: Somewhat poorly drained

Typical Profile

Description: Surface Layer: 0” – 6” dark grayish brown friable fine sandy loam
Subsurface Layer: 6” – 12” dark yellowish brown fine sandy loam
Subsoil Layer: 12” – 20” olive brown friable sandy loam
Substratum: 20” – 30” firm olive brown sandy loam

Hydrologic Group: C

Surface run off: Slow

Permeability: Moderate in the Solum, slow in the Substratum

Depth to Bedrock: Greater than 40”

Hazard to flooding: None

INCLUSIONS (within mapping unit)

Similar: Brayton fsl 15%

Contrasting: Dixfield 15%

USE AND MANAGEMENT

These areas are generally not suited for septic disposal. Adequate footing drains should be used if any dwellings are located on the areas.



Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

KENNETH GARDNER
Soil Consultant #61
JRK Soil Search, Inc.
PO Box 291
Limington, Maine 04049

Applicant: Civil Consultants – CMP Land
Town: Kittery, ME
Road: Fernald & Route 236

SOIL SERIES: Dixfield FSL 3 – 8%, 8 – 15% and 15 – 25%
(Typic Haplorthods)

Parent Material: Glacial Till

Landform: Glaciated Uplands

Position in Landscape: Intermediate elevations on the site

Slope Gradient Ranges: 3 – 8%, 8 – 15% and 15 – 25%

COMPOSITION AND SOIL CHARACTERISTICS

Drainage Class: Moderately well drained

Typical Profile

Description: Surface Layer: 0” – 6” dark grayish brown friable fine sandy loam
Subsurface Layer: 6” – 24” yellow brown friable fine sandy loam
Substratum: 24” – 48” firm olive brown sandy loam

Hydrologic Group: C

Surface run off: Slow

Permeability: Moderate in the Solum, slow in the Substratum

Depth to Bedrock: Greater than 40”

Hazard to flooding: None

INCLUSIONS (within mapping unit)

Similar: Skerry 10%

Contrasting: Colonel 10%

USE AND MANAGEMENT

These areas are suited for septic disposal and building locations.



Application for Cluster Development
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KENNETH GARDNER
Soil Consultant
JRK Soil Search, Inc.
PO Box 291
Limington, Maine 04049

Applicant: Civil Consultants – CMP Land
Town: Kittery, ME
Road: Fernald & Route 236

SOIL SERIES: Scantic Silt Loam 0 – 3%
(Typic Haplaquepts)

Parent Material: Marine sediments

Landform: Marine plain

Position in Landscape: Lowest elevations on the site

Slope Gradient Ranges: 0 – 3%

COMPOSITION AND SOIL CHARACTERISTICS

Drainage Class: Poorly drained

Typical Profile

Description: Surface Layer: 0” – 6” dark grayish brown friable silt loam
Subsurface Layer: 6” – 12” olive gray friable silt loam mottled
Subsoil Layer: 12” – 18” olive gray firm silt loam mottled
Substratum: 18” – 48” olive gray firm silty clay loam mottled

Hydrologic Group: D

Surface run off: Slow

Permeability: Moderately slow in Solum, very slow in Subsoil

Depth to Bedrock: Greater than 60”

Hazard to flooding: Seasonal flooding in flat areas

INCLUSIONS (within mapping unit)

Similar: Brayton 5%

Contrasting: None

USE AND MANAGEMENT

These areas are not suited for septic disposal because of poorly drained soil conditions. The placement of dwellings in these areas should be avoided. These areas are mapped as wetlands on the site.



Application for Cluster Development
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"Bartlett Hill" - A Multifamily
Residential Cluster Development

PAGE ____ OF ____

FORM E Rev. 07/11

SOIL CONDITIONS SUMMARY TABLE		SUMMARY LOG OF SUBSURFACE EXPLORATIONS AT PROJECT SITES	
Project Name: <u>Land of C.M. P</u> <u>Map 2B LOT 14</u>		Applicant Name: <u>Civil Consultants</u>	Project Location (municipality): <u>Kittery RT236</u>

Lot No.	Exploration Symbol (TP 1, B 2, etc.)	<input checked="" type="checkbox"/> if at SSWD Field	Description of subsurface materials by: • Soil profile/condition (if by S.E.), • Soil series name (if by C.S.S.), or by • Geologic unit (if by C.G.)	Depths to (inches):			Ground Surface Slope (%)	Ground Surface Elevation
				Redoximorphic Features	Bedrock	Hydraulically Restrictive Layer		
1		<input type="checkbox"/>		23"		26"	49"	10
2		<input type="checkbox"/>		26"		36"	55"	15
3		<input type="checkbox"/>		28"		30"	60"	10
4		<input type="checkbox"/>		32"		36"	57"	11
5		<input type="checkbox"/>		22"		25"	49"	10
6		<input type="checkbox"/>		8"		12"	40"	3
7		<input type="checkbox"/>		16"		23"	51"	5
8		<input type="checkbox"/>		16"		21"	57"	6
9		<input type="checkbox"/>		8"		13"	43"	5
10		<input type="checkbox"/>		16"		20"	49"	5
11		<input type="checkbox"/>		4"		8"	41"	2
12		<input type="checkbox"/>		17"		20"	48"	5
13		<input type="checkbox"/>		17"		19"	57"	3
14		<input type="checkbox"/>		7"		15"	43"	4
15		<input type="checkbox"/>		7"		10"	39"	3
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20		<input type="checkbox"/>		22"		22"	49"	15
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		<input type="checkbox"/>						
		<input type="checkbox"/>						
		<input type="checkbox"/>						
		<input type="checkbox"/>						
		<input type="checkbox"/>						

INVESTIGATOR INFORMATION AND SIGNATURE	
Signature <i>Kenneth Gardner</i>	Date <u>1-4-13</u>
Name Printed <u>Kenneth Gardner</u>	Cert/Lic/Reg. # <u># 61</u>
Qualification <input type="checkbox"/> Licensed Site Evaluator <input checked="" type="checkbox"/> Certified Soil Scientist <input type="checkbox"/> Certified Geologist <input type="checkbox"/> Other:	
<i>affix professional seal</i>	

Application for Cluster Development Plan Review – updated March 2015
“Bartlett Hill” - A Multifamily Residential Cluster Development

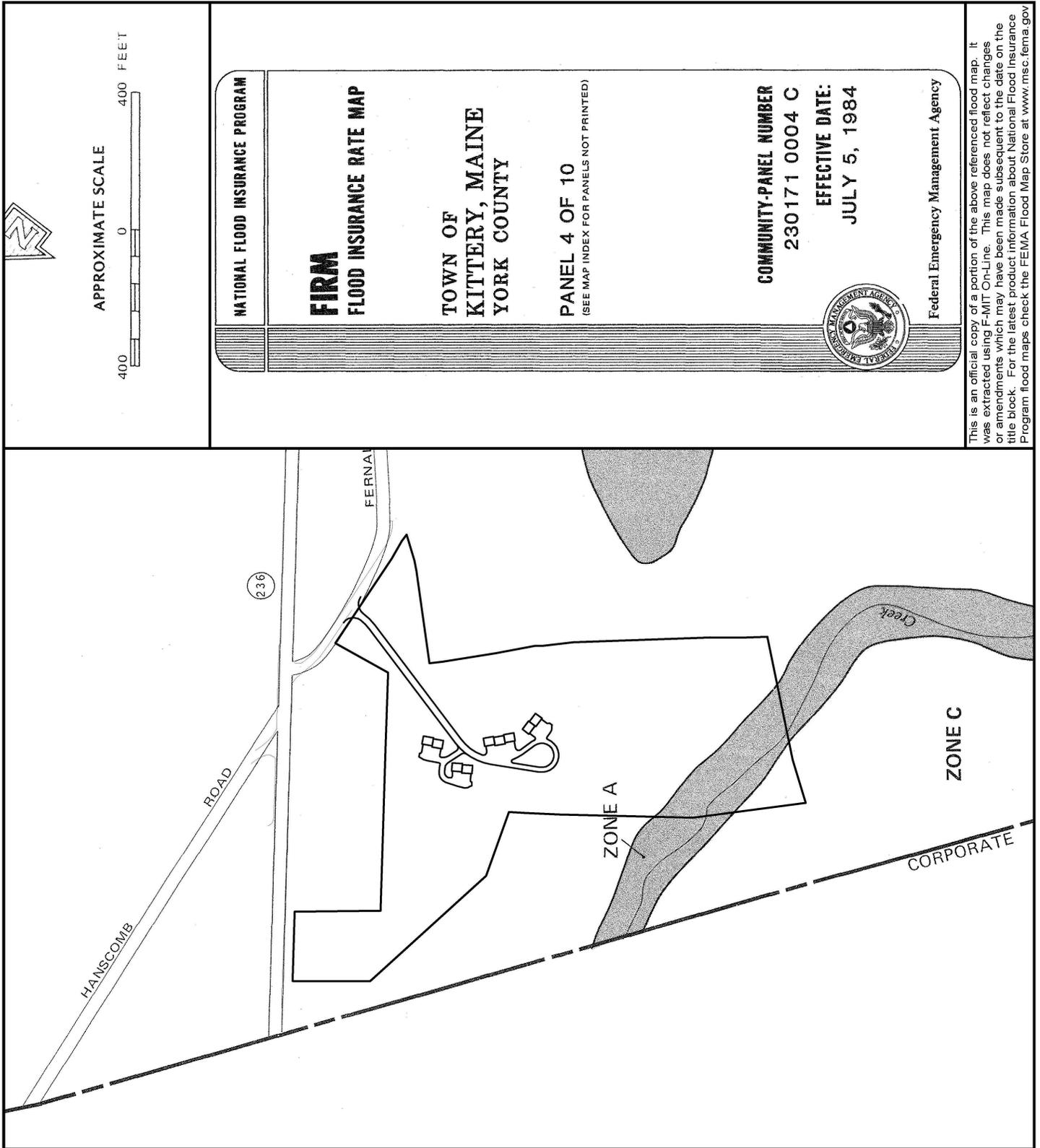
Chapter 16.9 DESIGN AND PERFORMANCE STANDARDS - NATURAL ENVIRONMENT

<u>Submittal Requirement</u>	<u>Applicant Comments</u>
Article I. General	<i>Not Applicable</i>
16.9.1.1 Agriculture.	
16.9.1.2 Mineral/Earth Material Exploration and Removal	<i>Not Applicable</i>
16.9.1.3 Prevention of Erosion.	<i>Plans reflect Maine BMP's.</i>
16.9.1.4 Soil Suitability.	<i>Improvements are placed in appropriate areas.</i>
16.9.1.5 Water Quality and Wastewater Pollution.	<i>Appropriate systems are being employed to prevent problems.</i>
16.9.1.6 Air pollution.	<i>No regulated activities proposed.</i>
16.9.1.7 Buffer areas.	<i>Site designed to minimize visual objections.</i>
16.9.1.8 Floodplain areas.	<i>No work proposed in flood plain areas (see Attachment C-1).</i>
16.9.1.9 Noise abatement.	<i>No noise issues expected.</i>
16.9.1.10 Radiation.	<i>No radiation generation on site.</i>
Article II. Retention of Open Spaces and Natural or Historic Features	<p><i>Tree clearing limits are shown on the plans (see sheet C6 – Grading & Drainage Plan).</i></p> <p><i>No work proposed in Shoreland Overlay Zone.</i></p> <p><i>No land dedication proposed.</i></p> <p><i>Roads and buildings have been designed into the slopes.</i></p> <p><i>There are no known Archaeological or Historic sites on the property (see Attachment C-2).</i></p> <p><i>Based upon a site visit (see Attachment C-3), IF&W recommends (but is not requiring) maximizing the wetlands buffer. We show a 40' no disturb buffer and a 100' building buffer. A 100' no disturb buffer would be contrary to IF&W goals of providing rabbit habitat as that would not allow management of the space between 40' & 100' for shrubs and young trees.</i></p>
Article III. Conservation of Wetlands Including Vernal Pools	<p><i>No vernal pools were identified on site.</i></p> <p><i>No wetlands are being filled nor is any work proposed within 40' of a wetland edge.</i></p> <p><i>Placards will be posted along all wetlands to delineate the no disturb zone.</i></p> <p><i>All required setbacks (building & parking) are being met.</i></p>
Article IV. Wetland Setbacks for Special Situations	<i>No such activities proposed.</i>
Article V. Timber Harvesting	<i>No Timber Harvesting proposed.</i>
Article VI. Overboard Discharge Systems	<i>No such discharges proposed.</i>
Article VII. Non-Storm Water Discharge	<i>No such discharges proposed.</i>
Article VIII. Floodplain Management	<i>No activities proposed within identified flood plain areas (see Attachment C-1).</i>



Application for Cluster Development
Plan Review - updated March 2015

**"Bartlett Hill" - A Multifamily
Residential Cluster Development**



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development
Plan Review - updated March 2015
"Bartlett Hill" - A Multifamily
Residential Cluster Development

12198



Engineers
Planners
Surveyors
P.O. Box 100
293 Main Street
South Berwick
Maine
03908
207-384-2550

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohnney
Kirk F. Mohnney,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

8/5/13
Date

July 24, 2013

Mr. Earle G. Shettleworth Jr.
Maine Historic Preservation Commission
State House Station #65
Augusta, Maine 04333

RE: **Corner of Route 236 & Fernald Lane, Kittery Maine**
Tax Map 28, Lot 14

Dear Mr. Shettleworth:

Enclosed please find a sketch plan and USGS location map pertaining to the above property. On behalf of Paolucci Realty Trust and The AMP Realty Trust CIVIL CONSULTANTS is preparing plans to develop this property.

Please review this project and advise us as to whether or not there are any historic areas located on expanded areas of this site.

Should you have any questions or comments, please call at your convenience.

Respectfully yours,
CIVIL CONSULTANTS

Thomas W. Harmon, P.E.
Principal

Enclosures

J:\aaa\2012\1219800\Correspondence\20130724MEHistoric.doc

RECEIVED

AUG 06 2013

CIVIL CONSULTANTS



CIVIL
CONSULTANTS

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA, ME 04333-0041
TEL: 207-287-8000

CHANDLER E. WOODCOCK
COMMISSIONER

Jay Stephens
Civil Consultants
P. O. Box 100
South Berwick, ME 03098

Dear Mr. Stephens,

As you know, on September 18, 2013 we conducted a site visit of the proposed 9 unit multifamily residential cluster development on Fernald Rd, Kittery. The site visit was conducted because the site is within a mapped polygon of potential habitat for New England cottontail. There also is a small wetland on the western side of the property. The project is proposing a 100 ft buffer for building envelopes, and 40 ft reserved open space buffer around the wetland. However, a portion of the impact of the cul de sac would encroach within the 40 ft buffer (to within about 30 ft).

I observed during the site visit that the proposed house lots are within mature forest, which is not suitable habitat for cottontails. Therefore, the development will be unlikely to result in impacts to cottontail habitat. However, the site is situated between multiple powerline corridors (cottontails are known to occur in and travel through powerline corridors) to the west and south, and lands that are managed for cottontails to the east. Therefore, cottontails could be moving through the area, most likely through the shrubs along the wetland. Maintaining the connectivity of cottontail populations is critical to the survival of the species. Therefore, I recommend maximizing the size of the “reserve open space buffer” around the wetland (ideally at least 100 ft) to facilitate the movement of cottontails and other wildlife species across the landscape. New England cottontails could benefit if the open space areas are managed for early successional plant species (i.e., shrubs or young trees). Additionally, allowing the side slopes of the road and cul de sac to revegetate into shrubs and maintaining them in that condition could also benefit cottontails.

Please let me know if you have any questions or would like additional assistance.

Sincerely,

Cory R. Stearns
Wildlife Biologist
Maine Dept. Inland Fisheries and Wildlife
358 Shaker Rd
Gray, ME 04039
(207) 657-2345 Ext. 108
cory.r.stearns@maine.gov

FISH AND WILDLIFE ON THE WEB!
www.maine.gov/ifw

E-MAIL ADDRESS:
ifw.webmaster@maine.gov



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development**Article V. Preliminary Plan Application Review and Approval Process Phase****16.10.5.1 Planner Review and Confirmation Process- Preliminary Plan.**

<u>Submittal Requirement</u>	<u>Applicant Response</u>
16.10.5.2	
16.10.5.2 Planner Review and Confirmation of Submittal Content - Preliminary Plan. A completed application must include on the plan or attached thereto, the following items, unless upon the applicant's written request, the Planning Board, by formal action, waives or defers any requirement(s) for submission.	
A. A minimum of fifteen (15) paper copies of the application form, plan and all attachments thereto plus if applicable, five (5) paper copies of the 24 x 36 inches size plan sheets.	<i>Provided.</i>
B. Plan must include:	
1. Plan sheets drawn on a reproducible medium and must measure no less than eleven (11) inches by seventeen (17) inches and no larger than twenty-four (24) inches by thirty-six (36) inches; with a:	<i>Primary sheets at 22"x34" Support sheets at 11"x17"</i>
2. Scale of the drawings no greater than one inch equals thirty (30) feet for developments less than ten (10) acres, and one inch equals fifty (50) feet for all others;	<i>Waiver requested to allow the use of Plan scales appropriate for what is being represented (i.e. Entire site will not fit on a plan sheet using 1"=50' so 1"=80' being used). Closer scale(s) used for details</i>
3. Code block in the lower right-hand corner. The block must contain:	
a. Name(s) and address(es) of the applicant and owner,	<i>Owner/applicant same entity.</i>
b. Name of the project.	<i>Project name - "Bartlett Hill" A Multifamily Residential Cluster Development</i>
c. Name and address of the preparer of the plan, with professional seal, if applicable,	<i>Plans prepared by Civil Consultants, 293 Main Street, South Berwick, Maine 03908.</i>
d. Date of plan preparation/revision, and a unique ID number for the plan and any revisions;	<i>Information is included on individual sheets.</i>
4. Standard boundary survey conducted by a surveyor licensed in the state of Maine, in the manner recommended by the State Board of Registration for Land Surveyors;	<i>Included as plan sheet B1 – Boundary Plan.</i>
5. Locus map showing the property in relation to surrounding roads, within two thousand (2,000) feet of any property line of the development,	<i>Included on appropriate sheets.</i>
6. Surveyed acreage of the total parcel, of rights-of-way, wetlands, and area to be disturbed and amount of street frontage;	<i>All items except ROW and disturbed area shown on sheet B1 – Boundary Plan. ROW's and Disturbed area shown on sheet C3 – Layout Plan.</i>



Attachment D

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

16.10.5.2 <i>continued</i>	
7. Names and addresses of all owners of record of property abutting the development, including those across a street;	<i>Shown on plan sheets B1 – Boundary Plan & S1 – Subdivision Plan - Clustered Multifamily Development.</i>
8. Locations of essential physical features such as watercourses, forest cover, and outcroppings	<i>Shown on various plans.</i>
9. Proposed development area conditions including, but not limited to:	
a. Structures; their location and description including signs, to be placed on the site, floor plan of exterior walls and accesses located within one hundred (100) feet of the property line;	<i>Shown on various plans.</i>
b. Utilities proposed including power, water, sewer, holding tanks, bridges, culverts and drainage ways;	<i>Shown on plan sheet C5 – Utility Plan.</i>
c. Sewage facilities type and placement. Test pit locations, at least two of which must meet the State of Maine Plumbing Code requirements, must be shown;	<i>Sewage Facilities type and placement shown on plan sheet C5 – Utility Plan. Test pit locations shown on sheet C1 – Existing Conditions Plan.</i>
d. Domestic water source;	<i>Project will connect to municipal water (see sheet C5 – Utility Plan).</i>
e. Parks, open space, or conservation easement locations;	<i>Easements and open spaces are shown on plan sheet S1 – Subdivision Plan - Clustered Multifamily Development.</i>
f. Lot lines, interior and exterior, right-of-way, and street alignments;	<i>Shown on plan sheets S1 – Subdivision Plan - Clustered Multifamily Development & C3 – Layout Plan.</i>
g. Road and other paved ways plans, profiles and typical sections including all relevant data;	<i>Shown on plan sheet R1 – Roadway Plan & Profile.</i>
h. Setbacks Existing and proposed;	<i>Shown on Plan Sheet S1 – Subdivision Plan - Clustered Multifamily Development and other plan sheets as appropriate.</i>
i. Machinery permanently installed locations likely to cause appreciable noise at the lot lines;	<i>No machinery proposed.</i>
j. Raw, finished or waste materials to be stored outside the buildings, and any stored material of a toxic or hazardous nature;	<i>No storage proposed.</i>
k. Topographic contours of existing contours and finished grade elevations within the development;	<i>Shown on appropriate sheets.</i>
l. Sidewalks, curbs, driveways, fences, retaining walls and other artificial features locations and dimensions proposed;	<i>Shown on appropriate sheets.</i>
m. Temporary markers locations adequate to enable the Planning Board to readily locate and appraise the layout of the development;	<i>Done for Site Walk.</i>
n. Land proposed to be dedicated to public use and the conditions of such dedication;	<i>No land proposed for public dedication.</i>
o. Natural features or site elements to be preserved.	<i>No items identified to be preserved.</i>



Attachment D

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

16.10.5.2 continued	
C. Supporting documentation must include:	
1. Vicinity map and aerial photograph showing the property in relation to surrounding properties, roads, geographic, natural resource (wetland, etc.), historic sites, applicable comprehensive plan features such as proposed park locations, land uses, zones, and other features within five hundred (500) feet from any boundary of the proposed development;	<i>Part of Cover Sheet to Plan Set.</i>
2. Existing Development Area Conditions including but not limited to:	
a. Location and description of all structures, including signs, existing on the site, together with accesses located within one hundred (100) feet of the property line;	<i>Seen on cover sheet and C1 – Existing Conditions Plan.</i>
b. Essential physical features such as watercourses, wetlands, flood plains, wildlife habitat areas, forest cover, and outcroppings;	<i>See plan sheet C1 – Existing Conditions Plan.</i>
c. Utilities existing, including power, water, sewer, holding tanks, bridges, culverts and drainage ways;	<i>See plan sheet C1 – Existing Conditions Plan.</i>
3. Legal interest documents showing legal interest of the applicant in the property to be developed. Such documents must contain the description upon which the survey was based;	<i>Copy of deed chain included as Attachment D-1.</i>
4. Property encumbrances currently affecting the property, as well as any proposed encumbrances;	<i>See plan sheets C1 – Existing Conditions Plan & C2 – Overall Multifamily Site Plan.</i>
5. Water District approval letter, if public water is used, indicating there is adequate supply and pressure to be provided to the development;	<i>Water District letter included as Attachment A-1.</i>
6. Erosion and sedimentation control plan endorsed by the York County Soil and Water Conservation District; or the Town Engineering Consultant (ordained 09/26/11 eff 10/27/11)	<i>Request a waiver to accept MeDEP Chapter 500 & 502 review in lieu of YCSWCD letter at final approval.</i>
7. Stormwater management plan for stormwater and other surface water drainage prepared by a registered professional engineer including the general location of stormwater and other surface water drainage area. (ordained 09/26/11 eff 10/27/11)	<i>Conceptual details shown, request waiver of submission of formal Stormwater Management Plan to final approval as this could be changed by preliminary review process.</i>
8. Soil survey for York County covering the development. Where the soil survey shows soils with severe restrictions for development, a high intensity Class "A" soil survey must be provided;	<i>A copy of the York County Soil Survey for the project area is attached as Attachment D-2. A HISS was performed for this site as part of the septic system process. The Class A HISS report is included as Attachment B-3 with the results shown on plan sheet C1 – Existing Conditions Plan.</i>



Attachment D

Application for Cluster Development Plan Review – updated March 2015

“Bartlett Hill” - A Multifamily Residential Cluster Development

16.10.5.2 <i>continued</i>	
9. Vehicular traffic report estimating the amount and type of vehicular traffic that will be generated by the development on a daily basis and for peak hours.	<i>A traffic generation estimate is included as Attachment A-2.</i>
10. Traffic impact analysis in accordance with Section 16.10.5.2D.1 for developments involving forty (40) or more parking spaces or which are projected to generate more than four hundred (400) vehicle trips per day;	<i>Not Applicable - Project only requires 18 parking spaces and generates less than 90 vehicle trips/day (see Attachment A-2).</i>
11. Test pit(s) analysis prepared by a licensed site evaluator when sewage disposal is to be accomplished by subsurface disposal, pits, prepared by a licensed site evaluator;	<i>This information is in the HISS report (Attachment B-3)</i>
12. Town Sewage Department or community system authority letter, when sewage disposal is to be through a public or community system, approving the connection and its location;	<i>A community system is proposed. Design will be provided for final approval.</i>
a. Additional submissions as may be required by other sections of this Code such as for clustered development, mobile home parks, or junkyards must be provided.	<i>None know at this time.</i>
b. Letters of evaluation of the development by the Chief of Police, Fire Chief, Commissioner of Public Works, and, for residential applications, the superintendent of schools, must be collected and provided by the Town Planner.	<i>Provided by Planning Office.</i>
c. Additional Requirements. In its consideration of an application/plan, the Planning Board may at any point in the review, require the applicant to submit additional materials, studies, analyses, and agreement proposals as it may deem necessary for complete understanding of the application.	<i>No additional materials requested at this time.</i>

J:\aaa\2012\1219800\Planning Board\RESIDENTIAL Development\20150326Submittal\AttachmentD-20150326_16.10.5SubdivisionChecklist From Kittery Ordinance 20100726 with ammendments20110926, 20120123,20120530, 2012092420130405.rld



Application for Cluster Development
Plan Review - updated March 2015
"Bartlett Hill" - A Multifamily
Residential Cluster Development

Doc# 2012059380
Bk 16487 Pg 838 - 839
Received York SS
12/18/2012 10:42AM
Debra L. Anderson
Register of Deeds

QUITCLAIM DEED WITH COVENANT

CENTRAL MAINE POWER COMPANY, a Maine corporation with a place of business at 83 Edison Drive, Augusta, Maine 04336, for consideration paid, grants to **PETER PAUL AND ANITA PAUL, TRUSTEES OF THE AMP REALTY TRUST**, a Maine Trust having a mailing address of 291 Dow Highway, Eliot, ME 03903, with QUITCLAIM COVENANT, a certain lot or parcel of land situated on the westerly side of Route 236 in the Town of Kittery, County of York and State of Maine, more particularly described in Schedule A attached hereto and made a part hereof.

For Grantor's source of title, reference is made to deed of Heirs of Frances B. Fernald and recorded in Book 6897, Page 327 of the York County Registry of Deeds.

The Grantor covenants and agrees that it will obtain the release of the interest hereby conveyed from its Indenture of Mortgage to The Bank of New York Mellon Trust Company, N.A., as Trustee, dated May 1, 2009, on or before January 31, 2013.

IN WITNESS WHEREOF, the said Central Maine Power Company has caused this instrument to be executed by Sara Burns, President & Chief Executive officer, this 10th day of December, 2012.

Maine R.E. Transfer Tax Paid

Signed, Sealed and Delivered
in the presence of

Rhonda C. Gillespie
Witness

CENTRAL MAINE POWER COMPANY

By: Sara Burns
Sara Burns, President & Chief
Executive Officer

STATE OF MAINE
County of Kennebec, ss.

December 10, 2012.

The above named Sara Burns, President & Chief Executive Officer, personally appeared before me, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said Central Maine Power Company.

SEAL

Alice Richards
Notary Public/Attorney At Law
Printed Name:

My Commission Expires:

Alice D. Richards
Notary Public, Maine
My Commission Expires: January 4, 2018



Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

Schedule A

A certain lot or parcel of land situated on the southwesterly side of Route 236, in the Town of Kittery, County of York and State of Maine, being bounded and described as follows:

Beginning at the most northerly corner of a parcel of land shown on a plan titled, “Standard Boundary Survey of Estate of Frances B. Fernald”, prepared by Easterly Surveying, dated September 8, 1989 (hereinafter “Plan”), said corner also being on the southwesterly side of Route 236 and being shown on the Plan as a steel stake to be set; thence South 33° 14' 30" East a distance of 830.00 feet along the southwesterly sideline of Route 236 to a steel stake to be set, said stake being at the intersection of the southwesterly sideline of Route 236 and the westerly sideline of Fernald Road, so-called; thence South 02° 08' 20" East a distance of 565.27 feet along the westerly side of Fernald Road to a point; thence North 50° 42' 29" West a distance of 78.05 feet to a corner of a stone wall; thence North 43° 37' 08" West a distance of 303.56 feet to a corner of a stone wall; thence South 45° 36' 11" West a distance of 309.79 feet to a point; thence South 49° 26' 34" West a distance of 105.99 feet to a point; thence South 53° 20' 18" West a distance of 575.54' to a point; thence North 46° 43' 15" West a distance of 366.39 feet to a point; thence North 50° 34' 39" West a distance of 131.13 feet to a corner of a stone wall; thence North 47° 22' 10" East a distance of 330.44 feet to a point; thence North 56° 38' 27" East a distance of 491.55 feet to an iron pipe found; thence North 06° 39' 57" West a distance of 560.48 feet to a steel stake to be set; thence North 55° 12' 38" East a distance of 410.00 feet to the point of beginning. All references are as shown on the Plan. Said parcel contains 22.81 acres.

Bearings referenced are Magnetic North 1989.

The above described parcel is subject to the rights and easement to Kittery land Trust dated June, 2004, recorded in Book 14172, Page 240 of the York County Registry of Deeds.

2pg → Dean Bouffard, Esq.

End of Document



Application for Cluster Development
Plan Review - updated March 2015
"Bartlett Hill" - A Multifamily
Residential Cluster Development

Doc# 2013001433
Bk 16505 Pg 598 - 600
Received York SS
01/09/2013 2:12PM
Debra L. Anderson
Register of Deeds

QUITCLAM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS, That PETER PAUL and ANITA PAUL, Trustees of THE AMP REALTY TRUST, for consideration paid, grant to AMP REALTY HOLDINGS, LLC, a limited liability company duly organized and existing under the laws of the State of Maine, with a mailing address of 291 Dow Highway, Eliot, Maine 03903, with QUITCLAIM COVENANTS, a certain lot or parcel of land, together with any improvements located thereon, situated on the westerly side of Route 236, in the Town of Kittery, County of York and State of Maine, and being more specifically bounded and described as follows:

See attached EXHIBIT A for a more specific description of the premises herein conveyed, which description is hereby incorporated herein by this reference.

Meaning and intending to convey and hereby conveying the same premises conveyed to Peter Paul and Anita Paul, Trustees of The AMP Realty Trust, by quitclaim deed with covenant from Central Maine Power Company dated December 10, 2012 and recorded in the York County Registry of Deeds prior hereto.

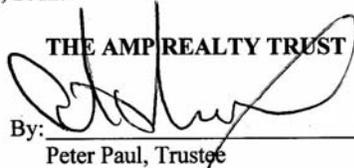
IN WITNESS WHEREOF, the aforesaid trustees have caused this instrument to be executed this 14th day of December, 2012.

NO R.E. TRANSFER TAX PAID

3 pg → Debra K. Bouffande
P.O. Box 30
Kittery, me 03904


Witness


Witness

THE AMP REALTY TRUST
By: 
Peter Paul, Trustee

By: 
Anita Paul, Trustee



Application for Cluster Development
Plan Review – *updated* March 2015

**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

STATE OF MAINE

COUNTY OF YORK

December 14, 2012

Personally appeared before me the above-named Peter Paul and Anita Paul,
Trustees of The AMP Realty Trust, and acknowledged the foregoing instrument to be
their voluntary act and deed in their said capacities.

Before me,



Dean K. Bouffard, Attorney-at-Law



Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

Schedule A

A certain lot or parcel of land situated on the southwesterly side of Route 236, in the Town of Kittery, County of York and State of Maine, being bounded and described as follows:

Beginning at the most northerly corner of a parcel of land shown on a plan titled, "Standard Boundary Survey of Estate of Frances B. Fernald", prepared by Easterly Surveying, dated September 8, 1989 (hereinafter "Plan"), said corner also being on the southwesterly side of Route 236 and being shown on the Plan as a steel stake to be set; thence South 33° 14' 30" East a distance of 830.00 feet along the southwesterly sideline of Route 236 to a steel stake to be set, said stake being at the intersection of the southwesterly sideline of Route 236 and the westerly sideline of Fernald Road, so-called; thence South 02° 08' 20" East a distance of 565.27 feet along the westerly side of Fernald Road to a point; thence North 50° 42' 29" West a distance of 78.05 feet to a corner of a stone wall; thence North 43° 37' 08" West a distance of 303.56 feet to a corner of a stone wall; thence South 45° 36' 11" West a distance of 309.79 feet to a point; thence South 49° 26' 34" West a distance of 105.99 feet to a point; thence South 53° 20' 18" West a distance of 575.54' to a point; thence North 46° 43' 15" West a distance of 366.39 feet to a point; thence North 50° 34' 39" West a distance of 131.13 feet to a corner of a stone wall; thence North 47° 22' 10" East a distance of 330.44 feet to a point; thence North 56° 38' 27" East a distance of 491.55 feet to an iron pipe found; thence North 06° 39' 57" West a distance of 560.48 feet to a steel stake to be set; thence North 55° 12' 38" East a distance of 410.00 feet to the point of beginning. All references are as shown on the Plan. Said parcel contains 22.81 acres.

Bearings referenced are Magnetic North 1989.

The above described parcel is subject to the rights and easement to Kittery land Trust dated June, 2004, recorded in Book 14172, Page 240 of the York County Registry of Deeds.

END OF DOCUMENT



**"Bartlett Hill" - A Multifamily
Residential Cluster Development**

Doc# 2013016688
Bk 16573 Pg 762 - 764
Received York SS
04/10/2013 2:07PM
Debra L. Anderson
Register of Deeds

QUITCLAIM DEED WITH COVENANTS

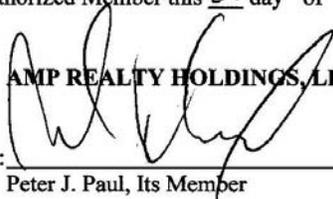
KNOW ALL PERSONS BY THESE PRESENTS, That **AMP REALTY HOLDINGS, LLC**, a limited liability company duly organized and existing under the laws of the State of Maine, for consideration paid, grant to **PETER J. PAUL, Trustee of PAOLUCCI REALTY TRUST**, a trust established under the laws of the State of Maine with a principal place of business at Eliot, County of York and State of Maine, whose mailing address is 291 Harold L. Dow Highway, Eliot, Maine 03903, with **QUITCLAIM COVENANTS**, a certain lot or parcel of land, together with any improvements located thereon, situated on Route 236, in the Town of Kittery, County of York and State of Maine, and being more specifically bounded and described as follows:

See attached EXHIBIT A for a more specific description of the premises herein conveyed, which description is hereby incorporated herein by this reference.

Meaning and intending to convey and hereby conveying a portion only of the premises conveyed to AMP Realty Holdings, LLC by quitclaim deed with covenants from Peter Paul and Anita Paul, Trustees of The AMP Realty Trust, dated December 14, 2012 and recorded in the York County Registry of Deeds at Book 16505, Page 598.

IN WITNESS WHEREOF, the said **AMP Realty Holdings, LLC** has caused this instrument to be executed by its duly authorized Member this 22 day of February, 2013.

AMP REALTY HOLDINGS, LLC

By: 
Peter J. Paul, Its Member

Witness

No R.E. Transfer Tax Paid



Application for Cluster Development
Plan Review – *updated* March 2015
**“Bartlett Hill” - A Multifamily
Residential Cluster Development**

STATE OF MAINE

COUNTY OF YORK

February 22, 2013

Personally appeared before me the above-named Peter J. Paul, duly authorized Member of AMP Realty Holdings, LLC, known to me or satisfactorily proven to be the person who executed the within document, and acknowledged the foregoing instrument to be his voluntary act and deed in his said capacity, and the voluntary act and deed of said limited liability company.

Before me,



Notary Public

Print Name: Lynn A. Keisker
Notary Public
My Commission Expires 05-14-2017

SEAL



Application for Cluster Development
Plan Review – updated March 2015
“Bartlett Hill” - A Multifamily
Residential Cluster Development

EXHIBIT A

The hereinafter-described tract of land, located in the State of Maine, York County, Town of Kittery, located on the southwesterly side of Route 236 and the southwesterly side of Fernald Road, being a portion of lands of AMP Realty Holdings, LLC, described in a deed from Peter Paul and Anita Paul, Trustees of the AMP Realty Trust, dated December 14, 2012 and recorded in book 16505, page 598 of the York County Registry of Deeds, being more particularly described as follows:

[Bearings in the following description are based on Grid North, Maine State Plane Coordinate System West Zone NAD 1983 CORS96 Epoch 2002.0000, as derived from Global Positioning System measurements by CIVIL CONSULTANTS of South Berwick, Maine. Distances as contained herein are “grid” distances. To convert to ground distances, multiply by 1.000002250.]

Beginning at the northeasterly corner of the herein-described tract at an unmarked corner, said unmarked corner being located N 11°49'33” W, 0.56’ from an existing ¼” t-bar with cap marked “EASTERLY SURVEYING”, at the intersection of the southwesterly sideline of Route 236 and the southwesterly sideline of Fernald Road, being also the northeasterly corner of the land of grantor;

thence S 11°49'33” E, by the southwesterly sideline of said Fernald Road, 119.15 feet, to an unmarked corner at the road-side face of a stone wall;

thence S 09°14'12” E, by the road-side face of said stone wall, by the southwesterly sideline of said Fernald Road, 67.44 feet, to a 5/8” diameter rebar with plastic identification cap marked “CIVIL CONSULT PLS 2362” to be set at remaining land of AMP Realty Holdings, LLC;

thence S 76°28'29” W, by remaining land of said AMP Realty Holdings, LLC, 176.22 feet, to a 5/8” diameter rebar with plastic identification cap marked “CIVIL CONSULT PLS 2362” to be set;

thence N 41°02'57” W, by remaining land of said AMP Realty Holdings, LLC, passing through a 5/8” diameter rebar with plastic identification cap marked “CIVIL CONSULT PLS 2362” to be set at 685.99 feet, continuing for a total distance of 695.99 feet, to an unmarked corner in a stream;

thence N 46°32'59” E, by remaining land of said AMP Realty Holdings, LLC, 250.22 feet, to an unmarked corner in the southwesterly sideline of Route 236;

thence S 41°02'57” E, by the southwesterly sideline of said Route 236, passing through a 5/8” diameter rebar with plastic identification cap marked “CIVIL CONSULT PLS 2362” to be set at 10.00 feet, continuing for a total distance of 417.87 feet, to an existing 6” by 6” granite bound with drill hole and chiseled “H”;

thence S 41°02'57” E, by the southwesterly sideline of said Route 236, 208.74 feet, to the POINT OF BEGINNING, containing 181,926 square feet (4.176 acres), more or less.

The hereinabove described parcel is depicted on a plan entitled, “SKETCH PLAN OF PROPOSED COMMERCIAL LOT, ROUTE 236 / FERNALD ROAD – KITTERY – YORK COUNTY – MAINE, TAX MAP 28, PORTION OF LOT 14”, dated February 11, 2013, prepared by CIVIL CONSULTANTS, to be recorded.

Prepared by: Michael P. Peverett, Maine PLS # 2362 Date: February 11, 2013
CIVIL CONSULTANTS
P.O. Box 100
South Berwick, ME 03908
207-384-2550

J:\aaa\2012\1219800\LEGAL-DESC\PROPOSED-COMM-LOT.DOC



CIVIL CONSULTANTS
P.O. Box 100 South Berwick, Maine 03908 207-384-2550

SEARCHED
INDEXED
SERIALIZED

End of Document

3P-7 DEAN BOUFFARD POB 30 KITTERY, ME 03904

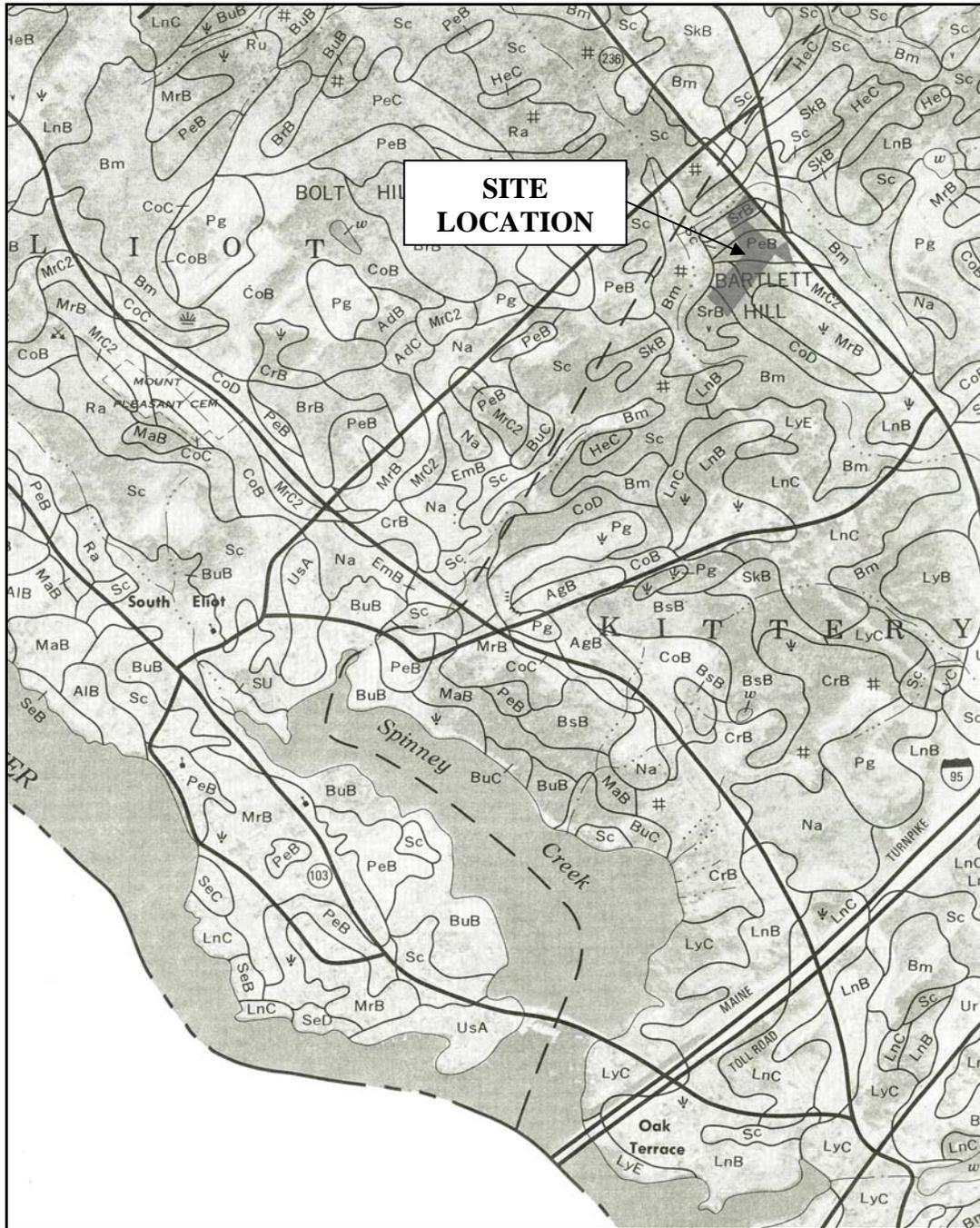


CIVIL CONSULTANTS

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Application for Cluster Development
Plan Review – September 2013

**“Bartlett Hill” - A Multifamily
Residential Cluster Development**



Portion of York County Soils Map Sheet 65		<i>“Bartlett Hill” – A Multifamily Residential Cluster Development Fernald Road, Kittery, Maine</i>
CC JOB NO: 12-198.00	No Scale	
		PREPARED FOR: AMP Realty Holdings, LLC

J:\aaa\2012\1219800\Planning Board\RESIDENTIAL Development\20150326Submittal\AttachmentD-20150326_16.10.5SubdivisionChecklist-Updated.doc

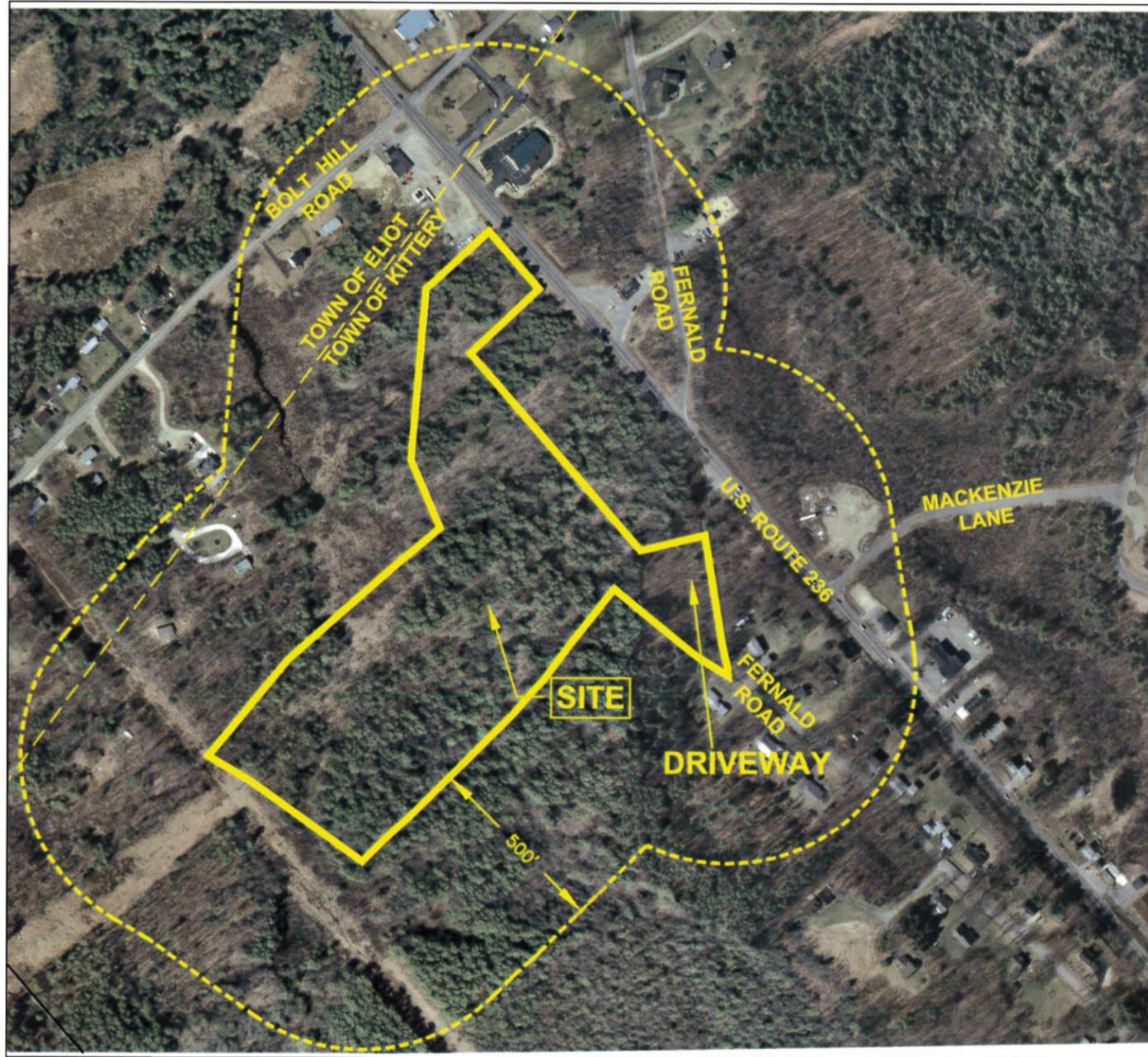


BARTLETT HILL

A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT

U.S. ROUTE 236 KITTERY, ME

PRELIMINARY APPLICATION



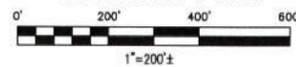
SHEET NUMBER

B1
S1
C1
C2
C3
C4
C5
C6
C7
R1
R2
R3
D1

SHEET TITLE

BOUNDARY PLAN
SUBDIVISION PLAN CLUSTERED MULTIFAMILY DEVELOPMENT
EXISTING CONDITIONS PLAN
OVERALL MULTIFAMILY SITE PLAN
LAYOUT PLAN
EROSION CONTROL PLAN
UTILITY PLAN
GRADING & DRAINAGE PLAN
SECTIONS
ROADWAY PLAN & PROFILE
CONSTRUCTION DETAILS
MAINTENANCE NOTES
STORMWATER TREATMENT PLAN

LOCATION PLAN



PREPARED FOR:

AMP REALTY HOLDINGS, LLC



LEGEND:

- 6897/327 DEED VOLUME / PAGE NUMBER
- CMP CORRUGATED METAL PIPE
- HDPE HIGH DENSITY POLYETHYLENE
- INV INVERT
- N/F NOW OR FORMERLY
- P/O PORTION OF
- RCP REINFORCED CONCRETE PIPE
- S.F. SQUARE FEET
- TBS TO BE SET
- Y.C.R.D. YORK COUNTY REGISTRY OF DEEDS
- UTILITY POLE
- GUY WIRE
- OVERHEAD WIRES
- WATER VALVE
- FIRE HYDRANT
- CLEANOUT
- TEST PIT
- PAINTED UNDERGROUND GAS LINE (SURFACE MARKING)
- STONE WALL
- BARBED WIRE FENCE REMAINS
- WETLAND (SEE NOTE 11)
- EXISTING CONCRETE OR GRANITE BOUND (AS NOTED)
- EXISTING DRILL HOLE
- EXISTING IRON ROD OR REBAR (AS NOTED)
- EXISTING IRON PIPE (AS NOTED)
- 5/8" REBAR WITH IDENTIFICATION CAP SURVEY BENCHMARK (AS NOTED)
- LOCUS BOUNDARY LINE
- APPROXIMATE ADJOINING PARCEL BOUNDARY LINE
- MSPCS WEST ZONE NAD83 COORDINATES

N:103484.22
E:2794101.00

KITTERY TAX MAP 19, LOT 7
N/F
JOSEPH A. MARTEL AND TAMMY MARTEL
Y.C.R.D. 9779/25

SET MAG-NAIL W/BRASS FLASHER IN DRILL HOLE

**NET AREA CALCULATIONS
PETER J. PAUL, TRUSTEE PARCEL:**

OVERALL PARCEL AREA = 181,926 S.F. = 4.176 ACRES
TOTAL WETLAND AREA = 1,126 + 1,330 + 6,938 = 9,394 S.F. = 0.216 ACRES
TOTAL UPLAND AREA = 181,926 - 9,394 = 172,532 S.F. = 3.960 ACRES

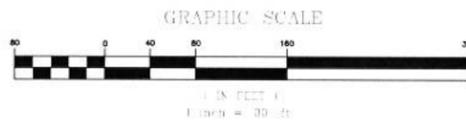
**NET AREA CALCULATIONS
AMP REALTY HOLDINGS, LLC PARCEL:**

OVERALL PARCEL AREA = 783,006 S.F. = 17.975 ACRES
TOTAL WETLAND AREA = 159,021 + 3,726 + 12,545 + 22,606 + 3,002 = 201,700 S.F. = 4.630 ACRES
TOTAL UPLAND AREA = 783,006 - 201,700 = 581,306 S.F. = 13.345 ACRES

OVERALL PARCEL AREA (IN R-S ZONE) = 706,023 S.F. = 16.208 ACRES
TOTAL WETLAND AREA (IN R-S ZONE) = 159,021 + 3,726 + 12,545 + 18,200 = 193,492 S.F. = 4.460 ACRES
TOTAL UPLAND AREA (IN R-S ZONE) = 706,023 - 193,492 = 512,531 S.F. = 11.748 ACRES

OVERALL PARCEL AREA (IN C-2 ZONE) = 76,983 S.F. = 1.767 ACRES
TOTAL WETLAND AREA (IN C-2 ZONE) = 4,406 + 3,002 = 7,408 S.F. = 0.170 ACRES
TOTAL UPLAND AREA (IN C-2 ZONE) = 76,983 - 7,408 = 69,575 S.F. = 1.597 ACRES

STATE OF MAINE
YORK COUNTY ss. REGISTRY OF DEEDS
RECEIVED _____ 20____
AT _____, _____, MAINE, AND RECORDED IN
PLAN BOOK _____, PAGE _____
ATTEST _____ REGISTER



TAX MAP 28, LOT 5
N/F
BERNARD E. GROVER AND RUTH J. GROVER
Y.C.R.D. 7271/157

ELIOT TAX MAP 17, P/O LOT 21

ELIOT TAX MAP 17, LOT 20 AND P/O LOT 21

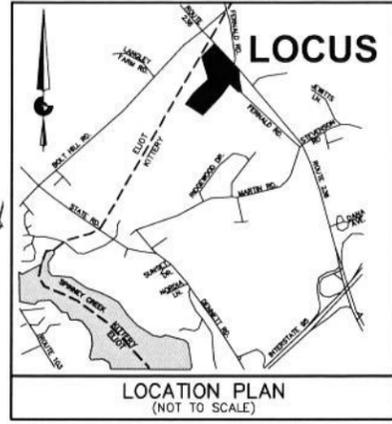
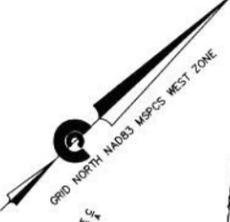
APPROXIMATE TOWN LINE

ELIOT KITTERY

ELIOT TAX MAP 17, LOT 22
KITTERY TAX MAP 28, LOT 17
N/F
ROBERTA J. GOSSELIN,
TRUSTEE
Y.C.R.D. 13768/78
Y.C.R.D. 10715/236

KITTERY TAX MAP 28, LOT 16
N/F
TODD M. BISIGNANI AND
LESLIE A. BISIGNANI
Y.C.R.D. 14929/717

KITTERY TAX MAP 28, LOT 15
N/F
WILLIAM C. MORGRIDGE AND
RAYMAN M. MORGRIDGE
Y.C.R.D. 3721/25
Y.C.R.D. 14763/332



NOTES:

1. PLANIMETRIC AND TOPOGRAPHIC DETAIL DEPICTED HEREON IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY BY CIVIL CONSULTANTS BETWEEN NOVEMBER 12, 2012 AND JANUARY 17, 2013.
2. NORTH AS DEPICTED HEREON IS REFERENCED TO GRID NORTH, NAD83, MAINE STATE PLANE COORDINATE SYSTEM (MSPCS) WEST ZONE. COORDINATE VALUES AND ORIENTATION ARE DERIVED FROM A GPS SURVEY COMPUTED UTILIZING THE NGS OPUS ON-LINE PROCESSING SERVICE. REFERENCE FRAME IS NAD83 CORS96 EPOCH 2002.0000. THE SURVEY IS TIED TO STATE STATIONS BOSTON WAAS 1 CORRS (ZWN), BARTLETT CORRS (BARN) AND BRUNSWICK 1 CORRS (BRU1). DISTANCES DEPICTED HEREON ARE GRID. TO CONVERT GRID DISTANCES TO GROUND DISTANCES, MULTIPLY THE GRID DISTANCE BY 1.000002250 (AVERAGE COMBINED SCALE FACTOR FOR THE SITE).
3. ELEVATIONS DEPICTED HEREON ARE REFERENCED TO NAVD83, DERIVED FROM THE ABOVE REFERENCED GPS SURVEY. TO CONVERT NAVD83 ELEVATIONS TO MGD83 ELEVATIONS ADD 0.76'.
RECORD OWNERS: AMP REALTY HOLDINGS, LLC (17.975 ACRE LOT)
PETER J. PAUL, TRUSTEE OF PAOLUCCI REALTY TRUST (4.176 ACRE LOT)
4. ASSESSOR'S INFORMATION: TOWN OF KITTERY
ASSESSOR'S MAP 28, LOT 14
5. DEED REFERENCE: Y.C.R.D. 16505/598 (17.975 ACRE LOT)
Y.C.R.D. 16573/762 (4.176 ACRE LOT)
6. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT DIGSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
7. THE MAJORITY OF THE LOCUS PARCEL IS LOCATED IN "ZONE C", ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF KITTERY, MAINE, YORK COUNTY, COMMUNITY PANEL NUMBER 230171, 0004 D, EFFECTIVE DATE JULY 5, 1984. ZONE C IS DEFINED AS "AREAS OF MINIMAL FLOODING". A PORTION OF THE SOUTHWESTERLY CORNER OF THE LOCUS PARCEL IS LOCATED IN "ZONE A", ZONE A IS DEFINED AS "AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED". THE FLOOD ZONE BOUNDARY DEPICTED HEREON IS BASED ON SCANNING AND GEOREFERENCING THE ABOVE REFERENCED FIRM.
8. ROUTE 236 IS A STATE HIGHWAY WITH A 100' WIDE RIGHT-OF-WAY WIDTH IN THE VICINITY OF THE LOCUS PARCEL. THE SIDELINES DEPICTED HEREON ARE BASED ON REFERENCE PLAN 2 AND FIELD LOCATED GRANITE HIGHWAY MONUMENTS.
9. FERNALD ROAD IS A PUBLIC ROAD WITH A 3-ROD (49.5') WIDE RIGHT-OF-WAY. FERNALD ROAD IS MAINTAINED BY THE TOWN OF KITTERY. FOR LAYOUT SEE YORK COUNTY COMMISSIONER'S RECORDS VOLUME 16, PAGE 375, DATED 1831. THE SIDELINES OF FERNALD ROAD AS DEPICTED HEREON FOLLOW THE ROAD SIDE FACE OF THE EXISTING STONE WALLS. THE LAYOUT COULD NOT BE OTHERWISE ESTABLISHED.
10. THE EDGE OF WETLAND AREAS DEPICTED HEREON ARE BASED ON FIELD LOCATION BY CIVIL CONSULTANTS (UTILIZING A TOTAL STATION) OF WETLAND DELINEATION PLANS SET BY GARY W. FULLERTON OF SEBAGO TECHNICS (MAINE SOILS SCIENTIST NUMBER 462). THE WETLAND DELINEATION CONFORMS TO THE STANDARDS AND METHODS OUTLINED IN THE 1987 WETLANDS DELINEATION MANUAL AND REGIONAL SUPPLEMENT AUTHORED AND PUBLISHED BY THE US ARMY CORPS OF ENGINEERS.
11. A PORTION OF THE LOCUS PARCEL, LOCATED WITHIN 300' OF THE CENTERLINE OF ROUTE 236, IS IN THE COMMERCIAL 2 (C-2) ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE=40,000 SQUARE FEET, MINIMUM STREET FRONTAGE=150', MINIMUM FRONT SETBACK=50', MINIMUM SIDE AND REAR SETBACK=30' (EXCEPT AS MAY BE REQUIRED BY THE BUFFER PROVISION OF THE ZONING ORDINANCE), MINIMUM SIDE AND REAR SETBACK ABUTTING A RESIDENTIAL ZONE OR USE=40', MAXIMUM BUILDING AND OUTDOOR STORED MATERIAL COVERAGE=40% AND MAXIMUM BUILDING HEIGHT=40'. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF KITTERY ZONING ORDINANCE.
12. THE REMAINDER OF THE LOCUS PARCEL IS LOCATED IN THE RESIDENTIAL SUBURBAN (R-S) ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE=30,000 SQUARE FEET WITHOUT PUBLIC SEWER, MINIMUM STREET FRONTAGE=150', MINIMUM FRONT SETBACK=40', MINIMUM SIDE AND REAR SETBACK=15', MAXIMUM BUILDING COVERAGE=20% AND MAXIMUM BUILDING HEIGHT=35'. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF KITTERY ZONING ORDINANCE.
13. A PORTION OF THE LOCUS PARCEL, LOCATED WITHIN 75' OF THE NORMAL HIGH WATER LINE OF A STREAM, IS IN THE SHORELAND OVERLAY ZONE - STREAM PROTECTION AREA (OS-SL-75). ACCORDING TO THE TOWN OF KITTERY ZONING MAP, A PORTION OF THE LOCUS PARCEL IS LOCATED IN THE RESOURCE PROTECTION OVERLAY ZONE (OP-RP).
14. DUE TO HUMMOCKY TERRAIN THE 1-FOOT CONTOUR INTERVAL MAPPING DEPICTED HEREON MAY NOT MEET NATIONAL MAP ACCURACY STANDARDS FOR 1-FOOT CONTOURS IN ALL AREAS.
15. THE LOCUS PARCEL IS CROSSED BY SEVERAL RECREATIONAL WALKING TRAILS THAT APPEAR TO BE LIGHTLY USED BY THE PUBLIC. LIMITED EVIDENCE OF ATV USE WAS ALSO OBSERVED.
16. THE LOCUS PARCEL IS SUBJECT TO AN EASEMENT BENEFITING KITTERY LAND TRUST FOR INGRESS AND EGRESS TO KITTERY LAND TRUST LANDS AND THE RIGHT TO IMPROVE THE EASEMENT AREA WITH A PATH, TRAIL OR ROWWAY WITH A RUNNING SURFACE NOT TO EXCEED 22' FEET IN WIDTH, AND TO MAINTAIN, REPAIR, REBUILD, REPLACE AND OPERATE THE SAME (SEE Y.C.R.D. 14172/240).

REFERENCE PLANS:

1. "STANDARD BOUNDARY SURVEY OF ESTATE OF FRANCES B. FERNALD, ROUTE 236 & FERNALD ROAD, KITTERY, MAINE", DATED SEPTEMBER 6, 1989, PREPARED BY EASTERLY SURVEYING, UNRECORDED.
2. "MAINE STATE HIGHWAY COMMISSION, RIGHT OF WAY MAP, STATE HIGHWAY "100", KITTERY, YORK COUNTY, FEDERAL AID SECONDARY PROJECT 5-0106(S), S&C FILE NO. 16-112, SHEETS 3 AND 4 OF 13, DATED JANUARY, 1956, LAST REVISED OCTOBER, 1956, PREPARED BY THE MAINE STATE HIGHWAY COMMISSION, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 29, PAGES 29 AND 30.
3. "STANDARD BOUNDARY SURVEY OF ELSIE SPINNEY LOT NEAR BOLT HILL RD., KITTERY, MAINE FOR CENTRAL MAINE POWER COMPANY", DATED JUNE 6, 1991, PREPARED BY OWEN HASKELL, INC., RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 291, PAGE 29.
4. "STANDARD BOUNDARY SURVEY OF RALPH REMICK LOT, NEAR BOLT HILL ROAD, KITTERY, MAINE FOR CENTRAL MAINE POWER COMPANY, EDISON DRIVE, AUGUSTA, MAINE", DATED FEBRUARY 1, 1993, PREPARED BY OWEN HASKELL, INC., RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 291, PAGE 28.
5. "COMPILED BOUNDARY EXHIBIT, DEED BOOK 5807 PAGE 224, TOWN OF KITTERY YORK COUNTY, STATE OF MAINE, RECORD OWNER: CENTRAL MAINE POWER COMPANY, 83 EDISON DRIVE, AUGUSTA, MAINE 04336, PREPARED FOR: CENTRAL MAINE POWER COMPANY, 83 EDISON DRIVE, AUGUSTA MAINE 04336, DATED JUNE 21, 2004, PREPARED BY SSC ENGINEERING, LLC, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 292, PAGES 39 AND 40.
6. "RIGHT-OF-WAY AND TRACK MAP, BOSTON AND MAINE R.R., OPERATED BY THE BOSTON AND MAINE R.R., STATION 3145+47 TO STATION 3198+27", DATED JUNE 30, 1914, LAST REVISED FEBRUARY, 1961, PREPARED BY THE OFFICE OF VALUATION ENGINEER, BOSTON AND MAINE CORPORATION.
7. "LOT DIVISION AND LOT LINE REVISION PLAN, 382 BOLT HILL ROAD, ELIOT AND KITTERY, ME, TAX MAP 17 LOT 21, CLIENT: WAYNE RUESCHWICK, 545 PEVERLY HILL ROAD, PORTSMOUTH, NH 03801, DEED HOLDER: WAYNE AND CAROL RUESCHWICK, 545 PEVERLY HILL ROAD, PORTSMOUTH, NH 03801, DATED DECEMBER, 2005, PREPARED BY CLD CONSULTING ENGINEERS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 308, PAGE 17.
8. "PLAN OF LAND FOR JAMES C. MCKENNA, BOLT HILL ROAD, ELIOT, MAINE", DATED MAY, 1970, PREPARED BY MCKENNA ASSOCIATES, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 52, PAGE 18.

CERTIFICATION:

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS (02-360 CMR CHAPTER 90, PART I & PART II - SEE NOTES HEREON FOR EXCEPTIONS, IF ANY).

MICHAEL P. PEVERETT
MAINE PROFESSIONAL LAND SURVEYOR #2362
CIVIL CONSULTANTS
SOUTH BERWICK, MAINE 03908
207-384-2550
DATE: 4/8/13



CIVIL CONSULTANTS
Engineers
Planners
Surveyors
P.O. Box 105
South Berwick
Maine
03908
207-384-2550
civilcon@civilcon.com

NO.	REVISIONS	DATE
1.	REVISE OWNER OF LOT 14	5/24/13

LAND OF AMP REALTY HOLDINGS, LLC AND
PETER J. PAUL, TRUSTEE - ROUTE 236
TAX MAP 28, LOT 14
KITTERY, YORK COUNTY, MAINE
RECORD OWNERS: AMP REALTY HOLDINGS, LLC & PETER J. PAUL, TRUSTEE
OF THE PAOLUCCI REALTY TRUST, 291 DOW HIGHWAY, ELIOT, ME 03903
PREPARED FOR: PETER PAUL
291 DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS

DRAWN MPP CALC. MPP

DATE 4/8/13

CHECKED CHM

APPROVED MPP

SCALE 1" = 80'

SHEET TITLE:

BOUNDARY AND EXISTING CONDITIONS

SHEET NUMBER:

B1

SHEET NO 1 OF 1

PROJECT #12-198.00

NOTES:

- ASSESSOR'S INFORMATION: TOWN OF KITTERY
PORTION OF ASSESSOR'S MAP 28
LOT 14
- RECORD OWNER: AMP REALTY HOLDINGS, LLC
291 HAROLD L. DOW HIGHWAY
ELIOT, MAINE 03903
- DEED REFERENCE: Y.C.R.D. 16573/762
Y.C.R.D. 16505/598
- ZONING INFORMATION: RESIDENTIAL SUBURBAN (R-S) ZONE

LOT SIZE:	40,000 sq.ft.	PROPOSED:	MIN. 7,236 sq.ft. PROPOSED
MINIMUM FRONTAGE:	150'	MINIMAL INDIVIDUAL FRONTAGE PROPOSED:	
SETBACKS:			
FRONT YARD:	40'	0' SETBACK FROM INTERNAL DRIVE/RIGHT-OF-WAY (MAINTAIN 15' TO EDGE OF SHOULDER)	
SIDE YARD:	15'	SIDE YARD SETBACK MAINTAINED AROUND PERIMETER OF PROJECT BOUNDARY.	
REAR YARD:	15'	INTERNAL BLDG SEPARATION = 25' OR PER FIRE DEPARTMENT.	
MAXIMUM BUILDING HEIGHT:	35'	REAR YARD SETBACK MAINTAINED FROM PERIMETER OF PROJECT BOUNDARY.	
MAXIMUM BUILDING COVERAGE:	20%	NO CHANGE	
- THE MAJORITY OF THE PARCEL IS LOCATED IN FLOOD HAZARD ZONE C AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF KITTERY, COMMUNITY PANEL NO 23071 0004 D. EFFECTIVE DATE: JULY 5, 1984. FLOOD ZONE C IS DEFINED AS AREAS OF MINIMAL FLOODING. A PORTION OF THE SOUTHWEST CORNER OF THE PARCEL IS LOCATED IN ZONE A. ZONE A IS DEFINED AS AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- TOTAL PARCEL AREA = 17.97 ACRES.
- COMMUNITY SEPTIC SYSTEM(S) WILL BE PROVIDED.
- PROJECT WILL BE SERVICED BY PUBLIC WATER FROM EXISTING WATER MAIN IN U.S. ROUTE 236. UNDERGROUND UTILITIES WILL BE PROVIDED.
- ASHLEY MORGAN WAY IS A PRIVATE ROAD AND WILL BE MAINTAINED AS A PRIVATE ROAD. THE ROADWAY WILL NOT BE ACCEPTED BY THE TOWN OF KITTERY UNLESS THE ROADWAY IS IMPROVED TO STANDARDS APPROVED BY THE KITTERY PLANNING BOARD AT THE TIME ACCEPTANCE IS PROPOSED.
- NO DISTURBANCE MARKERS TO BE INSTALLED ALONG THE 40' WETLAND BUFFER AS SHOWN HEREON.
- OPEN SPACE SHOWN HEREON MAY NOT BE USED FOR FUTURE BUILDING LOTS.
- A PART OR ALL OF THE OPEN SPACE MAY BE DEDICATED FOR ACCEPTANCE BY THE TOWN OF KITTERY.
- THE OPEN SPACE PLAN IS DEPICTED HEREON.

PLAN REFERENCE:

"BOUNDARY AND EXISTING CONDITIONS LAND OF AMP REALTY HOLDINGS, LLC AND PETER J. PAUL, TRUSTEE - ROUTE 236 TAX MAP 28 LOT 14 KITTERY YORK COUNTY MAINE", BY CIVIL CONSULTANTS, DATED: 4/8/2013. PLAN FROM CIVIL CONSULTANTS OFFICE FILES, JOB #12-198.00

OPEN SPACE CALCULATIONS:

TOTAL AREA OF SITE	= 783,006 sq.ft.
"OPEN SPACE RESERVED"	= 370,203 sq.ft.
"OPEN SPACE COMMON"	= 225,426 sq.ft.
TOTAL OPEN SPACE ON LOT	= 595,629 sq.ft.
REQUIRED OPEN SPACE IS 50% -- 76.1 > 50 O.K.	= 76.1%

NET RESIDENTIAL AREA OF SITE (SEE DENSITY CALCS BELOW) = 411,678 sq.ft.

OPEN SPACE SHOWN THAT IS PART OF NET RESIDENTIAL AREA = 225,426 sq.ft. = 54.8%

REQUIRED OPEN SPACE MUST INCLUDE 30% OF NET RESIDENTIAL AREA -- 54.8 > 30 O.K.

"COMMON SPACE" = 110,542 sq.ft.

NOTE: "OPEN SPACE RESERVED" INCLUDES WETLANDS, WETLAND BUFFER AND STORMWATER BUFFERS.

"OPEN SPACE COMMON" INCLUDES SEPTIC SYSTEM AREAS.

NO "OPEN SPACE PUBLIC" IS PROPOSED.

CLUSTER DENSITY CALCULATIONS:

TOTAL AREA OF SITE IN RESIDENTIAL ZONE	= 706,023 sq.ft.
LESS VERY POORLY DRAINED SOILS - SCANTIC SOILS & FLOOD ZONE	= 251,012 sq.ft.
LESS ACCESS RIGHT OF WAY - DRIVE & LAND TRUST	= 43,333 sq.ft.
LEAVES NET RESIDENTIAL AREA	= 411,678 sq.ft.
UNITS ALLOWED = 411,678/40,000 = 10.29	10 UNITS

PLAN APPROVED
KITTERY PLANNING BOARD

DATE _____

STATE OF MAINE
YORK COUNTY ss. REGISTRY OF DEEDS
RECEIVED _____, 20____
AT _____h____m____, AND RECORDED IN
PLAN BOOK _____, PAGE _____
ATTEST _____ REGISTER

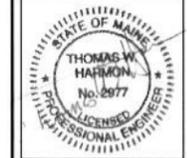
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	22.26'	21.54'	N 71°37'13" W	51°01'59"
C2	170.00'	51.21'	51.02'	S 86°30'13" E	17°15'59"
C3	80.00'	142.38'	124.32'	S 49°08'13" W	101°57'49"
C4	56.38'	116.82'	95.42'	N 52°33'32" E	106°55'26"
C5	56.38'	134.93'	107.72'	S 08°37'04" E	130°11'22"
C6	170.00'	35.72'	35.66'	S 67°49'47" W	17°02'24"
C7	170.00'	78.10'	78.35'	S 87°10'45" W	26°38'31"
C8	170.00'	19.84'	19.63'	N 83°10'57" W	6°37'08"
C9	130.00'	35.07'	34.96'	S 87°36'05" E	15°27'23"
C10	25.00'	24.89'	23.87'	N 58°09'06" E	57°02'14"

LINE	BEARING	DISTANCE
L1	N 56°12'53" E	78.90'
L2	S 79°52'24" E	31.56'
L3	N 25°56'51" E	23.95'
L4	S 36°27'43" E	19.56'
L5	N 01°32'45" E	26.16'
L6	N 67°45'21" W	49.38'
L7	S 67°45'43" E	44.37'
L8	S 35°50'30" E	55.14'

LOCUS



LOCATION PLAN
1"=2000'



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 207-384-2550
 civcon@civcon.com

NO.	REVISIONS	DATE
2	ADJUST ROW - AND OPEN SPACE CALC. UPDATE OPEN SPACE RESERVED	JAA 03/25/15
1		JAA 10/28/13

BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
 PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

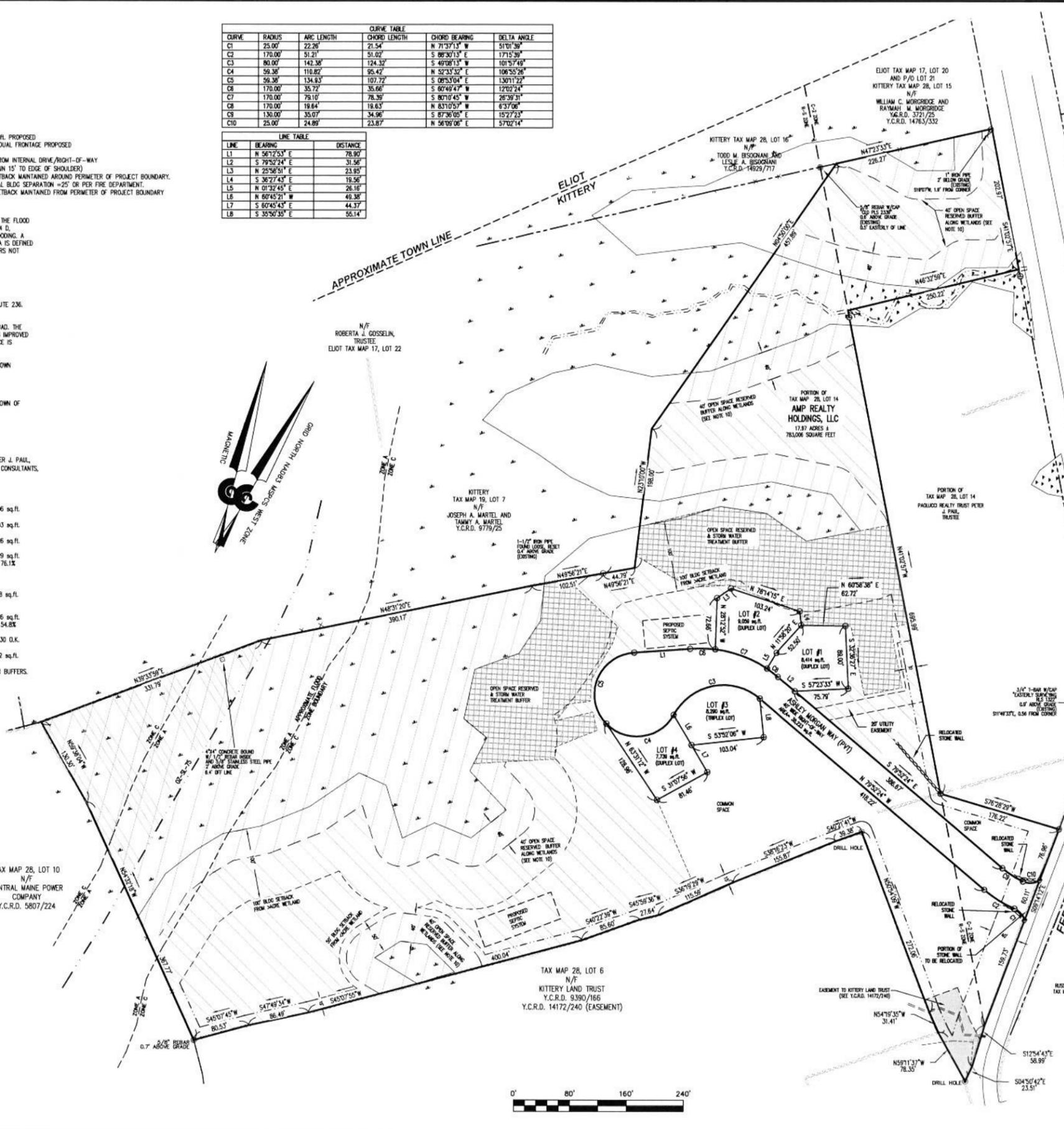


DRAWN JAA CALC. JES
 DATE 12 SEPTEMBER 2013
 CHECKED
 APPROVED
 SCALE 1"=80'

SHEET TITLE:
 SUBDIVISION PLAN
 CLUSTERED MULTIFAMILY
 DEVELOPMENT

SHEET NUMBER:
S1
 SHEET 1 of 1

PROJECT #12-198.00



NOTES:

- ASSESSOR'S INFORMATION: TOWN OF KITTERY
PORTION OF ASSESSOR'S MAP 28
LOT 14
- RECORD OWNER: AMP REALTY HOLDINGS, LLC
291 HAROLD L. DOW HIGHWAY
ELIOT, MAINE 03903
- DEED REFERENCE: Y.C.R.D. 16573/762
Y.C.R.D. 16505/598
- ZONING INFORMATION: RESIDENTIAL SUBURBAN (R-S) ZONE
LOT SIZE: 40,000 sq.ft.
MINIMUM FRONTAGE: 150'
SETBACKS:
FRONT YARD: 40'
SIDE YARD: 15'
REAR YARD: 15'
MAXIMUM BUILDING HEIGHT: 35'
MAXIMUM BUILDING COVERAGE: 20%
- THE MAJORITY OF THE PARCEL IS LOCATED IN FLOOD HAZARD ZONE C AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF KITTERY, COMMUNITY PANEL NO. 230171 0004 D, EFFECTIVE DATE: JULY 5, 1994. FLOOD ZONE C IS DEFINED AS AREAS OF MINIMAL FLOODING; A PORTION OF THE SOUTHWEST CORNER OF THE PARCEL IS LOCATED IN ZONE A. ZONE A IS DEFINED AS AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- TOTAL PARCEL AREA= 17.97 ACRES.

PLAN REFERENCE:

"BOUNDARY AND EXISTING CONDITIONS LAND OF AMP REALTY HOLDINGS, LLC AND PETER J. PAUL, TRUSTEE - ROUTE 236 TAX MAP 28 LOT 14 KITTERY YORK COUNTY MAINE", BY CIVIL CONSULTANTS, DATED: 4/8/2013. PLAN FROM CIVIL CONSULTANTS OFFICE FILES, JOB #12-198.00

LEGEND

- 2/60 TAX MAP / LOT NUMBER
- 9374/148 DEED BOOK / PAGE NUMBER
- CMP CORRUGATED METAL PIPE
- HDPE HIGH DENSITY POLYETHYLENE
- NET&T NEW ENGLAND TELEPHONE & TELEGRAPH
- N/F NOW OF FORMERLY
- OHW OVERHEAD WIRE
- ROP REINFORCED CONCRETE WALL
- Y.C.R.D. YORK COUNTY REGISTRY OF DEEDS
- PROPERTY LINE
- APPROXIMATE ABUTTING PROPERTY
- SETBACK
- BENCHMARK
- IRON ROD FOUND
- BOUND FOUND
- EXISTING CONTOUR
- WETLAND
- STONE WALL
- TEST PIT
- SIGN
- HIGH INTENSITY SOIL LINE
- STREAM
- EXISTING WATER MAIN
- EXISTING DRAIN LINE
- EXISTING OVERHEAD WIRE
- EXISTING GAS MAIN
- UTILITY POLE
- CLY CLY
- WATER VALVE
- HYDRANT

HIGH INTENSITY SOILS LEGEND:

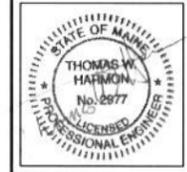
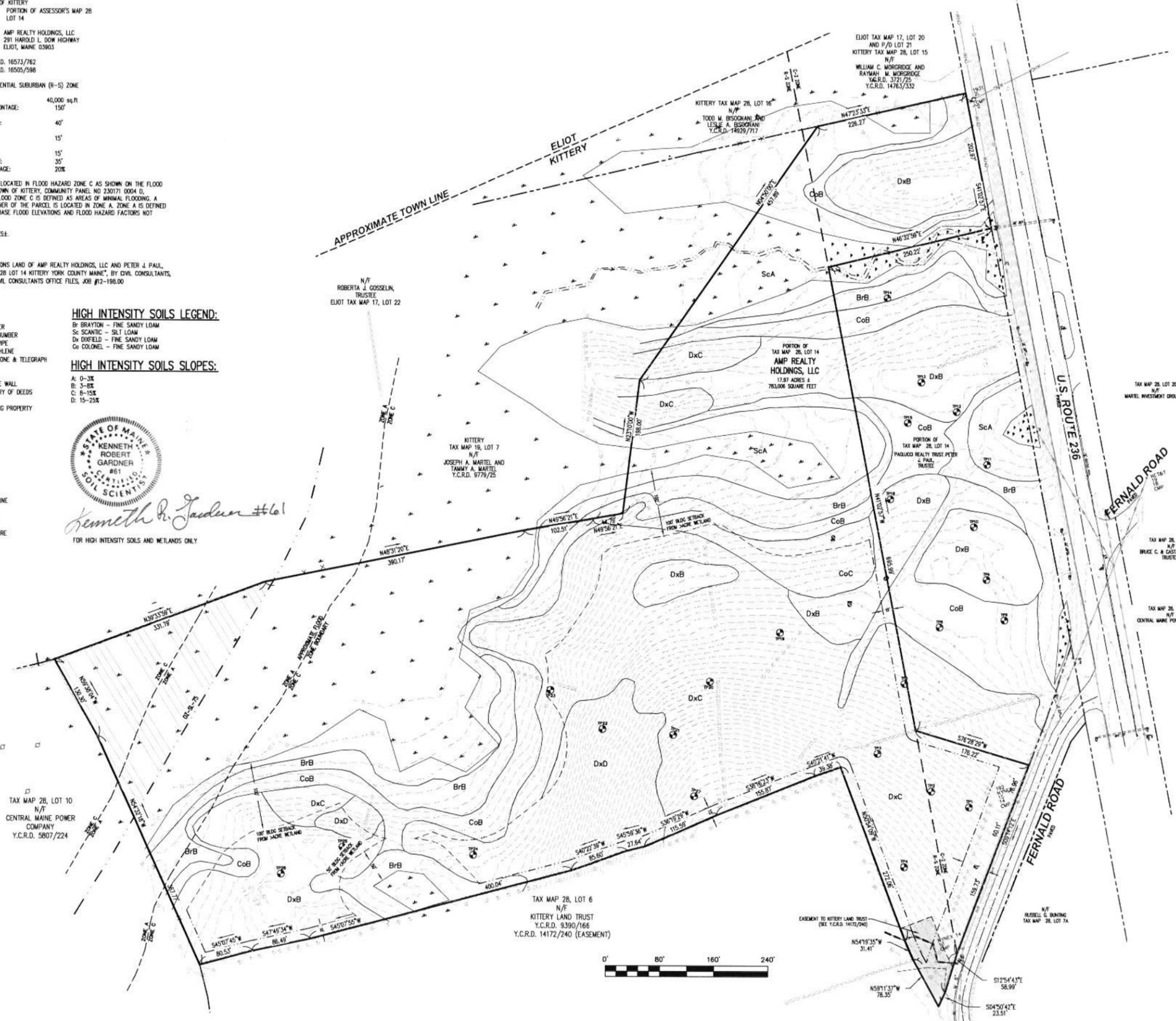
- Br BRAYTON - FINE SANDY LOAM
- Sc SCANTIC - SILT LOAM
- Dx DUFFIELD - FINE SANDY LOAM
- Co COLONEL - FINE SANDY LOAM

HIGH INTENSITY SOILS SLOPES:

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



Kenneth R. Gardner #681
FOR HIGH INTENSITY SOILS AND WETLANDS ONLY



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NO.	DATE	INT.	REVISIONS
1	03/05/15	JAA	UPDATED HIGH INTENSITY SOIL SURVEY

BARLETT HILL
A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
LAND OF AMP REALTY HOLDINGS, LLC
U.S. ROUTE 236 KITTERY, MAINE
PREPARED FOR:
PETER J. PAUL
MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
DRAWN: JAA
CALC.: JES
DATE: 12 SEPTEMBER 2013
CHECKED:
APPROVED:

SHEET TITLE:
EXISTING CONDITIONS PLAN

SHEET NUMBER:
C1

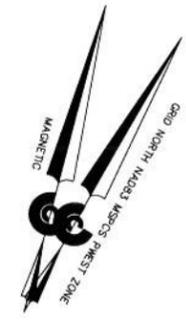
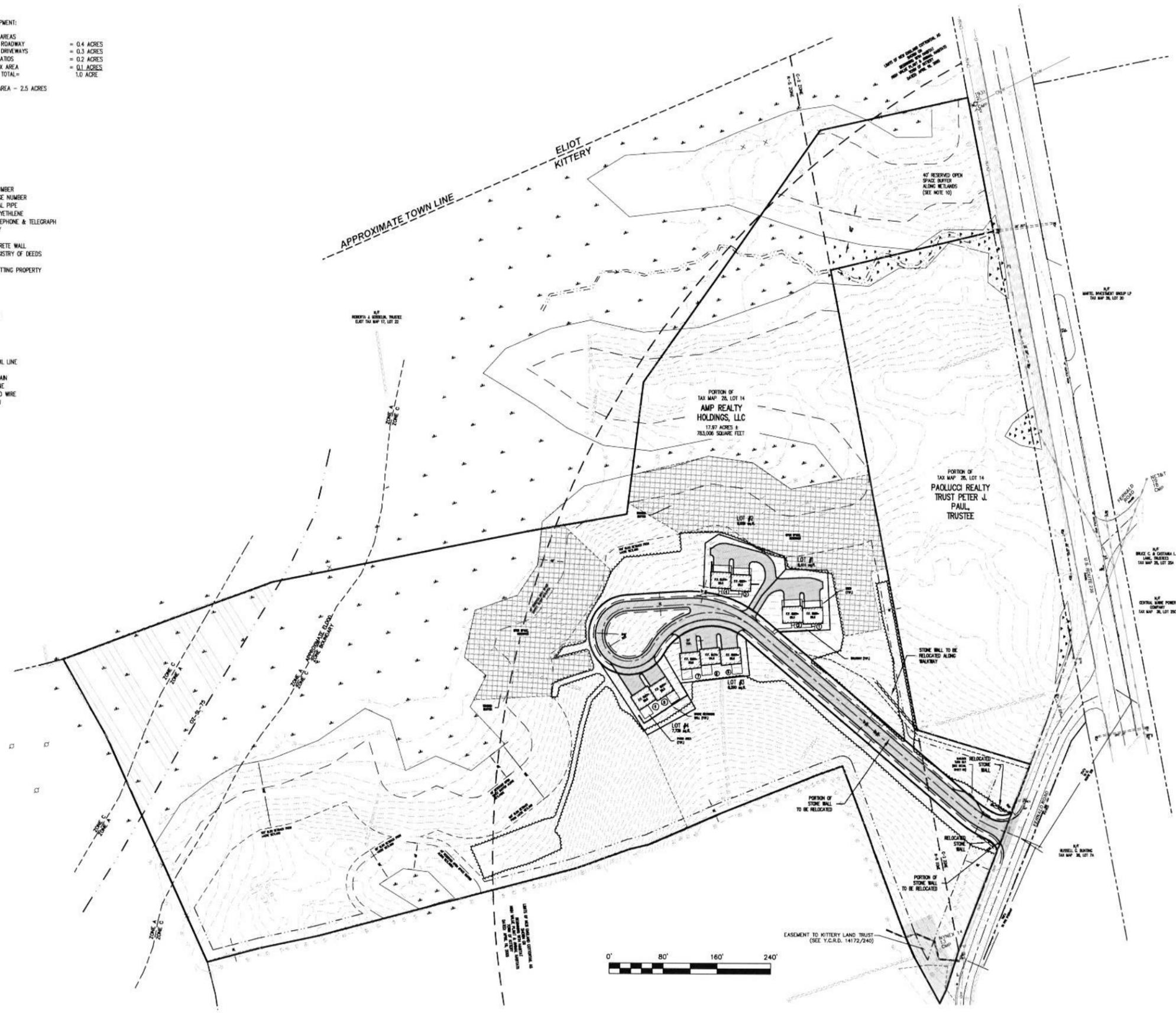
SHEET 1 of 7
PROJECT #12-198.00

NOTES:

1. 9 UNIT MULTIFAMILY DEVELOPMENT:
- APPROXIMATE IMPERVIOUS AREAS
 - ROADWAY DRIVEWAYS = 0.4 ACRES
 - BUILDINGS/PARKS/PATIOS = 0.3 ACRES
 - GRAVEL SHOULDER/MALBOX AREA = 0.2 ACRES
 - TOTAL = 0.9 ACRES
- APPROXIMATE DISTURBED AREA = 2.5 ACRES

LEGEND

- 2/60 TAX MAP / LOT NUMBER
- 9374/148 DEED BOOK / PAGE NUMBER
- CMP CORRUGATED METAL PIPE
- HDPE HIGH DENSITY POLYETHYLENE
- NET&T NEW ENGLAND TELEPHONE & TELEGRAPH
- N/T NOW OF FORMERLY
- OHW OVERHEAD WIRE
- RCP REINFORCED CONCRETE WALL
- Y.C.R.D. YORK COUNTY REGISTRY OF DEEDS
- PROPERTY LINE
- APPROXIMATE ABUTTING PROPERTY
- SETBACK
- BENCHMARK
- IRON ROD FOUND
- BOUND FOUND
- EXISTING CONTOUR
- METLAND
- STONE WALL
- TEST PIT
- SIGN
- HIGH INTENSITY SOIL LINE
- STREAM
- EXISTING WATER MAIN
- EXISTING DRAIN LINE
- EXISTING OVERHEAD WIRE
- EXISTING GAS MAIN
- UTILITY POLE
- OUT
- WATER VALVE
- HYDRANT



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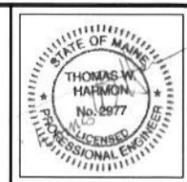
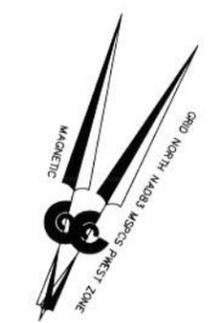
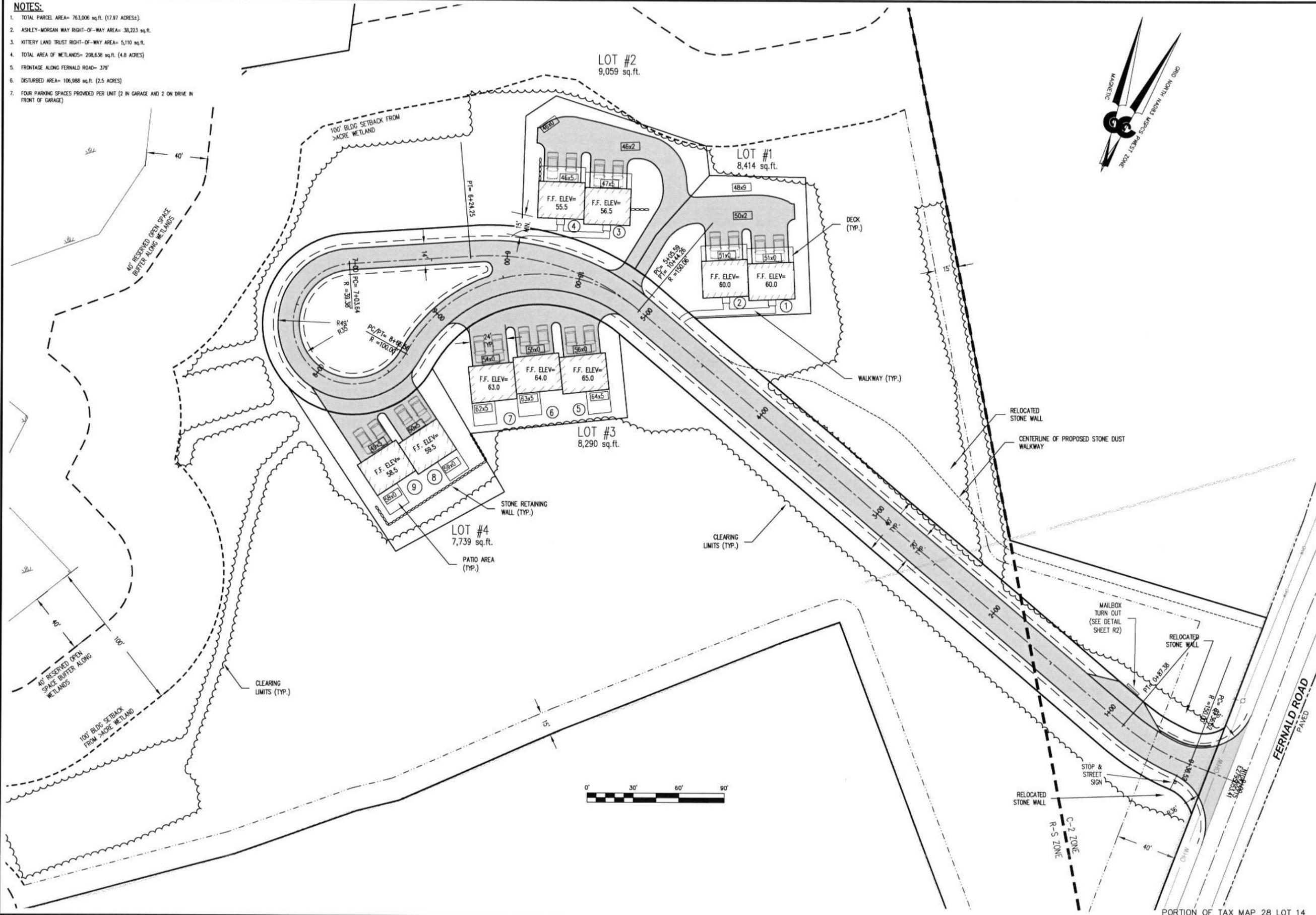
NO.	REVISIONS	INT.	DATE
2	ADJUST RIGHT-OF-WAY UPDATE OPEN SPACE	JAA	03/25/15
1		JAA	10/20/13

BARTLETT HILL
A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
LAND OF AMP REALTY HOLDINGS, LLC
U.S. ROUTE 236 KITTERY, MAINE
PREPARED FOR:
PETER J. PAUL
MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELLIOT, MAINE 03903

CIVIL CONSULTANTS

DRAWN	JAA	CALC.	JES
DATE	12 SEPTEMBER 2013		
CHECKED			
APPROVED			
SCALE	1"=80'		
SHEET TITLE:	OVERALL MULTIFAMILY SITE PLAN		
SHEET NUMBER:	C2		
SHEET 2 of 7			
PROJECT	#12-198.00		

- NOTES:**
- TOTAL PARCEL AREA= 763,006 sq.ft. (17.97 ACRES)
 - ASHLEY-MORGAN WAY RIGHT-OF-WAY AREA= 38,223 sq.ft.
 - KITTERY LAND TRUST RIGHT-OF-WAY AREA= 5,110 sq.ft.
 - TOTAL AREA OF WETLANDS= 208,638 sq.ft. (4.8 ACRES)
 - FRONTAGE ALONG FERNALD ROAD= 379'
 - DISTURBED AREA= 106,988 sq.ft. (2.5 ACRES)
 - FOUR PARKING SPACES PROVIDED PER UNIT (2 IN GARAGE AND 2 ON DRIVE IN FRONT OF GARAGE)

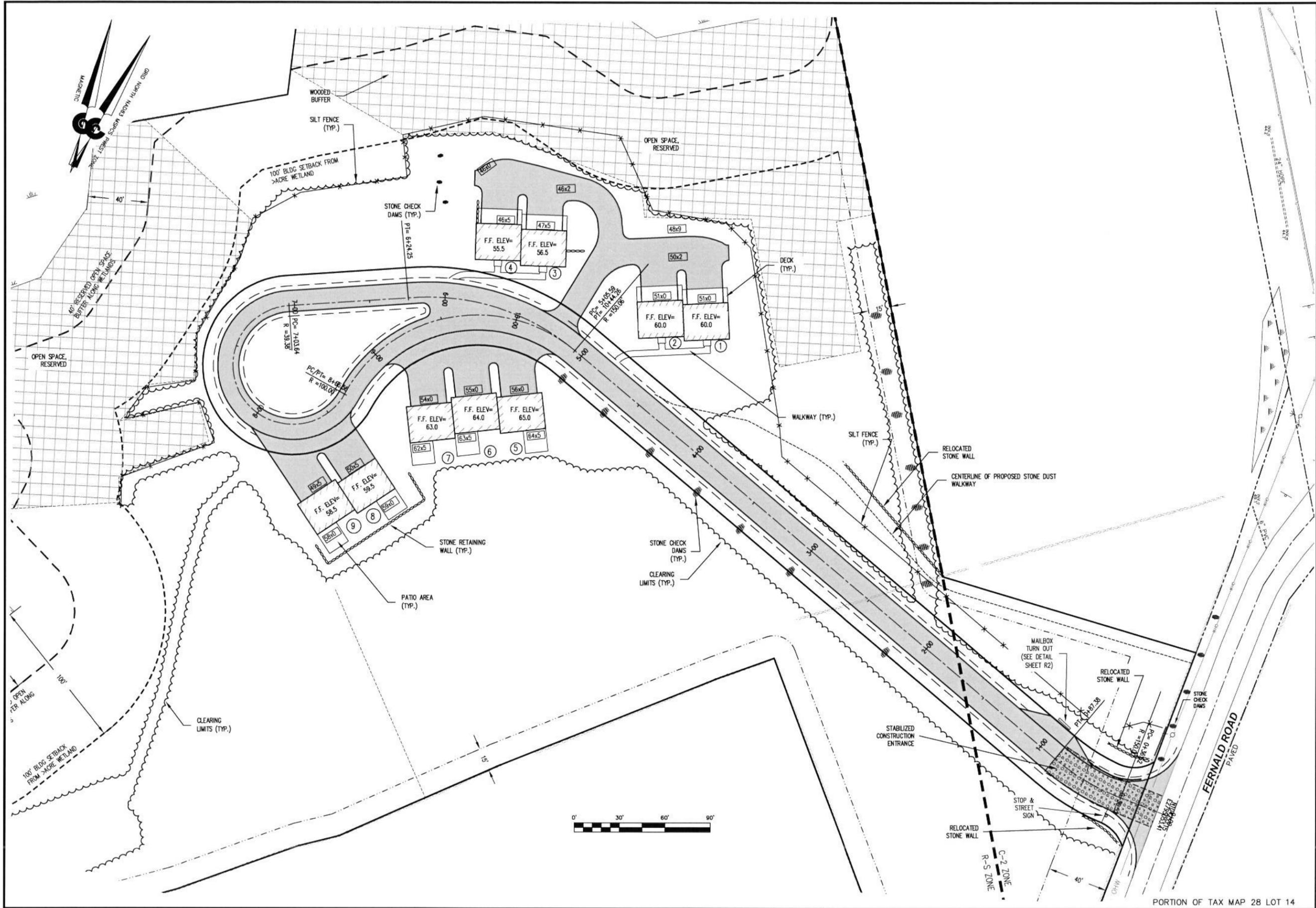


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NO.	REVISIONS	INT.	DATE
1	ADJUST RIGHT-OF-WAY	JAA	03/25/13

A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
 PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
 DRAWN: JAA CALC: JES
 DATE: 12 SEPTEMBER 2013
 CHECKED:
 APPROVED:
 SCALE: 1"=30'
 SHEET TITLE:
 LAYOUT PLAN
 SHEET NUMBER:
C3
 SHEET 3 of 7
 PROJECT #12-198.00



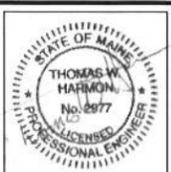
CIVIL CONSULTANTS
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NO.	REVISIONS	DATE
2	ADJUST RIGHT-OF-WAY	JAA 03/25/15
1	UPDATE OPEN SPACE	JAA 10/20/13

BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
 PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03803

CIVIL CONSULTANTS
 DRAWN JAA CALC. JES
 DATE 12 SEPTEMBER 2013
 CHECKED
 APPROVED

SCALE 1"=30'
 SHEET TITLE:
EROSION CONTROL PLAN
 SHEET NUMBER:
C4
 SHEET 4 of 7
 PROJECT # 12-198.00



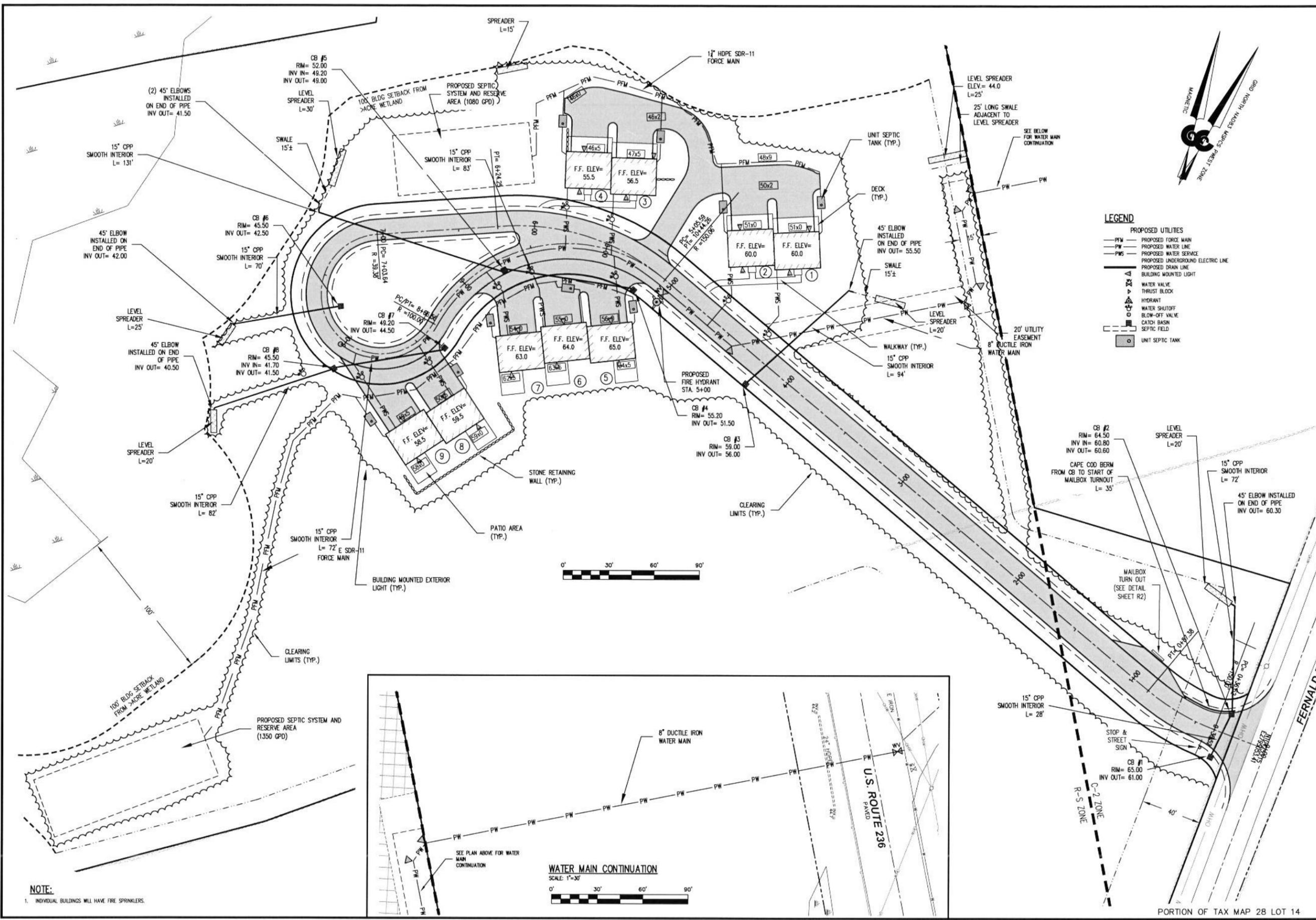
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NO.	DATE	INT.	REVISIONS
1	10/20/13		UPGRADE BRANCHED STRUCTURES
2	03/25/15		ADJUST RIGHT-OF-WAY

BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELDT, MAINE 03903

CIVIL CONSULTANTS

DRAWN	JAA	CALC.	JES
DATE	12 SEPTEMBER 2013		
CHECKED			
APPROVED			
SCALE	1"=30'		
SHEET TITLE:	UTILITY PLAN		
SHEET NUMBER:	C5		
SHEET 5 of 7			
PROJECT	12-198.00		



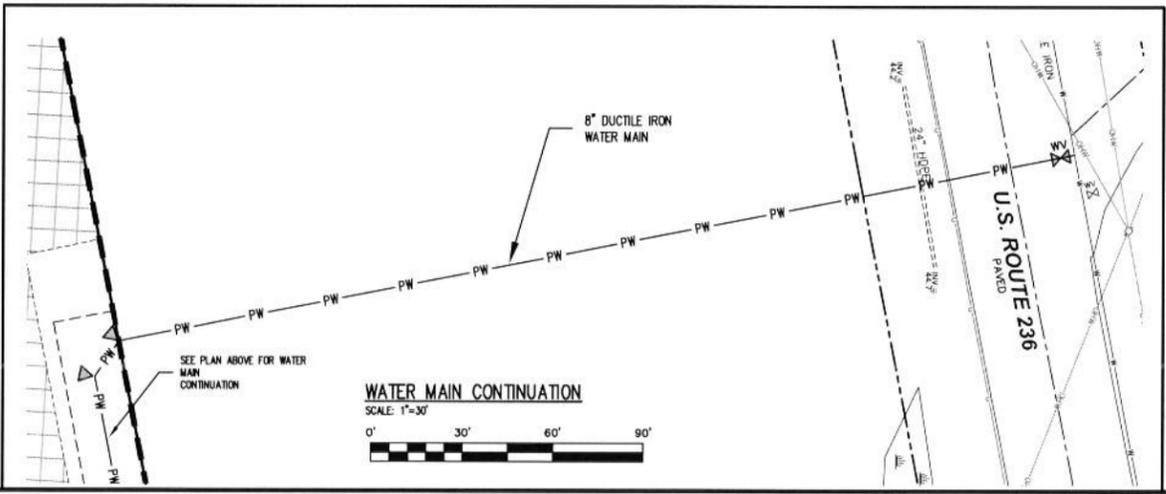
LEGEND

PROPOSED UTILITIES

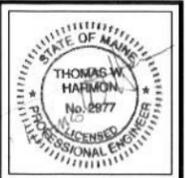
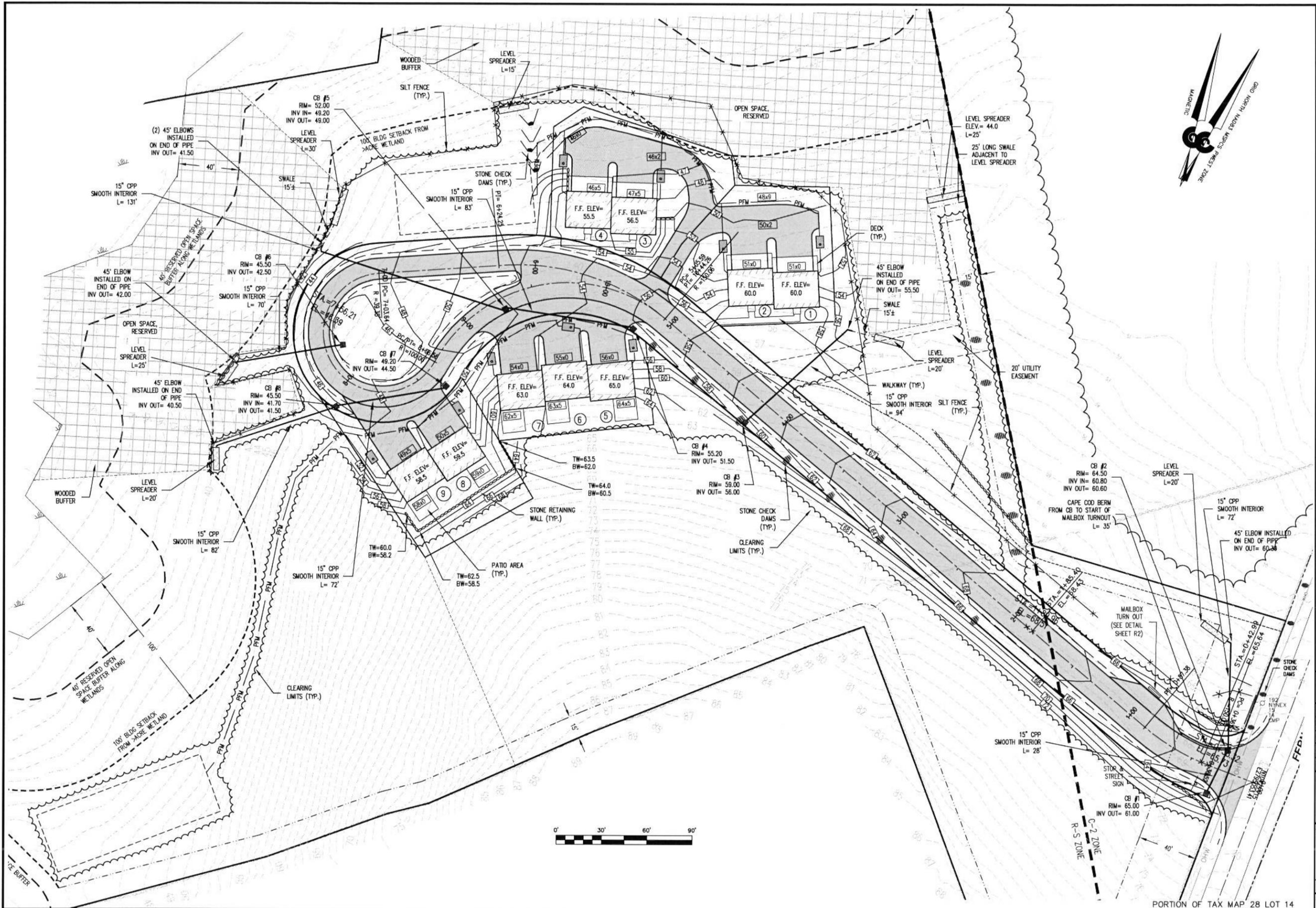
- PFW — PROPOSED FORCE MAIN
- PW — PROPOSED WATER LINE
- PWS — PROPOSED WATER SERVICE
- — PROPOSED UNDERGROUND ELECTRIC LINE
- — PROPOSED DRAIN LINE

BUILDING MOUNTED LIGHT

- ▲ — WATER VALVE
- — THRUST BLOCK
- ▲ — HYDRANT
- ▲ — WATER SHUTOFF
- ▲ — BLOW-OFF VALVE
- ▲ — CATCH BASIN
- ▲ — SEPTIC FIELD
- — UNIT SEPTIC TANK



NOTE:
 1. INDIVIDUAL BUILDINGS WILL HAVE FIRE SPRINKLERS.



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NO.	REVISIONS	INT.	DATE
2	ADJUST RIGHT-OF-WAY	JAA	03/25/15
1	UPDATE STORMWATER TREATMENT BUFFERS	N.P.	10/20/13

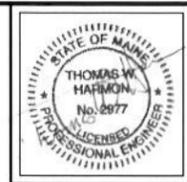
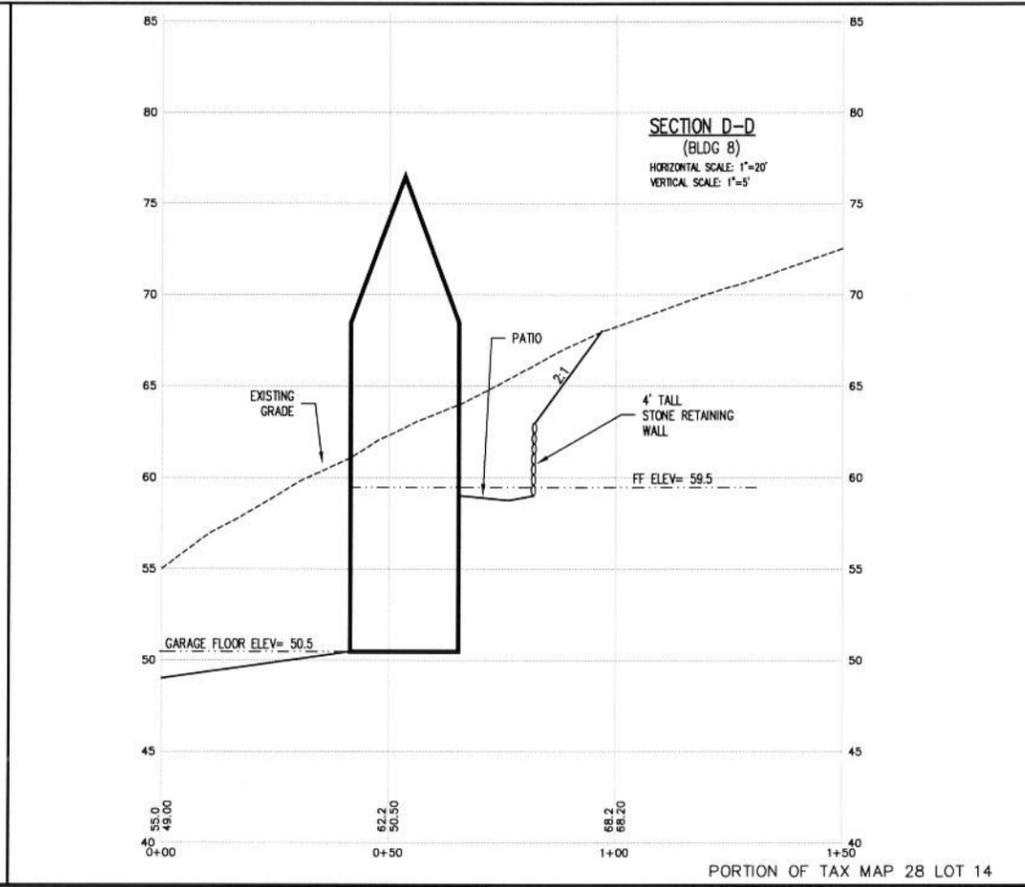
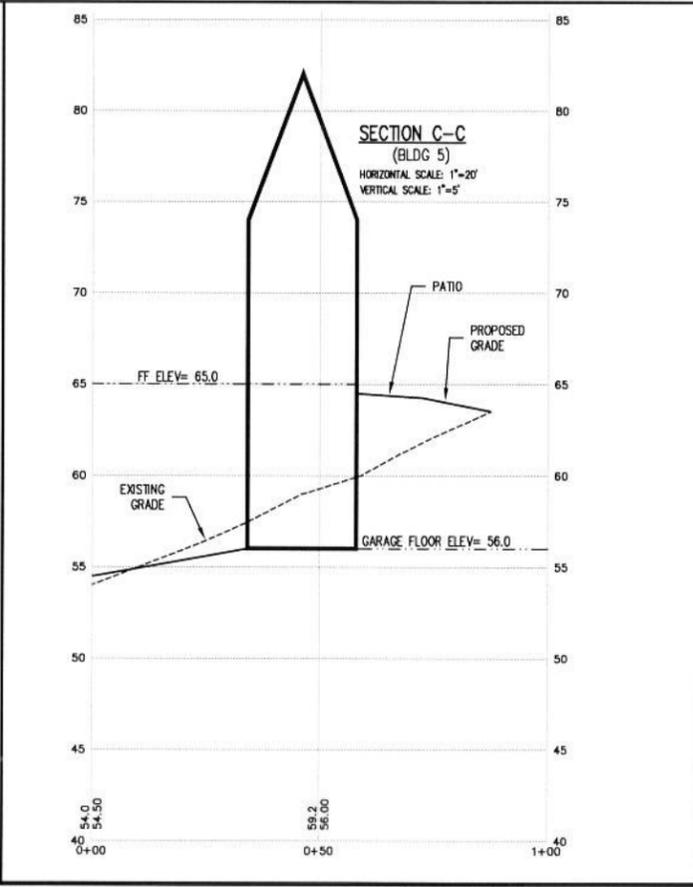
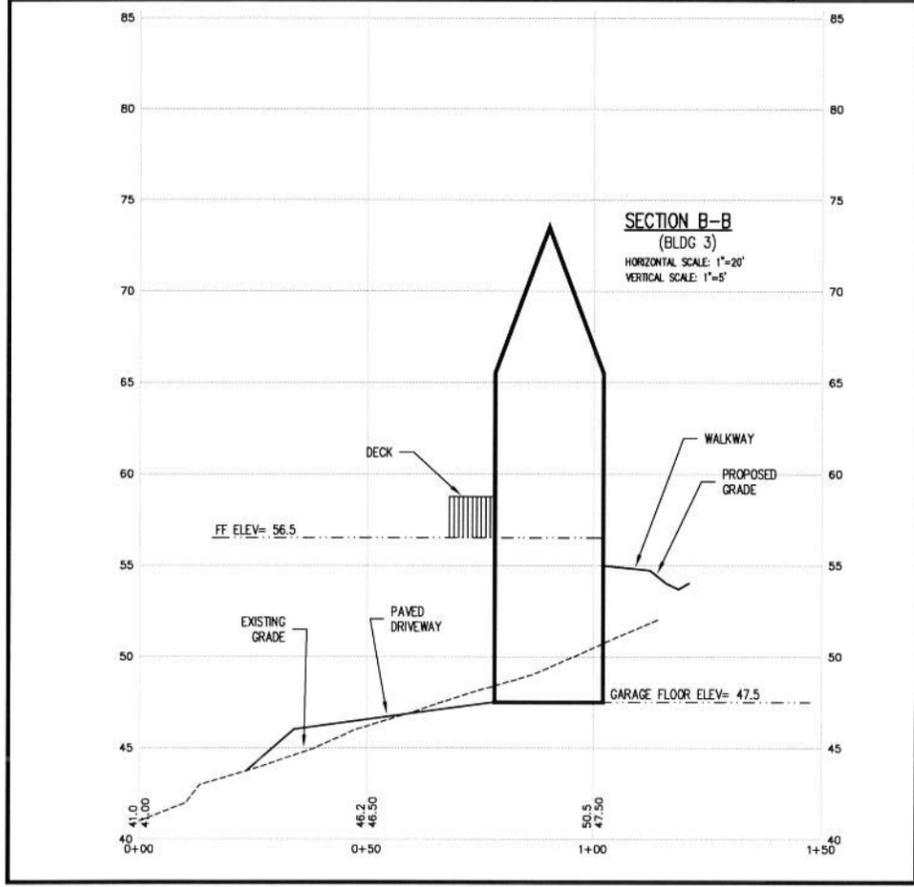
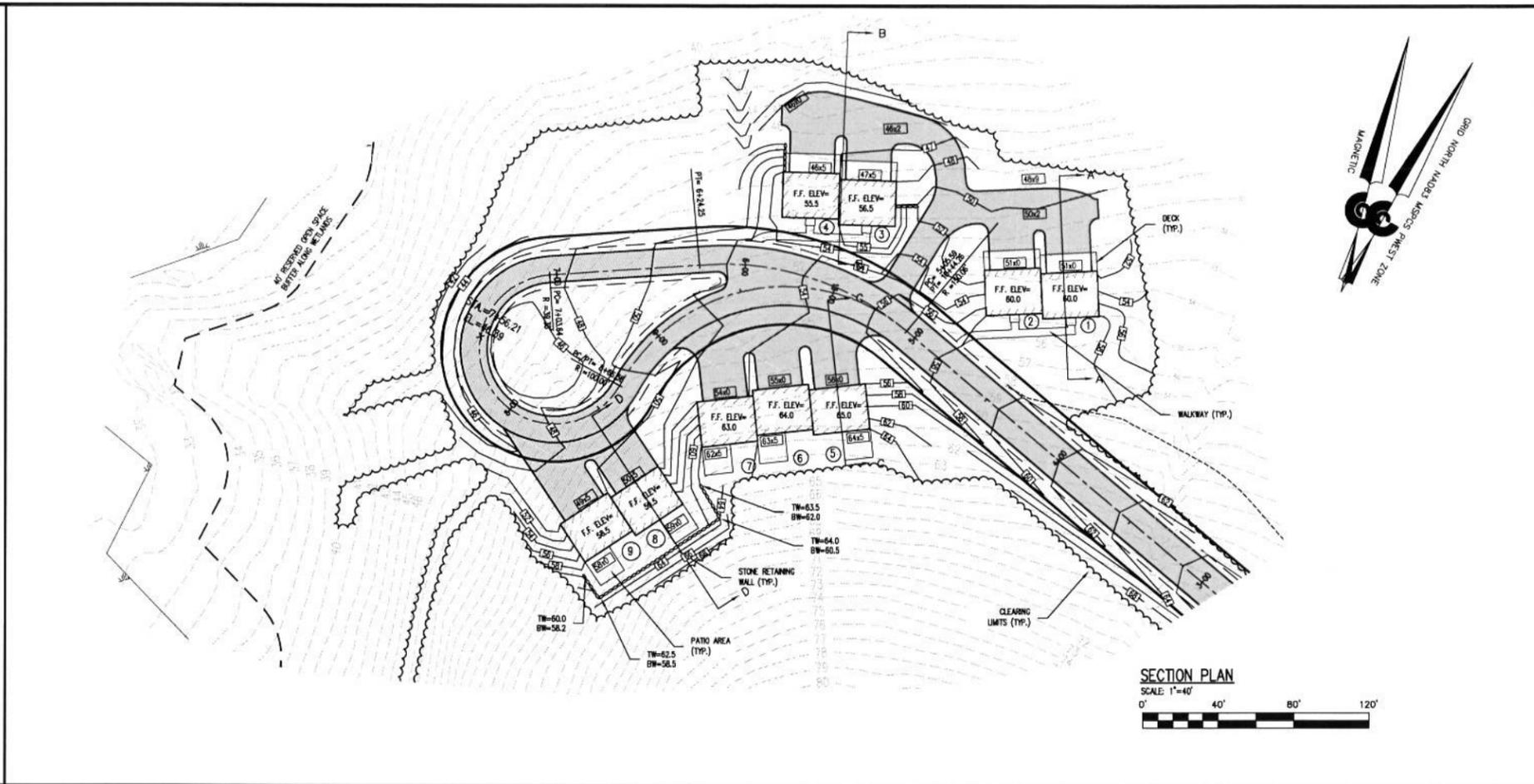
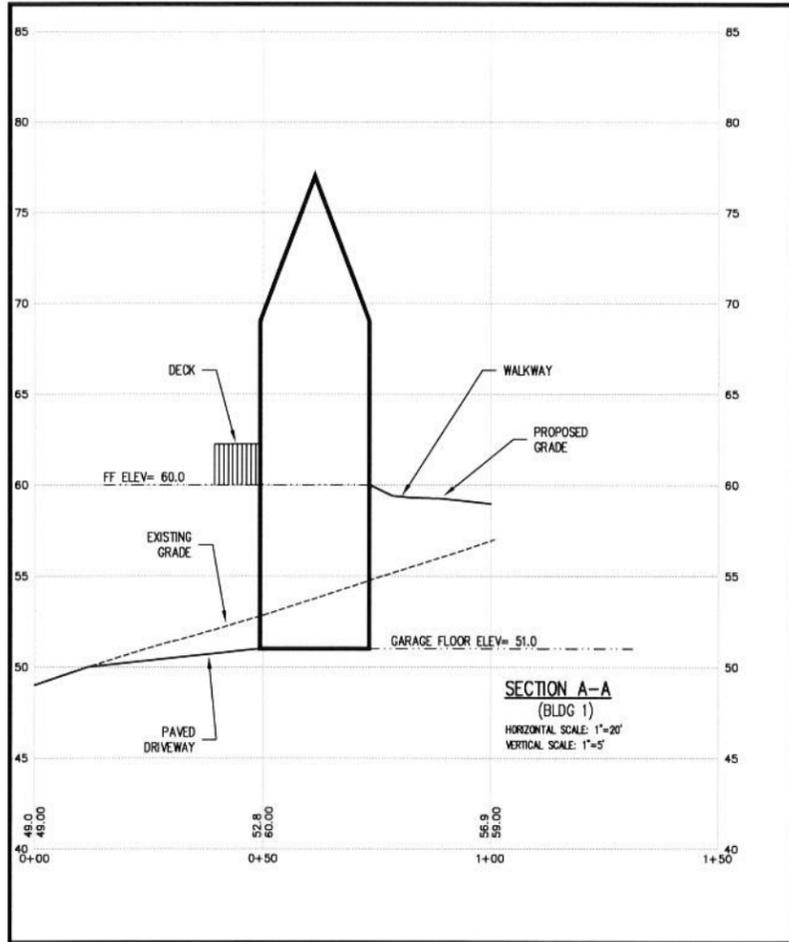
BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
PETER J. PAUL
 MAILING ADDRESS: 281 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
 DRAWN: JAA
 CALC: JES
 DATE: 12 SEPTEMBER 2013

CHECKED
 APPROVED
 SCALE: 1"=30'

SHEET TITLE:
GRADING & DRAINAGE PLAN

SHEET NUMBER:
C6
 SHEET 6 of 7
 PROJECT #12-198.00

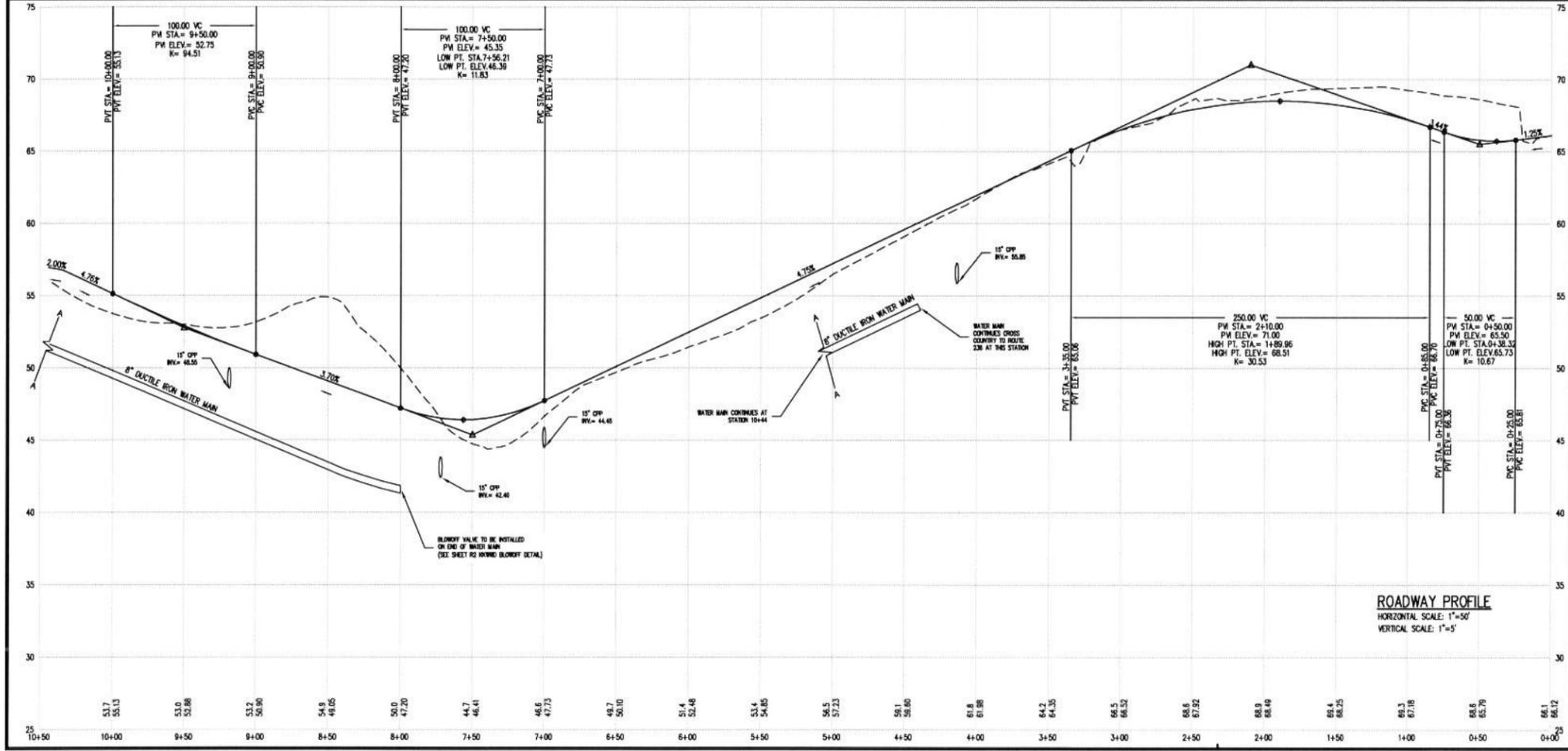
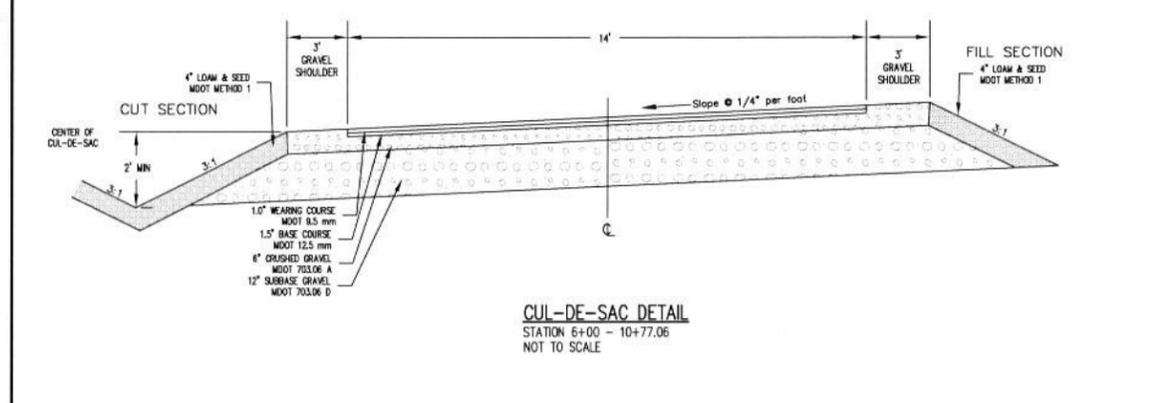
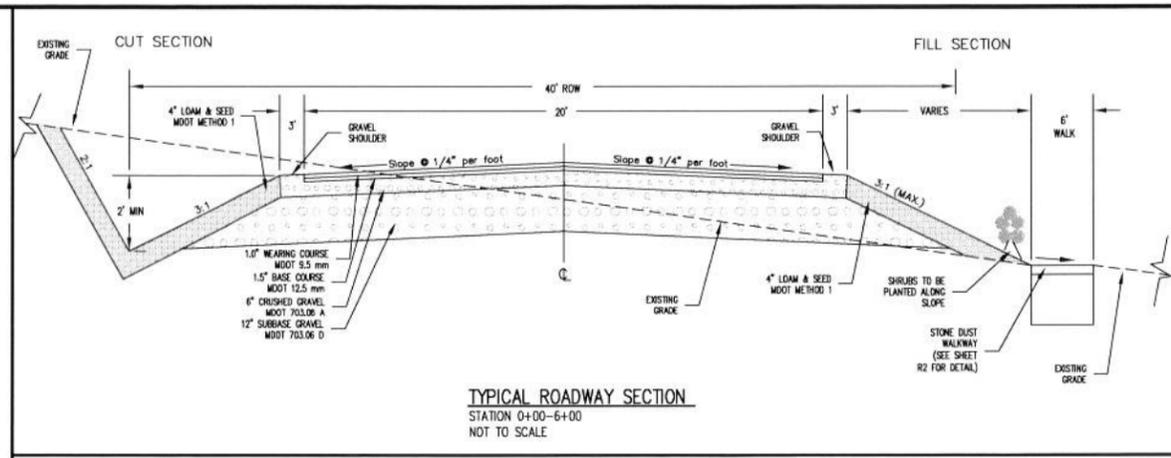
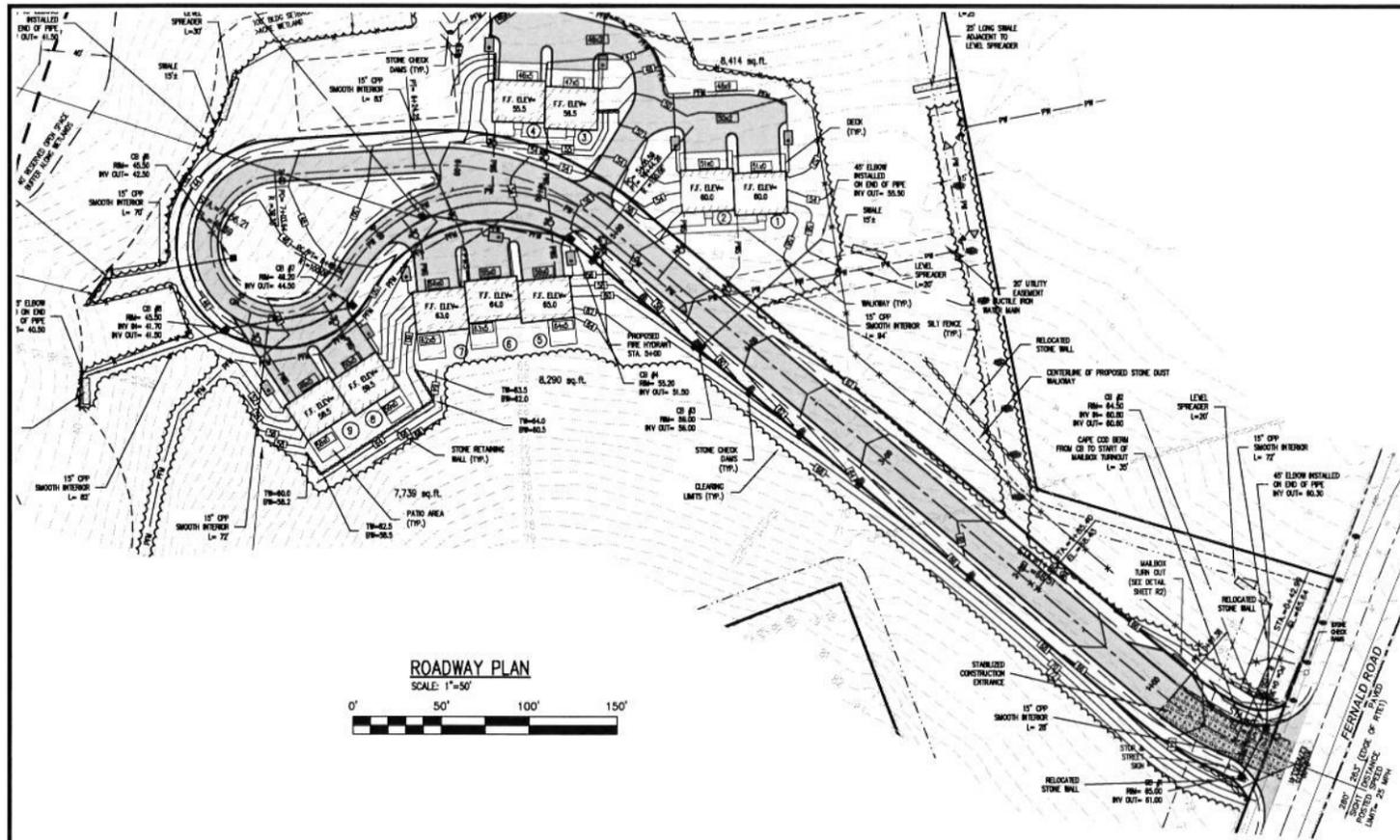


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NO.	REVISIONS	INT.	DATE
1	ADJUST RIGHT-OF-WAY & UPDATE BLDG SECTIONS	JAA	03/25/15

BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
 PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELLOT, MAINE 03903

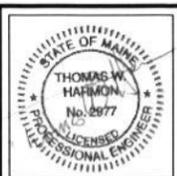
CIVIL CONSULTANTS	
DRAWN JAA	CALC. JES
DATE 12 SEPTEMBER 2013	
CHECKED	
APPROVED	
SCALE AS NOTED	
SHEET TITLE: SECTIONS	
SHEET NUMBER: C7	
SHEET 7 of 7	
PROJECT # 12-198.00	



NOTES:

- ASSESSOR'S INFORMATION: TOWN OF KITTELY, PORTION OF ASSESSOR'S MAP 28 LOT 14
- RECORD OWNER: AMP REALTY HOLDINGS, LLC, 281 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903
- DEED REFERENCE: Y.C.R.D. 16573/762, Y.C.R.D. 16505/598
- ZONING INFORMATION: RESIDENTIAL SUBURBAN (R-S) ZONE

LOT SIZE:	40,000 sq. ft.	PROPOSED:	MIN. 7,800 sq. ft., PROPOSED
MINIMUM FRONTAGE:	150'	MINIMAL INDIVIDUAL FRONTAGE PROPOSED:	
FRONT YARD SETBACKS:	40'	0' SETBACK FROM INTERNAL DRIVE/RIGHT-OF-WAY (MAINTAIN 15' TO EDGE OF SHOULDER)	
SIDE YARD SETBACKS:	15'	SIDE YARD SETBACK MAINTAINED AROUND PERIMETER OF PROJECT BOUNDARY.	
REAR YARD SETBACKS:	15'	REAR YARD SETBACK MAINTAINED FROM PERIMETER OF PROJECT BOUNDARY.	
MAXIMUM BUILDING HEIGHT:	35'	INTERNAL BLDG SEPARATION = 25' OR PER FIRE DEPARTMENT.	
MAXIMUM BUILDING COVERAGE:	20%	NO CHANGE	
- THE MAJORITY OF THE PARCEL IS LOCATED IN FLOOD HAZARD ZONE C AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF KITTELY, COMMUNITY PANEL NO. 230171, 0004 D, EFFECTIVE DATE: JULY 5, 1984. FLOOD ZONE C IS DEFINED AS AREAS OF MINIMAL FLOODING. A PORTION OF THE SOUTHWEST CORNER OF THE PARCEL IS LOCATED IN ZONE A. ZONE A IS DEFINED AS AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- TOTAL PARCEL AREA= 17.97 ACRES.
- COMMUNITY SEPTIC SYSTEM(S) WILL BE PROVIDED.
- PROJECT WILL BE SERVICED BY PUBLIC WATER FROM EXISTING WATER MAIN IN ROUTE 236. UNDERGROUND UTILITIES WILL BE PROVIDED.
- ASHLEY MORGAN WAY IS A PRIVATE ROAD AND WILL BE MAINTAINED AS A PRIVATE ROAD. THE ROADWAY WILL NOT BE ACCEPTED BY THE TOWN OF KITTELY UNLESS THE ROADWAY IS IMPROVED TO STANDARDS APPROVED BY THE KITTELY PLANNING BOARD AT THE TIME ACCEPTANCE IS PROPOSED.

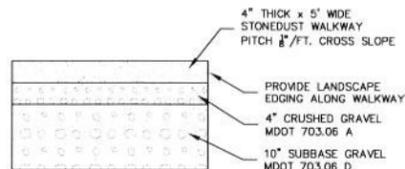


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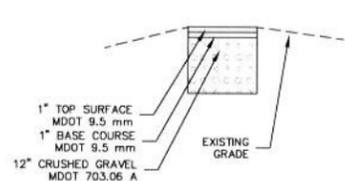
NO.	REVISIONS	INT.	DATE
2	ADJUST RIGHT-OF-WAY UPRATE BRANNE STRUCTURES	JAA	03/25/15
1		JAA	10/20/13

BARTLETT HILL
A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
LAND OF AMP REALTY HOLDINGS, LLC
U.S. ROUTE 236 KITTELY, MAINE
PREPARED FOR:
PETER J. PAUL
MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

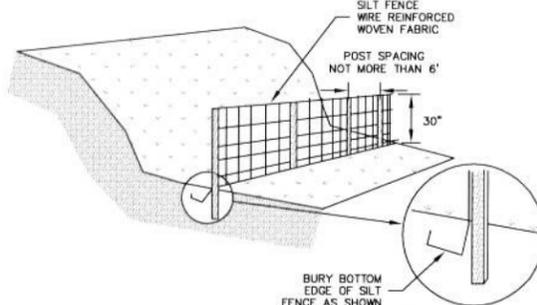
CIVIL CONSULTANTS
DRAWN: JAA, CALC.: JES
DATE: 12 SEPTEMBER 2013
CHECKED:
APPROVED:
SCALE: AS NOTED
SHEET TITLE:
ROADWAY PLAN & PROFILE
SHEET NUMBER:
R1
SHEET 1 of 3
PROJECT # **12-198.00**



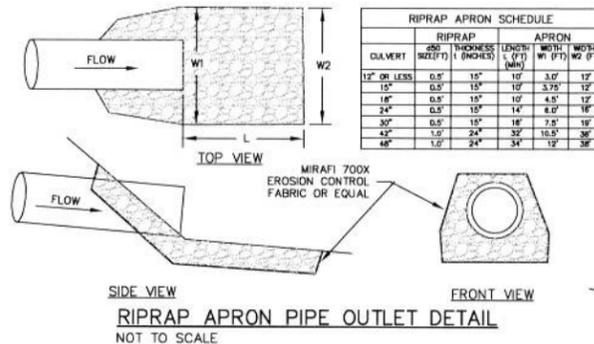
STONEDUST WALKWAY DETAIL
NOT TO SCALE



PAVED WALKWAY DETAIL
NOT TO SCALE

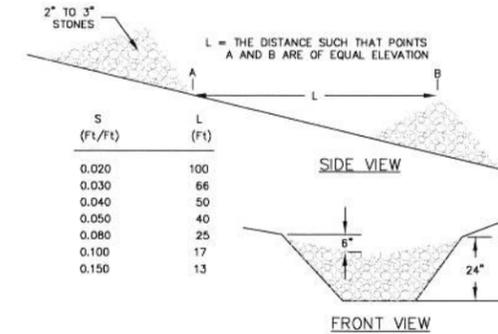


SILT FENCE DETAIL
NOT TO SCALE

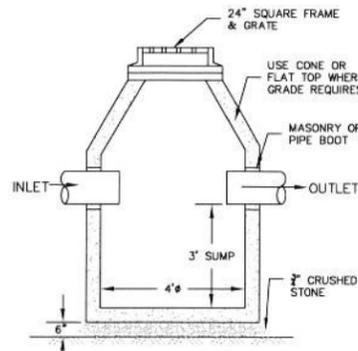


DIAVERT	RIPRAP		APRON	
	SIZE (INCHES)	THICKNESS (INCHES)	WIDTH (FT)	LENGTH (FT)
12" OR LESS	0.5"	18"	10'	3.0'
15"	0.5"	18"	10'	3.75'
18"	0.5"	18"	10'	4.5'
24"	0.5"	18"	14'	6.0'
30"	0.5"	18"	18'	7.5'
42"	1.0"	24"	32'	16.5'
48"	1.0"	24"	34'	17'

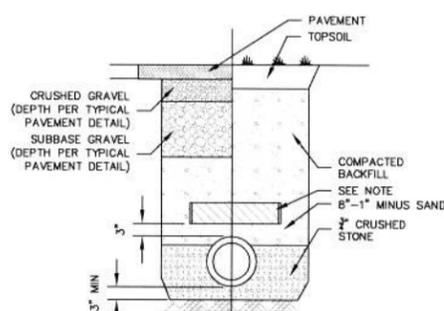
RIPRAP APRON PIPE OUTLET DETAIL
NOT TO SCALE



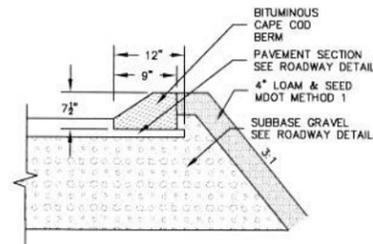
STONE CHECK DAM DETAIL
NOT TO SCALE



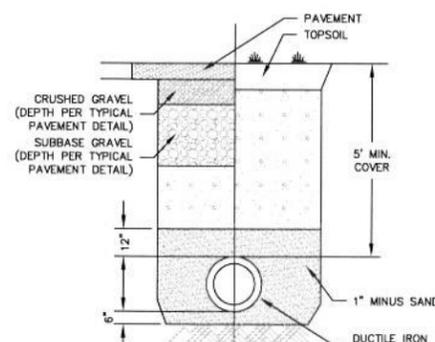
CATCH BASIN DETAIL
NOT TO SCALE



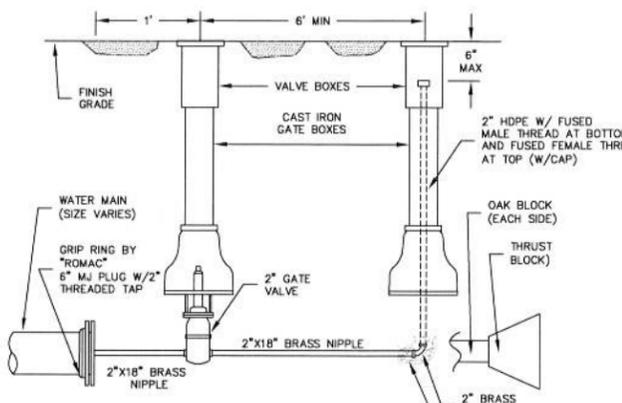
DRAINLINE TRENCH DETAIL
NOT TO SCALE



CAPE COD BERM DETAIL
NOT TO SCALE

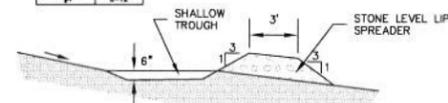


WATERLINE TRENCH DETAIL
NOT TO SCALE

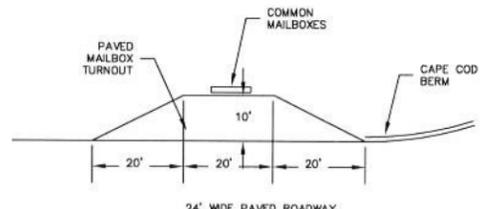


KKWWD BLOWOFF DETAIL
NOT TO SCALE

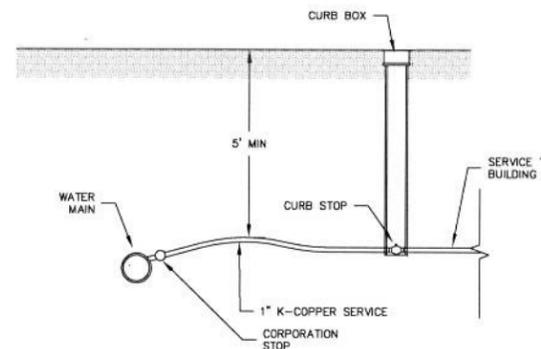
BERM STONE SIZE	BY WEIGHT
12"	100
6"	84-100
3"	80-83
1"	42-50
#1	8-12



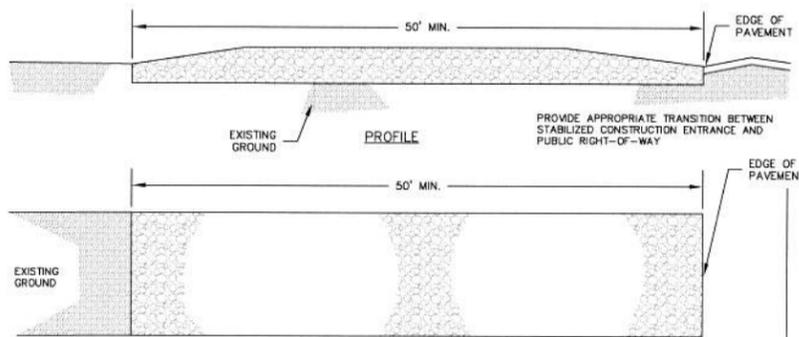
STONE LINED LEVEL LIP SPREADER DETAIL
NOT TO SCALE



MAILBOX TURNOUT DETAIL
NOT TO SCALE



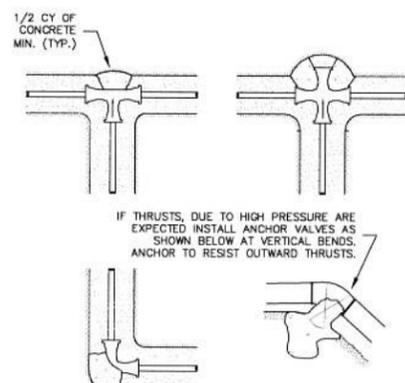
WATER SERVICE CONNECTION
NOT TO SCALE



CONSTRUCTION SPECIFICATIONS

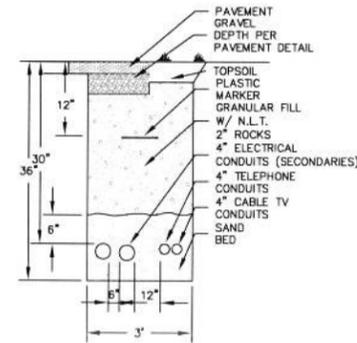
- STONE SIZE - AASHTO DESIGNATION M43, SIZE NO 2 (2-1/2" TO 1-1/2"). USE CRUSHED STONE.
- LENGTH - AS EFFECTIVE, BUT NOT LESS THAN 50 FEET.
- THICKNESS - NOT LESS THAN EIGHT (8) INCHES.
- WIDTH - NOT LESS THAN FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS.
- WASHING - WHEN NECESSARY, WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY. WHEN WASHING IS REQUIRED IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH, OR WATER COURSE THROUGH USE OF SAND BAGS, GRAVEL, BOARDS, OR OTHER APPROVED METHODS.
- MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR PERIODIC TOP DRESSING WITH ADDITIONAL STONE 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.

STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE

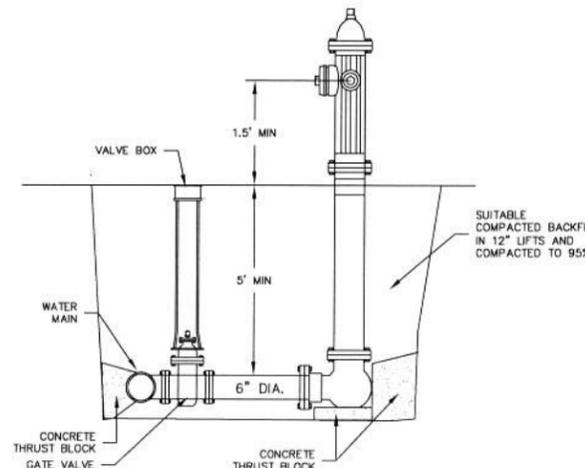


CONCRETE THRUST BLOCKS ARE CONSTRUCTED BY POURING CONCRETE BETWEEN THE FITTING AND THE UNDISTURBED BEARING WALL OF THE TRENCH. A DRY MIXTURE IS PREPARED SO THAT THE CONCRETE MAY BE EASILY SHAPED INTO THE DESIRED FORM, A WEDGE WITH THE WIDE END AGAINST THE SOLID WALL. NOTE THE SHAPES AND POSITIONS OF THE THRUST BLOCKS IN THE DRAWINGS.

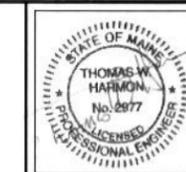
THRUST BLOCK DETAIL
NOT TO SCALE



ELECTRICAL & TELEPHONE TRENCH DETAIL
NOT TO SCALE



FIRE HYDRANT DETAIL
NOT TO SCALE



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NO.	DATE	REVISIONS
1		

BARTLETT HILL
A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
LAND OF AMP REALTY HOLDINGS, LLC
U.S. ROUTE 236 KITTERY, MAINE
PREPARED FOR:
PETER J. PAUL
MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
DRAWN JAA CALC. JES
DATE 12 SEPTEMBER 2013
CHECKED
APPROVED
SCALE AS NOTED
SHEET TITLE:
CONSTRUCTION DETAILS

SHEET NUMBER:
R2
SHEET 2 of 3
PROJECT #12-198.00

MAINTENANCE PROCEDURES

THE FOLLOWING PROCEDURES WILL BE FOLLOWED FOR INITIAL AND LONG TERM MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES AT THIS SITE. NOTE: FOR THE PURPOSES OF THESE PROCEDURES, A MAJOR STORM EVENT IS CLASSIFIED AS A RAINFALL EXCEEDING 3.0 INCHES. A SIGNIFICANT RAINFALL IS 1/2" IN A 24 HOUR PERIOD.

MAINTENANCE LOG

THE RESPONSIBLE PARTY SHALL ESTABLISH A MAINTENANCE LOG/PLAN FOR USE IN RECORDING MAINTENANCE ACTIVITIES. AS A MINIMUM, THE LOG SHALL INCLUDE: THE DATE(S) OF ACTIVITIES, WHO PERFORMED THE DUTIES, WHAT WAS DONE (I.E. LOOKED AT DETENTION BERMS, CLEANED DROP INLETS, ETC.), THE RESULTS OF THE ACTIVITY (I.E. ALL STRUCTURES WERE IN GOOD SHAPE, OR, POND #44 NEEDS TO BE REPAIRED), IF ANY ITEM NEEDS TO BE REPAIRED, A FOLLOW-UP ENTRY SHALL SHOW THE DATE THAT REPAIRS WERE COMPLETED.

DETENTION BASINS (INITIAL AND LONG TERM)

MAINTENANCE IS NECESSARY IF DETENTION BASINS ARE TO CONTINUE TO FUNCTION AS ORIGINALLY DESIGNED. THE RESPONSIBLE PARTY SHALL DESIGNATE AN INDIVIDUAL (OR COMPANY) TO MAINTAIN THE STRUCTURES AND THE BASIN AREA.

THE FOLLOWING MAINTENANCE SCHEDULE ARE ITEMS WHICH SHOULD BE CONSIDERED IN FORMULATING A MAINTENANCE PLAN:

1. EMBANKMENT – EMBANKMENTS SHOULD BE INSPECTED ANNUALLY TO DETERMINE IF RODENT BURROWS, WET AREAS, OR EROSION OF THE FILL IS TAKING PLACE.
2. VEGETATION – THE VEGETATED AREAS OF STRUCTURE DEVICES SHOULD BE PROTECTED FROM DAMAGE BY FIRE, GRAZING, TRAFFIC, AND DENSE WEED GROWTH. LIME AND FERTILIZER SHOULD BE APPLIED AS NECESSARY AS DETERMINED BY SOIL TESTS. TREES AND SHRUBS SHOULD BE KEPT OFF THE EMBANKMENT AND EMERGENCY SPILLWAY AREAS.
3. INLETS – PIPE INLETS AND SPILLWAY STRUCTURES SHOULD BE CHECKED ANNUALLY AND AFTER EVERY MAJOR STORM. ACCUMULATED DEBRIS AND SEDIMENT SHOULD BE REMOVED. IF PIPES ARE COATED, THE COATING SHOULD BE CHECKED AND REPAIRED AS NECESSARY.
4. OUTLETS – PIPE OUTLETS SHOULD BE INSPECTED ANNUALLY AND AFTER EVERY MAJOR STORM. THE CONDITION OF THE PIPES SHOULD BE NOTED AND REPAIRS MADE AS NECESSARY. IF EROSION IS TAKING PLACE THEN MEASURES SHOULD BE TAKEN TO STABILIZE AND PROTECT THE AFFECTED AREA OF THE OUTLET.
5. SEDIMENT – SEDIMENT SHOULD BE CONTINUALLY CHECKED IN THE BASIN. WHEN SEDIMENT ACCUMULATIONS REACH THE PREDETERMINED DESIGN ELEVATION, THEN THE SEDIMENT SHOULD BE REMOVED AND PROPERLY DISPOSED OF.
6. SAFETY INSPECTIONS – ALL BERMS OVER 2' IN HEIGHT SHALL BE INSPECTED BY A QUALIFIED PROFESSIONAL ENGINEER EVERY 5 YEARS. THE DESIGNATED INDIVIDUAL SHOULD ALSO MAKE INSPECTIONS AFTER EVERY MAJOR STORM EVENT.

LAND GRADING AND SLOPE STABILIZATION

ALL SLOPES SHOULD BE CHECKED PERIODICALLY TO SEE THAT VEGETATION IS IN GOOD CONDITION. ANY RILLS OR DAMAGE FROM EROSION AND ANIMAL BURROWING SHOULD BE REPAIRED IMMEDIATELY TO AVOID FURTHER DAMAGE. IF SEEPS DEVELOP ON THE SLOPES, THE AREA SHOULD BE EVALUATED TO DETERMINE IF THE SEEP WILL CAUSE AN UNSTABLE CONDITION. SUBSURFACE DRAINS OR GRAVEL MULCHING MAY BE REQUIRED TO SOLVE SEEP PROBLEMS. DIVERSIONS, BERMS, AND WATERWAYS IN THE LAND GRADING AREA SHOULD BE CHECKED TO SEE THAT THEY ARE FUNCTIONING PROPERLY. PROBLEMS FOUND DURING THE INSPECTIONS SHOULD BE REPAIRED. SLOPES AND ASSOCIATED PRACTICES UTILIZING VEGETATION SHOULD BE LIMED AND FERTILIZED AS NECESSARY TO KEEP THE VEGETATION HEALTHY. ENROACHMENT OF UNDESIRABLE VEGETATION SUCH AS WEEDS AND WOODY GROWTH THAT IS NOT PLANNED SHOULD BE CONTROLLED TO AVOID PROBLEMS OF BANK STABILITY IN THE FUTURE.

LEVEL SPREADER

LEVEL SPREADERS SHOULD BE CHECKED PERIODICALLY AND AFTER EVERY MAJOR STORM TO DETERMINE IF THE LIP HAS BEEN DAMAGED AND THAT THE DESIGN CONDITIONS HAVE NOT CHANGED. ANY SEDIMENT ACCUMULATION SHOULD BE REMOVED. DAMAGE SHOULD BE REPAIRED AND RE-VEGETATED. THE VEGETATION SHOULD BE MOWED OCCASIONALLY TO CONTROL WEEDS AND THE ENROACHMENT OF WOODY VEGETATION. CLIPPINGS SHOULD BE REMOVED AND DISPOSED OF OUTSIDE THE SPREADER AND AWAY FROM THE OUTLET AREA. FERTILIZATION SHOULD BE DONE AS NECESSARY TO KEEP THE VEGETATION HEALTHY AND DENSE.

OUTLET PROTECTION

OUTLET PROTECTION SHOULD BE CHECKED AT LEAST ANNUALLY AND AFTER EVERY MAJOR STORM. IF THE RIPRAP HAS BEEN DISPLACED, UNDERMINED OR DAMAGED, IT SHOULD BE REPAIRED. THE CHANNEL IMMEDIATELY BELOW THE OUTLET SHOULD BE CHECKED TO SEE THAT EROSION IS NOT OCCURRING. THE DOWNSTREAM CHANNEL SHOULD BE KEPT CLEAR OF OBSTRUCTIONS SUCH AS FALLEN TREES, DEBRIS, AND SEDIMENT THAT COULD CHANGE FLOW PATTERNS AND/OR TAILWATER DEPTHS ON THE RIPRAP. REPAIRS MUST BE CARRIED OUT TO AVOID ADDITIONAL DAMAGE TO THE OUTLET PROTECTION APRON.

ROCK RIPRAP (INITIAL & LONG TERM)

ROCK RIPRAP SHOULD BE CHECKED AT LEAST ANNUALLY AND AFTER EVERY MAJOR STORM TO DETERMINE IF THE RIPRAP HAS BEEN DISPLACED, UNDERMINED OR DAMAGED. WOODY VEGETATION SHOULD BE REMOVED FROM THE ROCK RIPRAP ANNUALLY. IF THE RIPRAP IS ON A CHANNEL BANK, THE STREAM SHOULD BE KEPT CLEAR OF OBSTRUCTIONS. IF DAMAGE HAS OCCURRED, REPAIRS MUST BE CARRIED OUT IMMEDIATELY TO AVOID ADDITIONAL DAMAGE TO THE RIPRAP.

STORM DRAIN INLET PROTECTION

ALL STRUCTURES SHALL BE INSPECTED AFTER SIGNIFICANT RAIN EVENTS AND REPAIRED AS NEEDED.

SEDIMENT SHALL BE REMOVED AND THE STORMDRAIN SEDIMENT BARRIER RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE 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.

STRUCTURES SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE REMAINING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.

ALL CATCHBASINS AND STORMDRAIN INLETS SHALL BE CLEANED AT THE END OF CONSTRUCTION AND AFTER THE SITE HAS BEEN FULLY STABILIZED.

STRAW OR HAY BALE BARRIER, SILT FENCE AND FILTER BERM

HAY BALE BARRIERS, SILT FENCES AND FILTER BERMS SHALL BE INSPECTED AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. THEY SHALL BE REPAIRED IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THEM; IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER 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 IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED.

SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THE DEPOSITS REACH APPROXIMATELY ONE-HALF OF THE HEIGHT OF THE BARRIER.

FILTER BERMS SHOULD BE RESHAPED AS NEEDED.

SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHOULD BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

TEMPORARY CHECK DAMS

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

CHECK DAMS MUST BE CHECKED FOR SEDIMENT ACCUMULATION AFTER EACH SIGNIFICANT RAINFALL. SEDIMENT MUST BE REMOVED WHEN IT REACHES ONE HALF THE ORIGINAL HEIGHT OF BEFORE.

IF IT POSSIBLE, LEAVE THE CHECK DAM IN PLACE PERMANENTLY. IN TEMPORARY DITCHES AND SWALES, CHECK DAMS MUST BE REMOVED WHEN A PERMANENT LINING HAS BEEN ESTABLISHED. IF A CHECK DAM MUST BE REMOVED FROM A GRASS LINED DITCH, WAIT UNTIL THE GRASS HAS MATURED TO PROTECT THE DITCH OR SWALE. THE AREA BENEATH THE CHECK DAM MUST BE SEEDED AND MULCHED REMOVAL.

STABILIZED CONSTRUCTION ENTRANCE (ANTI-TRACKING PAD)

EXITS SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. WHEN THE CONTROL PAD BECOMES INEFFECTIVE, THE STONE SHALL BE REMOVED ALONG WITH THE COLLECTED SOIL MATERIAL AND REDISTRIBUTED ON SITE IN A STABLE MANNER AND THE ENTRANCE RECONSTRUCTED. THE CONTRACTOR SHALL SWEEP OR WASH PAVEMENT AT EXITS, WHICH HAVE EXPERIENCED MUD-TRACKING ONTO THE PAVEMENT OR TRAVELED WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH AGGREGATE, WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING STORM DRAINS, DITCHES OR WATERWAYS.

CULVERTS

CULVERTS MUST BE MAINTAINED BY KEEPING INLETS, TRASH GUARDS, AND COLLECTION BOXES AND STRUCTURES CLEAN AND FREE OF MATERIALS THAT CAN REDUCE THE FLOW. ALL LEAKS SHALL BE REPAIRED TO ENSURE PROPER FUNCTIONING OF THE CULVERT. ANIMAL GUARDS MUST BE INSPECTED AND MAINTAINED IN PROPER WORKING ORDER.

ROAD DITCH TURN OUT

AFTER CONSTRUCTION, DITCH TURNOUTS SHALL BE CAREFULLY INSPECTED AND REPAIRED IF SIGNS OF CHANNELIZATION APPEAR. IT WILL BE NECESSARY TO REMOVE SEDIMENT FROM THE DITCH TURNOUT TRENCH WHEN THE SWALE IS FULL AND THE STRUCTURE IS NO LONGER FUNCTIONING PROPERLY.

VEGETATED SWALE

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

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

OVERWINTER CONSTRUCTION

MAINE EROSION AND SEDIMENT CONTROL BMP (3/2003)

THE WINTER CONSTRUCTION PERIOD IS FROM NOVEMBER 1 THROUGH APRIL 15. IF THE CONSTRUCTION SITE IS PROTECTED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15 THEN THE SITE NEEDS TO BE PROTECTED WITH OVER-WINTER STABILIZATION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD.

WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SUCH THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY TIME. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDER TAKEN DURING THE PROCEEDING 15 DAYS AND THAT CAN BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT. ALL AREA SHALL BE CONSIDERED TO BE DENIED UNTIL THE SUBGRADE GRAVEL IS INSTALLED IN ROADWAY AREAS OR THE AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. A COVER OF EROSION CONTROL MIX PERFORMS THE BEST.

ANY ADDED MEASURES, WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION, MUST BE INSTALLED. THESE MAY BE DEPENDENT UPON SITE AND WEATHER CONDITIONS AND THE ACTUAL SITE SIZE. TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED.

1. NATURAL RESOURCES PROTECTION

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCE, IF NOT STABILIZED WITH A MINIMUM OF 75% MATURE VEGETATION CATCH, SHALL BE MULCHED BY DECEMBER 1 AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH AN EROSION CONTROL COVER. DURING WINTER CONSTRUCTION, A DOUBLE ROW OF SEDIMENT BARRIERS (I.E. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA. PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

2. SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS MAY CONSIST OF EROSION CONTROL MIX BERMS OR ANY OTHER RECOGNIZED SEDIMENT BARRIERS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES AND SEDIMENT SILT FENCES.

3. MULCHING

ALL AREA SHALL BE CONSIDERED TO BE DENIED UNTIL SEEDED AND MULCHED. 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 NOT BE SPREAD ON TOP OF SNOW. THE SNOW WILL BE REMOVED DOWN TO A ONE INCH DEPTH OR LESS PRIOR TO APPLICATION.

AFTER EACH DAY OF FINAL GRADING, THE AREA WILL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED OR ADEQUATELY ANCHORED SO THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. 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. THE COVER WILL BE CONSIDERED SUFFICIENT WHEN THE GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. AFTER NOVEMBER 15, MULCH AND ANCHORING OF ALL EXPOSED SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORKDAY.

4. SOIL STOCKPILES

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. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND REESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH MULCH) WITHIN 100 FEET FROM ANY NATURAL RESOURCES.

5. SEEDING

BETWEEN THE DATES OF OCTOBER 15 AND APRIL 1, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS 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. DORMANT SEEDING MAY BE SELECTED TO BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND EROSION CONTROL BLANKETS. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4' OF LOAM AND SEED AT AN APPLICATION RATE OF 5LBS/1,000 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.

OVERWINTER STABILIZATION

MAINE EROSION AND SEDIMENT CONTROL BMP (3/2003)

1. STABILIZATION OF DITCHES AND CHANNELS

ALL STONE-LINED DITCHES AND CHANNELS MUST BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15. ALL GRASS-LINED DITCHES AND CHANNELS MUST 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 TO STABILIZE THE DITCH FOR LATE FALL AND WINTER MUST BE TAKEN. **SOD LINING:** A DITCH OR CHANNEL MUST BE LINED WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES: PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL, AND ANCHORING THE SOD AT THE BASE OF THE DITCH WITH JUTE OR PLASTIC MESH TO PREVENT THE SOD FROM SLOUGHING DURING FLOW CONDITIONS.

STONE LINING: A DITCH OR CHANNEL MUST BE LINED WITH STONE RIPRAP BY NOVEMBER 15. A REGISTERED PROFESSIONAL ENGINEER MUST DETERMINE THE STONE SIZE AND LINING THICKNESS NEEDED TO WITHSTAND THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHIN THE DITCH. IF NECESSARY, THE CONTRACTOR WILL REGRADE THE DITCH PRIOR TO PLACING THE STONE LINING TO PREVENT THE STONE LINING FROM REDUCING THE DITCH'S CROSS-SECTIONAL AREA.

2. STABILIZATION OF DISTURBED SLOPES

ALL STONE-COVERED SLOPES MUST BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15. ALL SLOPES TO BE VEGETATED MUST BE SEEDED AND MULCHED BY SEPTEMBER 1. THE DEPARTMENT WILL CONSIDER ANY AREA HAVING A GRADE GREATER THAN 15% TO BE A SLOPE. 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.

TEMPORARY VEGETATION AND EROSION CONTROL MATS: BY OCTOBER 1, THE DISTURBED SLOPE MUST BE SEEDED WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1,000 SQUARE FEET FOLLOWED BY INSTALLATION OF EROSION CONTROL MATS OR ANCHORED MULCH OVER THE SEED. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO GROW AT LEAST 75% OF THE SLOPE BY NOVEMBER 1, THEN THE CONTRACTOR WILL COVER THE SLOPE WITH A LAYER OF EROSION CONTROL MIX OR STONE RIPRAP AS DESCRIBED IN THE FOLLOWING STANDARDS.

SOD: THE DISTURBED SLOPE MUST BE STABILIZED WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE CONTRACTOR 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.

EROSION CONTROL MIX: EROSION CONTROL MIX MUST BE PROPERLY INSTALLED BY NOVEMBER 15. THE CONTRACTOR WILL NOT USE EROSION CONTROL MIX TO STABILIZE SLOPES HAVING GRADES GREATER THAN 50% (2H:1V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.

STONE RIPRAP: PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15. THE DEVELOPMENT'S OWNER WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY ON THE SLOPE AND TO DESIGN A FILTER LAYER TO BE INSTALLED BENEATH THE RIPRAP.

3. STABILIZATION OF DISTURBED SOILS

TEMPORARY VEGETATION: BY OCTOBER 1, SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3-LBS PER 1,000 SQUARE FEET, LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75-LBS PER 1,000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 1, THEN MULCH THE AREA FOR OVERWINTER PROTECTION AS FOLLOWS.

MULCH: BY NOVEMBER 15, MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150-LBS PER 1,000 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 MUST BE SEEDED AND MULCHED. ALL SLOPES MUST BE STABILIZED, SEEDED AND MULCHED. ALL GRASS-LINED DITCHES AND CHANNELS MUST BE STABILIZED WITH MULCH OR AN EROSION CONTROL BLANKET.
 - OCTOBER 1 IF THE SLOPE IS STABILIZED WITH AN EROSION CONTROL BLANKET AND SEEDED, ALL DISTURBED AREAS TO BE PROTECTED WITH ANNUAL GRASS MUST BE SEEDED AT A SEEDING RATE OF 3-LBS PER 1,000 SQUARE FEET AND MULCHED.
 - NOVEMBER 15 ALL STONE-LINED DITCHES AND CHANNELS MUST BE CONSTRUCTED AND STABILIZED. SLOPES THAT ARE COVERED WITH RIPRAP MUST BE CONSTRUCTED BY THIS DATE.
 - DECEMBER 1 ALL DISTURBED AREAS WHERE GROWTH OF VEGETATION FAILS TO BE AT LEAST THREE INCHES TALL OR AT LEAST 75% OF THE DISTURBED SOIL IS COVERED BY VEGETATION, MUST BE PROTECTED FOR OVER-WINTER.
- NOTE: THE DATES GIVEN ARE FOR PROJECTS IN SOUTH-CENTRAL MAINE.

EROSION AND SEDIMENT CONTROL PRACTICES

1. NO SOIL SHALL BE DISTURBED DURING THE PERIOD OF MARCH 1 THROUGH APRIL 15, NOR DURING ANY OTHER PERIOD WHEN SOILS ARE SATURATED DUE TO RAIN OR SNOW MELT.
2. DISTURBED SOILS SHALL BE STABILIZED WITHIN ONE (1) WEEK FROM THE TIME IT WAS LAST ACTIVELY WORKED USING TEMPORARY OR PERMANENT MEASURES SUCH AS PLACEMENT OF RIPRAP, MULCH OR OTHER EROSION CONTROL BLANKET, OR OTHER COMPARABLE MEASURES.
3. HAY OR STRAW MULCH, WHERE USED, SHALL BE APPLIED AT A RATE OF AT LEAST ONE (1) BALE PER 500 SQUARE FEET (1-2 TONS PER ACRE).
4. IF MULCH IS LIKELY TO BE REMOVED DUE TO STEEP SLOPES OR WIND, IT SHALL BE ANCHORED WITH NETTING, PEG OR TWINE, OR OTHER SUITABLE METHOD AND SHALL BE MAINTAINED UNTIL A CATCH OF VEGETATION IS ESTABLISHED OVER THE ENTIRE DISTURBED AREA.
5. IN ADDITION TO PLACEMENT OF RIPRAP, MULCH OR EROSION CONTROL BLANKETS, ADDITIONAL STEPS SHALL BE TAKEN WHERE NECESSARY IN ORDER TO PREVENT SEDIMENTATION OF THE WATER. EVIDENCE OF SEDIMENTATION INCLUDES VISIBLE GULLY EROSION, DISCOLORATION OF WATER BY SUSPENDED PARTICLES AND SLUMPING OF BANKS, SILT FENCES, STAKED HAY BALES AND OTHER SEDIMENTATION CONTROL MEASURES, WHERE PLANNED FOR, SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF WORK, BUT SHALL ALSO BE INSTALLED WHEREVER NECESSARY DUE TO SEDIMENTATION.
6. MULCH OR OTHER TEMPORARY MEASURES SHALL BE MAINTAINED UNTIL THE SITE IS PERMANENTLY STABILIZED WITH VEGETATION OR OTHER PERMANENT CONTROL MEASURES AFTER WHICH TEMPORARY MEASURES WILL BE REMOVED.
7. PERMANENT RE-VEGETATION OF ALL DISTURBED AREAS, USING NATIVE PLANT MATERIAL, SHALL OCCUR WITHIN 30 DAYS FROM THE TIME THE AREAS WERE LAST ACTIVELY WORKED, OR FOR FALL AND WINTER ACTIVITIES, BY JUNE 15, EXCEPT WHERE PRECLUDED BY THE TYPE OF ACTIVITY (E.G. RIPRAP, ROAD SURFACES, ETC.). THE VEGETATIVE COVER SHALL BE MAINTAINED.
8. DISPOSAL OF COLLECTED DEBRIS MUST BE IN CONFORMANCE WITH MAINE SOLID WASTE LAW, TITLE 36 MRSA SECTION 1301 ET. SEQ.
9. LIME AND FERTILIZER APPLICATION RATES SHALL NOT EXCEED THE FOLLOWING:
GROUND LIMESTONE: 3 TONS/ACRE (130 LBS./1000 S.F.)
FERTILIZER, 10-10-10 (OF EQUIVALENT: 600 LBS./ACRE (14 LBS./1000 S.F.)
FERTILIZER SHALL NOT BE APPLIED BEFORE START OF THE GROWING SEASON NOR AFTER SEPTEMBER 30. FERTILIZED AREAS SHALL BE MULCHED TO REDUCE OFF-SITE TRANSPORT OF NUTRIENTS UNTIL USED BY VEGETATIVE GROWTH.

SEEDING MIXTURE AND SCHEDULE:

SPREAD TOPSOIL UNIFORMLY 6" DEEP OVER AREAS TO BE RECLAIMED. THE FOLLOWING SEED MIXTURE SHALL BE USED:

LAWNS:		
KENTUCKY BLUEGRASS	0.46	LBS./1000 S.F.
CREeping RED FESCUE	0.46	LBS./1000 S.F.
PERENNIAL RYE GRASS	0.11	LBS./1000 S.F.
TOTAL	1.03	LBS./1000 S.F.

APPLY LIME AND FERTILIZER AS SPECIFIED UNDER THE EROSION AND SEDIMENTATION CONTROL NOTES. WORK INTO THE TOP (4) INCHES OF SOIL PRIOR TO SEEDING. AFTER SEEDING, APPLY MULCH HAY AS SPECIFIED, ON FLAT AREAS AND NOT EXPOSED TO WIND, THE MULCH WILL BE ANCHORED BY WETTING DOWN. IN OTHER AREAS, JUTE NETTING SHALL BE USED FOR ANCHORAGE. THE ABOVE SEEDING SCHEDULE IS APPLICABLE IF SEEDING DURING THE GROWING SEASON (APRIL 15 TO JUNE 15 AND AUGUST 30 TO SEPTEMBER 30). BETWEEN JUNE 15 AND AUGUST 30, SEEDING WILL BE DELAYED UNTIL AUGUST 30. IF SOIL IS DISTURBED BETWEEN OCTOBER 1 AND NOVEMBER 1, DELAY SEEDING UNTIL NOVEMBER 1. AFTER NOVEMBER 1 AND BEFORE A SNOW COVER FORMS, THE SAME PROCEDURE WILL BE FOLLOWED EXCEPT THE SEED RATE WILL BE DOUBLED. AFTER SNOW COVER AND BEFORE APRIL 15, SEEDING WILL BE DELAYED UNTIL APRIL 15. HAY MULCH WILL BE APPLIED AT A RATE OF 150 LBS./1000 SQUARE FEET. THIS WILL BE ANCHORED BY NON-ASPHALTIC TACKIFIER SPRAYED ON LAWNS AND JUTE NETTING IN DRAINAGEWAYS AND OTHER AREAS.



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NO.	REVISIONS	DATE
1		

BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. BOW HIGHWAY, ELIOT, MAINE 03803

CIVIL CONSULTANTS

DRAWN JAA CALC. JES
 DATE 12 SEPTEMBER 2013
 CHECKED
 APPROVED
 SCALE NOT TO SCALE
 SHEET TITLE:
MAINTENANCE NOTES
 SHEET NUMBER:
R3
 SHEET 3 of 3
 PROJECT #12-198.00

STORMWATER TREATMENT SPREADSHEET

*All sizing assumes forested HSG C soils w/ 9-15% slopes, 90' long unless noted otherwise.

Area (See D3)	BMP Type	Developed area	Drives	Linear Impv.	Roofs	Lawn	Mn BMP size	BMP provided	Untreated developed	Untreated linear impv.	Untreated impervious	Treated impervious
A Entrance	Untreated	2,074	420	3,810	0	7,844	Untreated area	Untreated	2074	3810	4230	0
B Roadway	Spreader	10,150	0	2,200	0	10,950	15 ft berm	25 ft level spreader	0	0	0	2,200
C Roadway	Spreader	8,686	0	3,100	0	5,586	13 ft berm	20 ft lvl sprdr (with D)	0	0	0	3,100
D Road and swale	Spreader	3,252	0	1,100	0	2,192	5 ft berm	20 ft lvl sprdr (with C)	0	0	0	1,100
E Row @ corner	Spreader	10,573	800	2,060	57	7,196	15 ft berm	20 ft level spreader	0	0	0	3,377
F Units @ downhill low	Buffer	9,391	2,800	0	923	5,668	90 ft buffer	100' wooded buffer	0	0	0	3,723
G Units @ downhill high	Buffer	10,050	3,100	0	1440	5,510	90 ft buffer	100' wooded buffer	0	0	0	4,540
H Units @ uphill high	Spreader	11,580	2,382	3,532	1020	4,646	19 ft berm	25 ft lvl sprdr (with J)	0	0	0	6,934
I Area of septic field	Untreated	5,209	0	0	0	5,209	Untreated area	Untreated	5209	0	0	0
J Road at septic	Spreader	4,050	0	1,460	0	2,630	5 ft berm	25 ft lvl sprdr (with H)	0	0	0	1,460
K Slope at cul-de-sac	Buffer	2,477	0	0	0	2,477	90 ft buffer	100' wooded buffer	0	0	0	0
L Cul-de-sac	Spreader	5,512	320	5,969	0	6,203	19 ft berm	20 ft lvl spreader	0	0	0	6,309
M Units @ uphill low	Spreader	10,795	2,600	0	3,900	7,295	25 ft berm	25 ft lvl spreader	0	0	0	6,500
N Slope at cul-de-sac	Buffer	2,029	0	0	0	2,029	90 ft buffer	90' wooded buffer	0	0	0	0
O Sewer line and field	Untreated	7,950	0	0	0	7,950	Untreated area	Untreated	7950	0	0	0

TOTAL	126,836	12,422	23,251	7,800	83,365	25,233	3810	4230	39,243
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TOTAL IMPERVIOUS AREA 43,473 sf 1.00 acres

TOTAL TREATED IMPERVIOUS AREA 39,243 sf 0.90 acres

TOTAL TREATED NON-LINEAR IMPERVIOUS AREA 19,802 sf 0.45 acres

TOTAL TREATED LINEAR IMPERVIOUS AREA 19,441 sf 0.45 acres

TOTAL UNTREATED IMPERVIOUS AREA 4,230 sf 0.10 acres

TOTAL UNTREATED NON-LINEAR IMPERVIOUS AREA 420 sf 0.01 acres

TOTAL UNTREATED LINEAR IMPERVIOUS AREA 3,810 sf 0.09 acres

TOTAL DEVELOPED AREA 126,836 sf 2.91 acres

PERCENT IMPERVIOUS AREA TREATED 90 %

PERCENT DEVELOPED AREA TREATED 80 % = 80% MINIMUM REQUIRED TREATMENT

PERCENT IMPV AREA TREATED (W/O ROAD) 98 % > 95% MINIMUM REQUIRED TREATMENT

PERCENT OF ROADWAY TREATED 84 % > 75% MINIMUM REQUIRED TREATMENT

Area of Development	BMP	Sizing Calculation
A Entrance	Untreated	
B Roadway	Spreader	Min length = (2,200 /43,560*125)+(10,950 /43,560*37) = 15 ft berm
C Roadway	Spreader	Min length = (3,100 /43,560*125)+(5,586 /43,560*37) = 13 ft berm
D Road and swale	Spreader	Min length = (1,100 /43,560*125)+(2,192 /43,560*37) = 5 ft berm
E Row @ corner	Spreader	Min length = (3,377 /43,560*125)+(7,196 /43,560*37) = 15 ft berm
F Units @ downhill low	Buffer	Minimum flowpath for C Soil, 9-15% slope wooded buffer adjacent to impervious area = 90 ft
G Units @ downhill high	Buffer	Minimum flowpath for C Soil, 9-15% slope wooded buffer adjacent to impervious area = 90 ft
H Units @ uphill high	Spreader	Min length = (6,934 /43,560*100)+(4,646 /43,560*30) = 19 ft berm
I Area of septic field	Untreated	
J Road at septic	Spreader	Min length = (1,460 /43,560*100)+(2,630 /43,560*30) = 5 ft berm
K Slope at cul-de-sac	Buffer	Minimum flowpath for C Soil, 9-15% slope wooded buffer adjacent to impervious area = 90 ft
L Cul-de-sac	Spreader	Min length = (6,309 /43,560*100)+(6,203 /43,560*30) = 19 ft berm
M Units @ uphill low	Spreader	Min length = (6,500 /43,560*125)+(7,295 /43,560*37) = 25 ft berm
N Slope at cul-de-sac	Buffer	Minimum flowpath for C Soil, 9-15% slope wooded buffer adjacent to impervious area = 90 ft
O Sewer line and field	Untreated	

CONSULTANT OVERSIGHT

THE APPLICANT WILL RETAIN THE SERVICES OF A PROFESSIONAL ENGINEER TO INSPECT THE CONSTRUCTION AND STABILIZATION OF ALL STORMWATER MANAGEMENT STRUCTURES. 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.

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

CENTRAL 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.

STONE BERMED LEVEL UP SPREADER

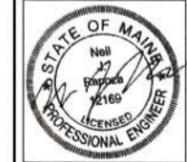
INSPECTIONS BY A PROFESSIONAL ENGINEER SHALL CONSIST OF WEEKLY VISITS TO THE SITE TO INSPECT EACH LEVEL SPREADER'S CONSTRUCTION, STONE BERM MATERIAL AND PLACEMENT, SETTLING BASIN FROM INITIAL GROUND DISTURBANCE TO FINAL STABILIZATION OF THE LEVEL SPREADER.



TREATMENT LEGEND

- UNTREATED DISTURBED AREA (20,024 of 4,100 of IMPERVIOUS)
- TREATED DISTURBED AREA (126,836 of 43,343 of IMPERVIOUS)
- WOODED BUFFER AREA
- LEVEL SPREADER
- Treatment Boundaries
- Treatment Area Designations

TO BE UPDATED FOR FINAL SUBMISSION



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NO.	REVISIONS	INT.	DATE
1			

BARTLETT HILL
 A MULTIFAMILY RESIDENTIAL CLUSTER DEVELOPMENT
 LAND OF AMP REALTY HOLDINGS, LLC
 U.S. ROUTE 236 KITTERY, MAINE
 PREPARED FOR:
 PETER J. PAUL
 MAILING ADDRESS: 291 HAROLD L. DOW HIGHWAY, ELIOT, MAINE 03903

CIVIL CONSULTANTS
 DRAWN JAA/NJR CALC. NJR
 DATE 22 OCT 2013
 CHECKED
 APPROVED NJR
 SCALE 1"=50'
 SHEET TITLE:
STORMWATER TREATMENT PLAN
 SHEET NUMBER:
D1
 SHEET 1 of 1
 PROJECT # 12-198.00

**Town of Kittery Maine
 Town Planning Board Meeting
 April 9, 2015**

2 Chauncey Creek Road – Shoreland Development Plan Review

Action: accept or deny plan application, hold a public hearing, and approve or deny development plan.
 Owners and applicants Daniel O. and Linda P. Seaward are requesting consideration of their plan to add a screen porch and deck to an existing single family dwelling at 2 Chauncey Creek Road, Tax Map 36, Lot 63 in the Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SL-250') Zones. Agent is Adam Pray, North Easterly Surveying, Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		
NO	Site Visit		
YES	Determination of Completeness/Acceptance	Scheduled by staff for 4/9/15	
NO	Public Hearing	Scheduled by staff for 4/9/15	
YES	Final Plan Review and Decision	Scheduled for 4/9/15	

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions or denies final plans. Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 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

The existing land use at 2 Chauncey Creek Road is a single family dwelling set entirely within the Shoreland Overlay Zone, but outside the 100-foot setback from the highest annual tide. The structure's sole nonconformity is a side setback of 1.5 feet where the requirement is 15 feet in the Shoreland Overlay/Kittery Point Village Zone.

The existing devegetated area is 16.1% of the 2.5-acre lot. The proposed addition of a deck and screen porch is located where a gravel patio now exists. The addition of steps to the deck falls outside of that existing impervious footprint, adding 22 square feet of new devegetated area. That would bring the total devegetated coverage to 16.2% of the lot. The maximum is 20%.

Recommendation

Staff finds the request to be in conformance with applicable provisions of Title 16 and suggests, after review of the draft findings and determining there are no questions related to the content, that the Board can consider a motion (suggestion below) and proceed to reading and voting on the Findings of Fact.

Move to grant conditional approval for the Shoreland Development Plan application dated March 19, 2015 for 2 Chauncey Creek Road (Tax Map 36, Lot 63) in the Kittery Point Village and Shoreland Overlay Zones, for owner/applicants Daniel O. and Linda P. Seaward.

Conditions are provided in the following draft Findings as a suggestion and the Board may add, amend, or remove as they see necessary.

KITTERY PLANNING BOARD

M36 L63

**FINDINGS OF FACT
For 2 Chauncey Creek Road
Shoreland Development Plan Review**

UNAPPROVED

WHEREAS: Daniel O. and Linda P. Seaward request approval to add a 403-square-foot deck and 22-square-foot steps to an existing single family dwelling at 2 Chauncey Creek Road, Tax Map 36, Lot 63, in the Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SL-250') Zones, hereinafter the "Development;" and

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

Public Hearing Notice	April 1, 2015
Public Hearing	April 9, 2015
Shoreland Project Plan Review	April 9, 2015
Approval	

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

1. Shoreland Overlay Zone Project Plan Review Application and site photos, March 19, 2015
2. Site Plan, North Easterly Surveying, March 19, 2015
3. Construction Plan, Rykerson Architecture, March 15, 2015

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

FINDINGS OF FACT

Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.17 Shoreland Overlay Zone

D. Standards

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

Findings: The proposed deck/screen porch is located in the Shoreland Zone (OZ-SL-250'). 403 square feet of deck replaces 403 square feet of existing devegetated area, a gravel patio. New devegetated area created through the addition of steps totals 22 square feet. This results in an increase of total devegetated coverage of the 2.5-acre lot from 16.1% devegetated coverage to 16.2% devegetated coverage.

AND

2. b. Accessory patios or decks no larger than five hundred (500) square feet in area must be set back at least seventy-five (75) feet from the normal high water line of any water bodies, tributary streams, the upland edge of a coastal wetland, or the upland edge of a freshwater wetland.

Findings: The proposed deck is less than 500 square feet and is set back more than 100 feet from the high water line.

Conclusion: This standard appears to have been met.

Vote: __ in favor __ against __ abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

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

Finding: This is an existing conforming lot with a structure that is nonconforming to the side setback in the Kittery Point Village Zone. The proposed deck is not more-nonconforming.

Conclusion: The requirement appears to be met.

Vote: __ in favor __ against __ abstaining

16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Zones

16.7.3.6.1 Nonconforming Structure Expansion

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

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

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

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

Finding:

A-C. The existing structure is nonconforming, but is located outside the required setback from the normal high water line. The proposed development does not increase nonconformity.

Conclusion: These standards are not applicable.

Vote: __ in favor __ against __ abstaining

Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW
Article X Shoreland Development Review

16.10.10.2 Procedure for Administering Permits <i>D. An Application will be approved or approved with conditions if the reviewing authority makes a positive finding based on the information presented. It must be demonstrated the proposed use will:</i>
1. Maintain safe and healthful conditions;
Finding: The proposed construction of a deck and screen porch, with no water or sewer connections, does not pose a concern.
Conclusion: The proposed development does not appear to have an adverse impact. This standard appears to be met.
Vote: __ in favor __ against __ abstaining
2. Not result in water pollution, erosion or sedimentation to surface waters;
Finding: All but 22 square feet of the proposed construction replaces an existing impervious gravel surface. Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction. (see conditions #2 and #3) to avoid impact on adjacent surface waters. These conditions should be added to the plan.
Conclusion: The proposed development does not appear to have an adverse impact. With the suggested conditions #2 and #3, this standard appears to be met.
Vote: __ in favor __ against __ abstaining
3. Adequately provide for the disposal of all wastewater;
Conclusion: This standard is not applicable.
Vote: __ in favor __ against __ abstaining
4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction. (see conditions #2 and #3) to avoid impact on adjacent surface waters. These conditions should be added to the plan.
Conclusion: The proposed development does not appear to have an adverse impact. With the suggested conditions #2 and #3, this standard appears to be met.
Vote: __ in favor __ against __ abstaining
5. Conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
Conclusion: The proposed development does not appear to have an adverse impact.
Vote: __ in favor __ against __ abstaining
6. Protect archaeological and historic resources;
Conclusion: The proposed development does not appear to have an adverse impact
Vote: __ in favor __ against __ abstaining

7. <i>Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</i>
Conclusion: The proposed development does not appear to have an adverse impact
Vote: __ in favor __ against __ abstaining
8. <i>Avoid problems associated with floodplain development and use;</i>
Conclusion: The proposed development does not appear to have an adverse impact.
Vote: __ in favor __ against __ abstaining
9. <i>Is in conformance with the provisions of this Code;</i>
Finding: The proposed location of the deck, screen porch, and steps is no more nonconforming than what currently exists. The increase in devegetated area (0.1%) is negligible and within the limitations of the R-KPV and OZ-SL-250' Zones.
Conclusion: This standard appears to be met.
Vote: __ in favor __ against __ abstaining
10. <i>Be recorded with the York County Registry of Deeds.</i>
Shoreland Development plans must be recorded with the York County Registry of Deeds prior to the issuance of a building permit. Plans must include waiver and conditions of approval, if applicable.
Vote: __ in favor __ against __ abstaining

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application of Daniel O. and Linda P. Seaward, owners and applicants, to add a deck, screen porch, and steps to an existing single family dwelling at 2 Chauncey Creek Road subject to any conditions and/or waivers, as follows:

Waivers: None

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

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan. (Title 16.10.9.1.2)
2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all work associated with site and building construction to ensure adequate erosion control and slope stabilization.
3. Prior to the commencement of grading and/or construction within a building envelope, as shown on the Plan, the owner and/or developer must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer determines construction is completed and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.
4. All Notices to Applicant contained herein (Findings of Fact dated 4/9/2015).

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

Vote of ___ in favor ___ against ___ abstaining

APPROVED BY THE KITTERY PLANNING BOARD ON _____

Ann Grinnell, Planning Board Chair

Notices to Applicant:

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

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

North
W  Easterly
SURVEYING, Inc.

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

March 19, 2015

Town of Kittery
Planning Department
200 Rogers Road
Kittery, ME 03904

Subject: **Shoreland Development Plan** - Tax Map 36 Lot 63, 2 Chauncey Creek Road, Kittery Point, Maine

Job No: 15612

Dear Planning Board & Staff,

For your review is a proposed screen porch and deck to an existing structure located at 2 Chauncey Creek Road in Kittery Point. The property is located in the Kittery Point Village Zone and the Shoreland Overlay Zone (OZ – SL – 250'). The proposed improvements meet the applicable dimensional requirements as shown on the submitted Shoreland Development Plan.

Mr. and Mrs. Seaward's daughter is getting married at their home in Kittery Point on July 11, 2015. The screen porch and deck they are proposing are an important part of their "backyard" wedding plan. They are hoping to obtain Town approval and a building permit in time to complete the addition ahead of the wedding date. Given the simplicity of this proposal we are hoping that the Planning Board can approve the plan with conditions at the first meeting this proposal is considered. Please let us know if there is anything that our firm can do to expedite this request.

Sincerely,
North Easterly Surveying



Adam M. Pray, PLS
Senior Project Manager



TOWN OF KITTEERY MAINE
TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904

Phone: (207) 475-1307

Fax: (207) 439-6806

www.kittery.org

APPLICATION: SHORELAND OVERLAY ZONE
PROJECT PLAN REVIEW

FEE FOR REVIEW	<input type="checkbox"/> \$200.00	Amount Paid: \$ _____ Date: _____
-----------------------	-----------------------------------	---

PROPERTY DESCRIPTION	Parcel ID	Map	36	Base Zone	KITTEERY POINT VILLAGE	Total Land Area	2.5 AC. TOTAL (50,700 SQ. FT. IN OZ-SL-250)
		Lot	63	Overlay Zone	OZ - SL - 250		
	Physical Address	2 CHAUNCEY CREEK ROAD, KITTEERY POINT, ME 03905					

PROPERTY OWNER'S INFORMATION	Name	DANIEL O. SEAWARD, JR.	Mailing Address	& LINDA P. SEAWARD 2 CHAUNCEY CREEK ROAD KITTEERY POINT, ME 03905
	Phone	207-439-4689		
	Fax			
	Email	DSEAWARDJR@GMAIL.COM		

APPLICANT'S AGENT INFORMATION	Name	ADAM M. PRAY, PLS	Name of Business	NORTH EASTERLY SURVEYING, INC.
	Phone	207-439-6333		
	Fax		Mailing Address	191 STATE ROAD KITTEERY, ME 03904
	Email	ADAM@EASTERLYSURVEYING.COM		

PROJECT DESCRIPTION	<i>See reverse side regarding information to be provided.</i>	
	Existing Land Use:	
	SINGLE FAMILY RESIDENTIAL HOME - YEAR ROUND.	
	Proposed Land Use and Development:	
PROPOSED ADDITION TO AN EXISTING STRUCTURE.		

PROJECT DESCRIPTION	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)
	STRUCTURE IS LOCATED IN THE SHORELAND OVERLAY ZONE. EXISTING STRUCTURE CONFORMS TO
	PROTECTED RESOURCE SETBACK (100' - CHAUNCEY CREEK). EXISTING STRUCTURE IS NON-CONFORMING TO
	SIDE SETBACK (1.5' EXISTING VS. 15' KPV). PROPOSED ADDITION CONFORMS TO PROTECTED RESOURCE
	SETBACK (> 100'). PROPOSED ADDITION IS NO MORE NON-CONFORMING THAN THE EXISTING
	NON-CONFORMANCE. EXISTING AND PROPOSED NON-VEGETATED COVERAGE IS CONFORMING (<20%).

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

Applicant's Signature: <u>[Signature]</u>	Owner's Signature: <u>[Signature]</u>
Date: <u>3/19/15</u>	Date: <u>3/19/15</u>

MINIMUM PLAN SUBMITTAL REQUIREMENTS

15 Copies of this Application and the Project Plan and Vicinity Map

Shoreland Overlay Zone Project Plan format and content:

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

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

NOTE TO APPLICANT: PRIOR TO A TOWN PLANNING BOARD SITE WALK, TEMPORARY MARKERS MUST BE ADEQUATELY PLACED THAT ENABLE THE BOARD TO READILY LOCATE AND EVALUATE THE DEVELOPMENT'S DESIGN.

- C) Title Block
- Applicant's name and address
 - Name of preparer of plan with professional information
 - Parcel's Kittery tax map identification (map - lot) in bottom right corner

Vicinity Map or aerial photo showing geographic features 5,000 feet around the site.

Project Plan must include the following existing and proposed information:

<p>Existing:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Land Use Zone and boundary <input type="checkbox"/> Topographic map (optional) <input checked="" type="checkbox"/> Wetlands and flood plains <input checked="" type="checkbox"/> Water bodies and water courses <input checked="" type="checkbox"/> Parcel area <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <i>N/A</i> <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures 	<p>Proposed: (Plan must show the lightened existing topography under the proposed project plan for comparison.)</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Recreation areas and open space <i>N/A</i> <input checked="" type="checkbox"/> Setback lines and building envelopes <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <i>N/A</i> <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures <input type="checkbox"/> Shoreland Project Expansion Analysis (see attached) <i>N/A</i> <p>Distance to:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Nearest driveways and intersections <i>PLAN</i> <input checked="" type="checkbox"/> Nearest fire hydrant <i>PLAN</i> <input checked="" type="checkbox"/> Nearest significant water body; ocean, wetland, stream.
--	--

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

THIS SECTION IS NOT APPLICABLE TO THIS PROPOSAL

TOWN OF KITTERY MAINE – SHORELAND PROJECT PLAN REVIEW (continued)

EXPANSION ANALYSIS OF CONSTRUCTION ONLY WITHIN THE SETBACK (100 FT/75 FT) IN THE SHORELAND OVERLAY ZONE

	AREA - SQUARE FEET	VOLUME - CUBIC FEET	CONSTRUCTION TYPE * (DR or MR)	VALUE \$
PROPOSED ADDITION				
CHANGE – TOTAL	_____ SF	_____ CF	_____	NA
CHANGE – PERCENT	_____ %	_____ %	NA	NA
CONSTRUCTION VALUE	NA	NA		\$ _____
EXISTING –				
PRIOR TO SHORELAND LAW – 1987	_____ SF	_____ CF	NA	NA
ADDITION(S) –AFTER INITIAL SHORELAND LAW ADOPTION				
CHANGE - TOTAL	_____ SF	_____ CF	NA	NA
CHANGE – PERCENT	_____ %	_____ CF	NA	NA
VALUE OF CONSTRUCTION	NA	NA	NA	\$ _____
VALUE OF INCREASE – PERCENT	NA	NA	NA	_____ %
TOTAL – EXISTING PLUS PROPOSED				
CHANGE – AMOUNT	_____ SF	_____ CF	NA	NA
CHANGE – PERCENT	_____ % **	_____ CF**	NA	NA
**(Note: May not exceed 30%)				
VALUE OF CONSTRUCTION - \$	NA	NA	NA	\$ _____
VALUE OF INCREASE – PERCENT	NA	NA	BA	_____ %

* KEY - TYPE OF ADDTION

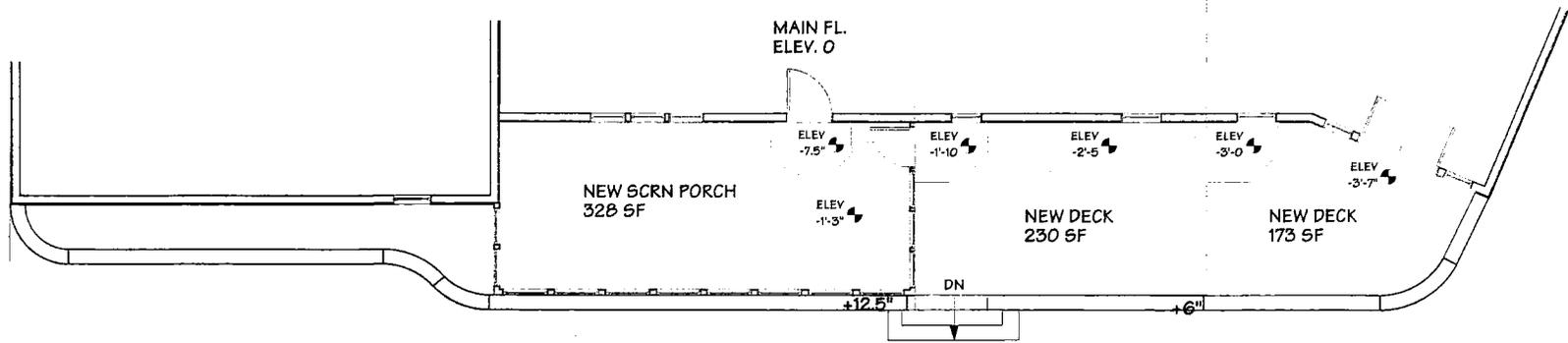
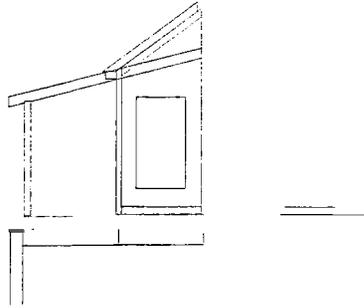
-DEMOLITION AND RE-BUILD - DR

-MAINTENCE OR REPAIR - MR

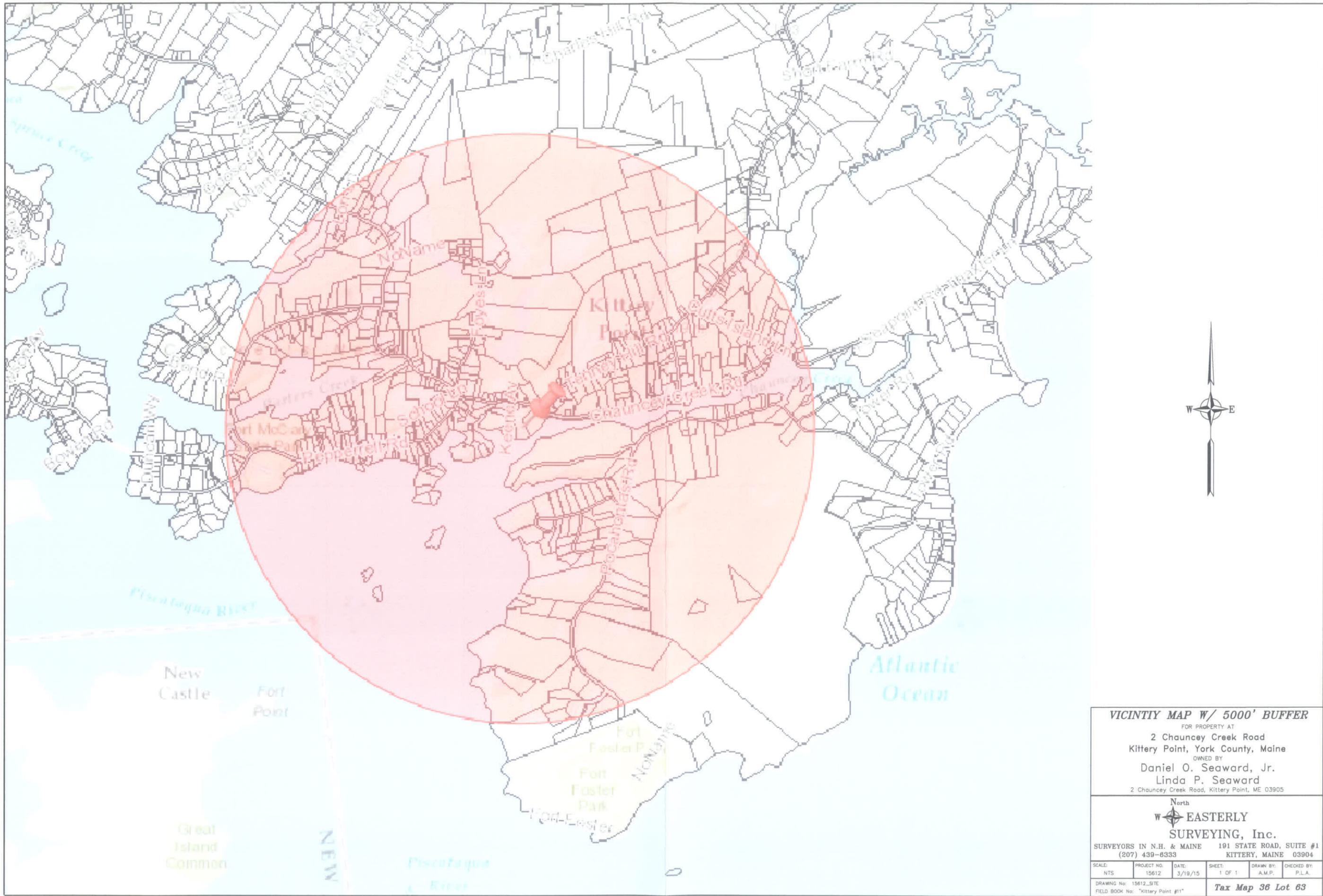
END

Issued March 18, 2013





<p> RYKESON ARCHITECTURE 1 SALT MARSH LANE KITTERY POINT MAINE 03905 207 439 8755 </p>		<p> 2 CHAUNCEY CREEK RD. KITTERY POINT ME 16 MARCH 2015 </p>		
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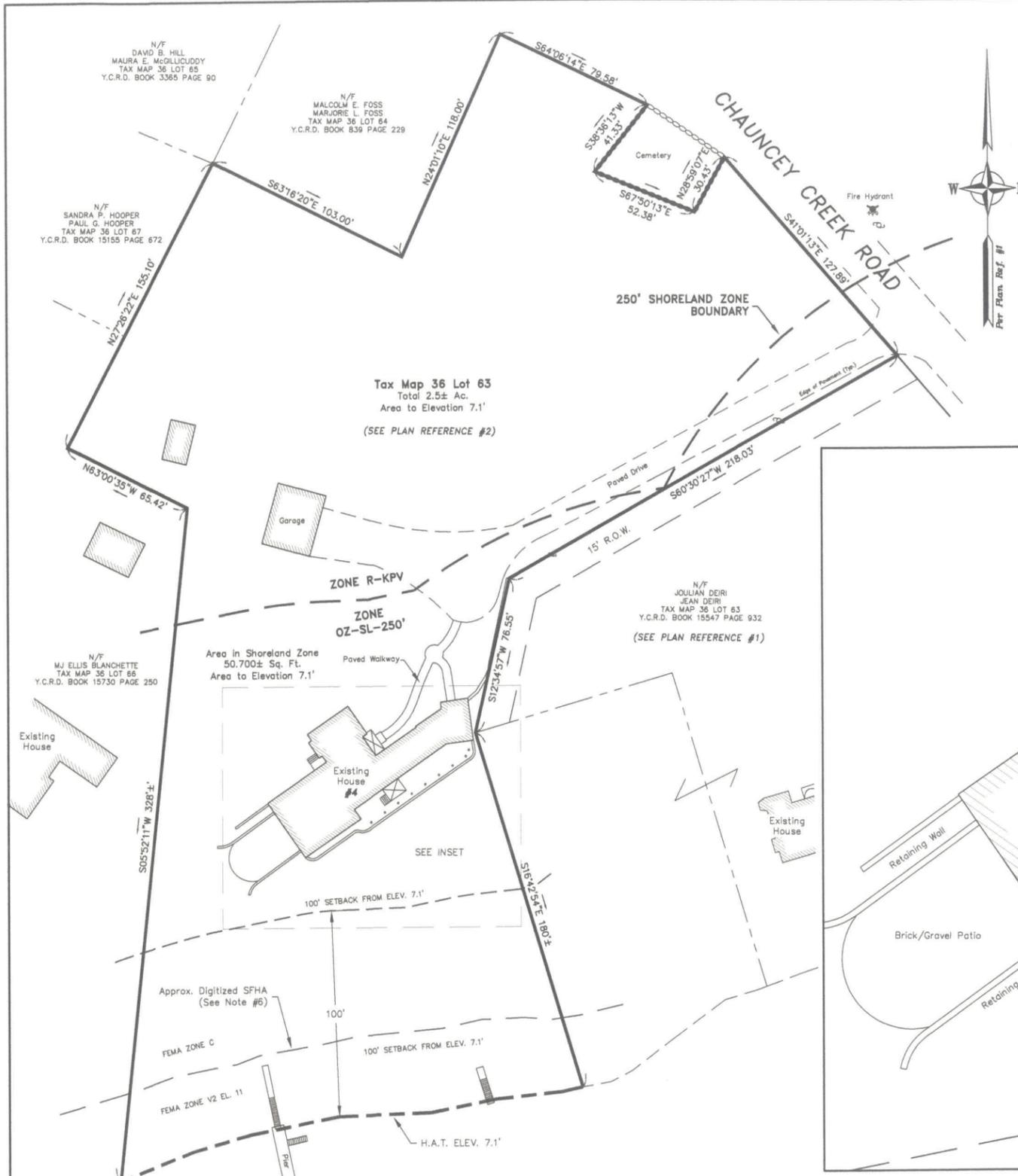


VICINITY MAP W/ 5000' BUFFER
 FOR PROPERTY AT
 2 Chauncey Creek Road
 Kittery Point, York County, Maine
 OWNED BY
 Daniel O. Seaward, Jr.
 Linda P. Seaward
 2 Chauncey Creek Road, Kittery Point, ME 03905

North
EASTERLY
SURVEYING, Inc.

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

SCALE: NTS	PROJECT NO: 15612	DATE: 3/19/15	SHEET: 1 OF 1	DRAWN BY: A.M.P.	CHECKED BY: P.L.A.
DRAWING No: 15612_SITE			FIELD BOOK No: "Kittery Point #11"		
Tax Map 36 Lot 63					



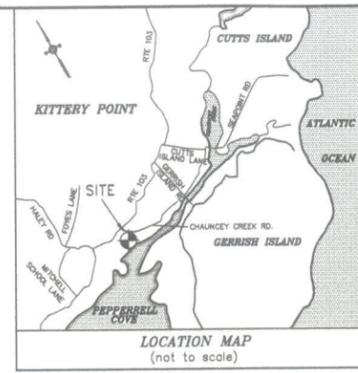
EXISTING NONVEGETATED COVERAGE CALCULATION:

BUILDING	3,100 SQ. FT.
PAVEMENT	2,878 SQ. FT.
WALKWAY	380 SQ. FT.
GRAVEL/BRICK PATIO	1,393 SQ. FT.
RETAINING WALLS	272 SQ. FT.
DOCK	156 SQ. FT.
TOTAL	8,179± SQ. FT. (8,179 SQ. FT. / 50,700 SQ. FT. = 16.1%)

PROPOSED NONVEGETATED COVERAGE CALCULATION:

BUILDING	3,100 SQ. FT. + 224 SQ. FT. = 3,324 SQ. FT.
PAVEMENT	2,878 SQ. FT.
WALKWAY	380 SQ. FT.
GRAVEL/BRICK PATIO	1,393 SQ. FT. - 224 SQ. FT. - 403 SQ. FT. = 766 SQ. FT.
RETAINING WALLS	272 SQ. FT.
DOCK	156 SQ. FT.
PROPOSED DECK	403 SQ. FT.
PROPOSED STEPS	22 SQ. FT.
TOTAL	8,201± SQ. FT. (8,201 SQ. FT. / 50,700 SQ. FT. = 16.2%)

PURPOSE OF PLAN:
 THE PURPOSE OF THIS SHORELAND DEVELOPMENT PLAN IS TO SHOW A PROPOSED ADDITION TO AN EXISTING BUILDING LOCATED IN THE SHORELAND OVERLAY ZONE.
 THIS IS NOT A STANDARD BOUNDARY SURVEY. REFER TO PLAN REFERENCES #1 & #2 FOR BOUNDARY DETAIL.



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

BASE ZONE: RESIDENTIAL - KITTERY POINT VILLAGE (R-KPV)
OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250')

R-KPV BASE ZONE 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 YARD: 40 FT.
 MINIMUM REAR AND SIDE YARDS: 15 FT.
 MAXIMUM BUILDING COVERAGE: 20%
 MAXIMUM BUILDING HEIGHT: 35 FT.

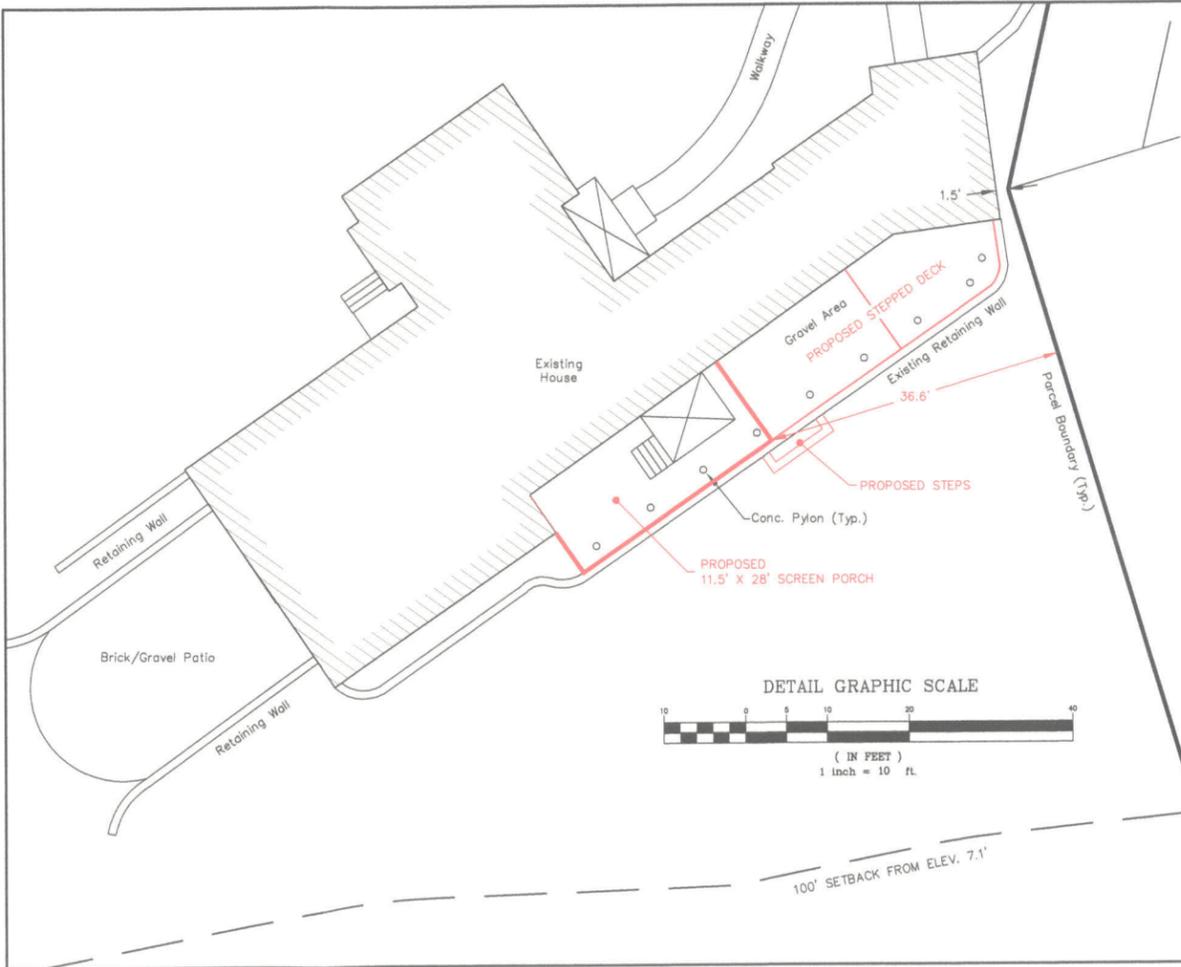
MINIMUM SETBACK FROM WATER BODY AND WETLAND DEPENDENT USES: 0 FT.

OZ-SL-250' REQUIREMENTS (SEE 16.3.2.17):
 MINIMUM SHORE FRONTAGE: 150 FT.
 MINIMUM SHORE FRONTAGE PER DWELLING UNIT: 100 FT.
 MAXIMUM NON-VEGETATED COVERAGE: 20%

PRINCIPAL AND ACCESSORY STRUCTURES SETBACK: 100 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND
ACCESSORY PATIO/DECK < 500 SQ. FT. SETBACK: 75 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND

- PLAN REFERENCES:**
- "PROPOSED LOT LINE ADJUSTMENT FOR PROPERTY AT 4 CHAUNCEY CREEK ROAD, KITTERY POINT, YORK COUNTY, MAINE, OWNED BY JOULIAN & JEAN DEIRI", PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 5/10/13, LAST REVISED 8/21/13 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 366 PAGE 8."
 - "PLAN OF LAND FOR DANIEL O. SEAWARD JR. & LINDA P. SEAWARD, KITTERY POINT, MAINE", PREPARED BY FRANK EMERY, DATED JANUARY 4, 1990.

- NOTES:**
- OWNERS OF RECORD:
 DANIEL O. SEAWARD, JR.
 LINDA P. SEAWARD
 TAX MAP 36 LOT 63
 Y.C.R.D. BOOK 3195 PAGE 172
 DATED NOVEMBER 4, 1983
 - TOTAL EXISTING PARCEL AREA:
 TAX MAP 36 LOT 63
 2.5± Ac.
 - BASIS OF BEARING IS PER PLAN REFERENCE #1.
 - ZONE REQUIREMENTS AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR DEVELOPMENT.
 - EXTERIOR BOUNDARY BASED ON PLAN REFERENCES #1 & #2.
 - THE SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARY SHOWN HEREON IS APPROXIMATE PER FEMA FIRM 230171 0005 D, DATED 7/3/1986.



- CONDITIONS OF APPROVAL:**
- NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PAN. (TITLE 16.10.9.1.2)
 - ALL NOTICES TO APPLICANT CONTAINED HEREIN (FINDINGS OF FACT, DATED _____).

Kittery, Maine - Planning Board Approval

Received _____
 Date of Approval _____
 ATTEST: _____
 Chairman Date _____

FOR REVIEW

REV.	DATE	STATUS	BY	CHKD	APPD.

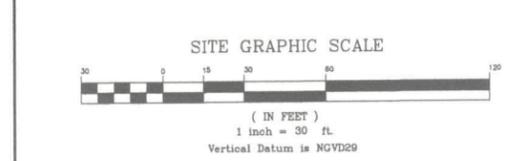
SHORELAND DEVELOPMENT PLAN
 FOR PROPERTY AT
 2 Chauncey Creek Road
 Kittery Point, York County, Maine
 OWNED BY
 Daniel O. Seaward, Jr.
 Linda P. Seaward
 2 Chauncey Creek Road, Kittery Point, ME 03905

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

SCALE: 1" = 20'
 PROJECT NO: 15612 DATE: 3/19/15 SHEET: 1 OF 2 DRAWN BY: A.M.P. CHECKED BY: P.L.A.

DRAWING No: 15612_SITE
 FIELD BOOK No: "Kittery Point #11"

Tax Map 36 Lot 63



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

**Town of Kittery Maine
 Town Planning Board Meeting
 April 9, 2015**

100 Pepperrell Road – Shoreland Development Plan Review – Public Hearing

Action: accept or deny plan application, hold a public hearing, and approve or deny development plan.
 Owners and applicants Jonathan King and James W. Stott are requesting consideration of their plan to remove the 20th-century additions to the John Bray house and connect new construction consisting of a main dwelling with attached garage, a guest wing, a summer house, and a deck and pool. 100 Pepperrell Road is located at Tax Map 27, Lot 45 in the Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SL-250') Zones. Agent is Simon Jacobsen, Jacobsen Architecture, LLC.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		
NO	Site Visit	The applicant has invited Board members to walk the grounds at their leisure any time before the 4/9/15 meeting.	At Board's discretion
YES	Determination of Completeness/Acceptance	Scheduled for 4/9/15	
NO	Public Hearing	Scheduled by staff for 4/9/15	At Board's discretion
YES	Final Plan Review and Decision		

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions or denies final plans. Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.** As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.

Background

Planning Board review of this shoreland development plan is required by 16.10.3.2 because it is located in the Shoreland Overlay Zone, and by 16.10.3.4 because it involves “the use, expansion, change, or replacement of an existing use or structure, or renewal of a discontinued nonconforming use” in the Shoreland Zone.

The existing land use at 100 Pepperrell Road is a single family dwelling known as the John Bray house and listed on the National Register of Historic Properties. Additions were made to the original house over the past 100 years, and at present the structures and impervious areas occupy 6,720 square feet of the 60,460-square-foot lot (11.1% devegetated coverage). The maximum in the Shoreland Zone is 20%.

Existing nonconformities include approximately 941 square feet of buildings within the 40-foot front yard setback and to a much lesser extent, within the 15-foot side yard, as well as a large paved driveway within the front yard. No part of the existing structures lies within the 100-foot setback from the highest annual tide.

After the proposed removal of these structures, 118 square feet of the original Bray house will remain within the front yard setback. The applicant proposes new structures that are *less nonconforming* than those existing, with a total of 194 square feet added within the front yard. Overall, the amount of encroachment of buildings on the front yard will be reduced by 629 square feet (67%). See the tables provided by the applicant.

The existing paved driveway will be removed and replaced with a drive that appears to have less of an impact on devegetated area. Devegetated area will be increased to 11,993 square feet, or 19.8% of the 60,460 square feet.

Information Still Needed

The Board may wish to hear or review more information before granting approval. Items identified by staff include:

- Subsurface wastewater disposal system application – *see item 2 below.*
- Test pit locations and analysis – *see item 2 below.*
- Why the proposal cannot meet the dimensional requirements in the Shoreland Zone - *see item 3 below.*
- How the application satisfies standards for clearing or removal of vegetation in the Shoreland Zone - *see item 6 below.*
- Maine Historic Preservation Commission comments – *see item 7 below.*
- Provide finished floor elevations on Shoreland Development Plan

Staff Review

Several sections of Title 16 govern the Planning Board's authority and decisions on the expansion of a nonconforming structure in the Shoreland Overlay (Kittery Point Village) Zone:

1. 16.3.2.17 Shoreland Overlay Zone

Provides dimensional standards for lots in the Shoreland Overlay/Kittery Point Village Zone.

The lot in question conforms to these standards. Devegetated coverage may not exceed 20% of the lot area. The proposal meets this standard at 19.8%.

2. 16.10.10 Shoreland Development Review

This article describes the permit application and approval procedure. 16.10.10.1.2.D requires a subsurface wastewater disposal permit application and site evaluation. These have not yet been submitted.

Related: Staff suggests that the applicant should show test pit locations on the plan and provide the analysis of those pits, as would be required of a site development plan (16.10.5.2.B.10.c and 16.10.5.2.C.11), given the layout of buildings on the site and the remaining area available for a subsurface wastewater disposal system.

This article also describes the permitting procedure, and prescribes the requirements to be met for approval (16.10.10.2.D). These are including in the draft findings of fact. More information may be needed to find that items 3 (wastewater disposal) and 6 (historic resources) from that list are satisfied.

3. 16.7.3.5.5 Nonconforming Structure Repair and/or Expansion

This section states that a nonconforming structure may be expanded in conformity with the dimensional requirements of the Code, and that the Planning Board may approve proposed changes if the expansion cannot meet those standards and nonconformity does not increase.

The proposed changes are no more nonconforming than the existing condition. Nonconformity is decreased, but maintained and reconstructed. The applicant has not yet demonstrated that the

proposed expansion “cannot meet the dimensional requirements” (particularly, the front and side yard setbacks).

This section states that the Board’s decision should be made per section **16.6.6.2 Factors for Consideration**. We have referred to these again in the draft findings of fact.

4. **16.7.3.6.1 Nonconforming Structure Expansion [in the Shoreland and Resource Protection Overlay Zones]**

The existing structure is nonconforming, but is located outside the required setback from the normal high water line. The proposal does not increase nonconformity. Subsections A-C are not applicable.

5. **16.8.4.14 Road and Driveway Standards in the Shoreland and Resource Protection Overlay Zones**. These standards do not appear to be applicable to the project.

6. **16.9.2.2 Clearing or Removal of Vegetation for Uses Other Than Timber Harvesting in a Resource Protection or Shoreland Overlay Zone**

This section presents standards for clearing and removal of vegetation within 250 feet and 100 feet of the water. It appears that no clearing or removal of vegetation is proposed within the 100-foot setback. However, the application shows that several trees within 250 feet will be removed to accommodate the proposed construction.

The applicant has not yet demonstrated how the proposed cutting meets these standards, particularly 16.9.2.2.E: “Legally existing nonconforming cleared openings may be maintained, but must not be enlarged, except as allowed by this Code.”

7. **16.9.2.5 Archaeological or Historic Sites**

Subsection B requires the applicant to request comment from the Maine Historic Preservation Commission (MHPC) because the property is on the National Register, and it requires the Board to consider those comments prior to rendering a decision. The applicants and staff have requested MHPC’s review, and as of this writing the Commission’s comments are pending.

8. **Definition of a Dwelling Unit in the Shoreland Zone**

The Code defines a dwelling unit in the Shoreland Zone. The proposed layout of structures raises the question of whether the structures meet the definition of a single family dwelling unit, but the Plan does not include enough information to make a finding.

Recommendation:

- A. Staff finds the request appears to be substantially in conformance with applicable provisions of Title 16.

Staff suggests that the Board accept the plan and hold a public hearing.

Suggested motion:

Move to accept the Shoreland Development Plan application from Jonathan King and James W. Stott for 100 Pepperrell Road (Tax Map 27, Lot 45) in the Kittery Point Village and Shoreland Overlay Zones and hold a public hearing.

- B. After hearing testimony during the public hearing, and additional information from the applicant regarding staff comments, the Board can consider a motion for conditional approval (suggestion below) and proceed to reading and voting on the Findings of Fact.

Suggested motion:

Move to grant conditional approval for the Shoreland Development Plan application dated March 19, 2015 for 100 Pepperrell Road (Tax Map 27, Lot 45) in the Kittery Point Village and Shoreland Overlay Zones, for owners and applicants Jonathan King and James W. Stott...

Conditions are provided in the following draft Findings as a suggestion and the Board may add, amend, or remove as they see necessary and applicable.

- C. **Alternately**, after hearing testimony during the public hearing, the Board may continue review of this item, and also has the option to extend the public hearing to a specified date and time.

Move to continue for no longer than 90 days from April 9, 2015, the review of the request of owners and applicants Jonathan King and James W. Stott for consideration of a Shoreland Development Plan located at 100 Pepperrell Road (Tax Map 27, Lot 45...

...and to continue the public hearing to May 14, 2015 at 6:00 p.m.

KITTERY PLANNING BOARD

FINDINGS OF FACT
For 100 Pepperrell Road
Shoreland Development Plan Review

UNAPPROVED

WHEREAS: Jonathan King and James W. Stott request approval of their Shoreland Development Plan, a proposal which entails demolition of 3,139 square feet of existing structures and addition of 6,088 square feet of new structures to an existing single family dwelling at 100 Pepperrell Road, Tax Map 27, Lot 45 in the Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SL-250') Zones, hereinafter the "Development;" and

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

Public Hearing Notice (<i>Herald</i>)	April 1, 2015
Public Hearing	April 9, 2015
Shoreland Project Plan Review	April 9, 2015
Approval	

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

1. Shoreland Overlay Zone Project Plan Review Application, March 19, 2015.
2. Existing Conditions Plan, North Easterly Surveying, Inc., October 2, 2014.
3. Site Plan, Elevations, and Site Photos, Jacobsen Architecture, March 19, 2015

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

FINDINGS OF FACT

Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.17. D Shoreland Overlay Zone
<p><i>1.d The total footprint of areas devegetated for structures, parking lots and other impervious surfaces, must not exceed twenty (20) percent of the lot area, including existing development, except in the following zones...</i></p> <p>Findings: Existing conditions on the 60,460-square-foot lot include 6,720 square feet of devegetated area (11.1%).</p> <p>The proposed demolition and construction would result in a total of 11,993 square feet (0.28 acre) of devegetated area, or 19.8% of the 60,460-square-foot (1.39 acre) lot.</p> <p>Conclusion: This standard appears to have been met.</p>
Vote: __ in favor __ against __ abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

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

Finding: This is an existing, conforming lot with an existing single family dwelling structure that is nonconforming to the front and side yard setbacks. A dwelling is a special exception use in the Kittery Point Village Shoreland Overlay Zone.

The proposed development maintains some nonconformity, but does not increase nonconformity.

Conclusion: The requirement appears to be met.

Vote: __ in favor __ against __ abstaining

16.7.3.5 Types of Nonconformance

16.7.3.5.5 Nonconforming Structure Repair and/or Expansion

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

See 16.6.6.1 and its reference to 16.6.6.2 below.

Finding: The proposed changes are no more nonconforming than the existing condition.

Conclusion: The requirement appears to be met

Vote: __ in favor __ against __ abstaining

16.6.6 Basis for Decision

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

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

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

Finding: The proposed development does not pose a concern.

Conclusion: The requirement appears to be met.

Vote: __ in favor __ against __ abstaining

16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Zones

16.7.3.6.1 Nonconforming Structure Expansion

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

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

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

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

Finding: The existing structure is nonconforming, but is located outside the required setback from the normal high water line. The proposal does not increase nonconformity.

Conclusion: Standards A-C are not applicable.

Vote: __ in favor __ against __ abstaining

Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW

Article 10 Shoreland Development Review

16.10.10.2 Procedure for Administering Permits

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

1. Maintain safe and healthful conditions;

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

Conclusion: This requirement appears to be met.

Vote: __ in favor __ against __ abstaining

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

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

Conclusion: The proposed development does not appear to have an adverse impact. With the suggested conditions, this requirement appears to be met.

Vote: __ in favor __ against __ abstaining

<p>3. Adequately provide for the disposal of all wastewater; <u>Finding:</u> The applicant proposes a new septic system. <u>Conclusion:</u> This requirement appears to be met. (INCONCLUSIVE AT THIS TIME)</p>
Vote: __ in favor __ against __ abstaining
<p>4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat; <u>Finding:</u> Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction. (see conditions #2 and #3) to avoid impact on adjacent surface waters. These conditions should be added to the plan. <u>Conclusion:</u> The proposed development does not appear to have an adverse impact. With the suggested conditions #2 and #3, this standard appears to be met.</p>
Vote: __ in favor __ against __ abstaining
<p>5. Conserve shore cover and visual, as well as actual, points of access to inland and coastal waters; <u>Finding:</u> Shore cover is conserved in accordance with this Code. There are no points of access. <u>Conclusion:</u> This requirement appears to be met.</p>
Vote: __ in favor __ against __ abstaining
<p>6. Protect archaeological and historic resources; <u>Finding:</u> The Maine Historic Preservation Commission provided its comments on April ?... <u>Conclusion:</u> The proposed development does not appear to have an adverse impact. This requirement appears to be met. (INCONCLUSIVE AT THIS TIME)</p>
Vote: __ in favor __ against __ abstaining
<p>7. Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district; <u>Finding:</u> The proposed development does not appear to have an adverse impact. <u>Conclusion:</u> This requirement appears to be met.</p>
Vote: __ in favor __ against __ abstaining
<p>8. Avoid problems associated with floodplain development and use; <u>Finding:</u> The proposed development is not within the floodplain. <u>Conclusion:</u> This requirement appears to be met.</p>
Vote: __ in favor __ against __ abstaining
<p>9. Is in conformance with the provisions of this Code; <u>Finding:</u> The proposed development appears to be in conformance with the provisions of this Code. <u>Conclusion:</u> This requirement appears to be met.</p>
Vote: __ in favor __ against __ abstaining
<p>10. Be recorded with the York County Registry of Deeds. <u>Conclusion:</u> As stated in the Notices to Applicant contained herein, Shoreland Development plans must be recorded with the York County Registry of Deeds prior to the issuance of a building permit.</p>
Vote: __ in favor __ against __ abstaining

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application of Jonathan King and James W. Stott, owners and applicants, to remove additions and connect new construction to an existing single family dwelling at 100 Pepperrell Road (Tax Map 27, Lot 45) subject to any conditions or waivers, as follows:

Waivers: None

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

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan. (Title 16.10.9.1.2)
2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all work associated with site and building construction to ensure adequate erosion control and slope stabilization.
3. Prior to the commencement of grading and/or construction within a building envelope, as shown on the Plan, the owner and/or developer must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer determines construction is completed and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.
4. A signature block will be added to the plan.
5. All Notices to Applicant contained herein (Findings of Fact dated 4/9/15).

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

Vote of ___ in favor___ against ___ abstaining

APPROVED BY THE KITTEERY PLANNING BOARD ON _____

Ann Grinnell, Planning Board Chair

Notices to Applicant:

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

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

Jacobsen Architecture LLC

Hugh Newell Jacobsen, F.A.I.A. / Simon Jacobsen

March 19, 2015

Town of Kittery Planning Board
200 Rogers Road
Kittery, Maine 03904

Dear Planning Board Members;

Jacobsen Architecture is presenting this project on a site that you are all familiar with – 100 Pepperell Road, the address where the John Bray House resides. You are also probably all familiar with our clients, the new owners of the oldest house in Maine now approaching its tercentennial. Their signatures may be on the back of a bottle of preserves in your pantry. Jonathan King and Jim Stott hired us for our simple forms and modern aesthetic, trusting that we would complement the vision that they have for the oldest house in Maine.

Their vision is to return the Bray House to its historic condition as the prime and original structure on the site. Our execution of their vision is to highlight the Bray House, as it existed 300 years ago, to make it the jewel in the crown of the modern “village” we create around it that is both separate and distinctly descended from the historical treasure that has been lost in mire of 20th century additions done poorly and without historical consideration.

As a part of the stripping Bray of its additions, we propose removing existing non-conforming structures that encroach into the front and side yard setbacks. The transgressing structures include a portion of the garage, Hoyt House and the west infill to the Hoyt house. We are proposing that the Guest wing be rebuilt on a portion of Hoyt’s foundation but set back from the road two more feet and significantly slimmer in area, height and volume that encroaches into the setback. This action also will recapture the view of the Bray house to the passersby.

We have requested that the Maine Historic Preservation Commission review our project and the intentions for the Bray house that we have outlined in our presentation. Our submittal reached them earlier this week and we expect to have a finding from them within 30 days. We hope to have the MHPC findings in time for your review before the Planning Board meeting on April 9th.

In speaking with Christopher Di Matteo regarding procedure and timing, we understand that it is typical to have an initial meeting to become familiar with the project, followed by a site walk preceding a second scheduled meeting that is then followed by a vote.

Our clients would like to achieve as much as possible in the first meeting. As an economy of time, we have included in our submittal package the same photos that we sent to the MHPC in hopes that it may adequately familiarize yourself with the property so that a site walk may be seen as something that may not need to be scheduled.

Jonathan and Jim have invited you to walk the grounds at your leisure anytime before the meeting. We share the sentiment of brisk business as we are travelling from Washington DC for the meetings.

We hope the Town of Kittery shares our excitement in the prospect of revealing the John Bray House as it once existed, and by doing so ensure that it has a life that spans far past our futures.

Sincerely,

A handwritten signature in cursive script that reads "Simon Jacobsen". The ink is dark and the signature is fluid and connected.

Simon Jacobsen



TOWN OF KITTERY MAINE
TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904

Phone: (207) 475-1307

Fax: (207) 439-6806

www.kittery.org

APPLICATION: SHORELAND OVERLAY ZONE
PROJECT PLAN REVIEW

FEE FOR REVIEW	<input checked="" type="checkbox"/> \$200.00	Amount Paid: \$200.00 Date: 03.19.2015
-----------------------	--	---

PROPERTY DESCRIPTION	Parcel ID	Map	27	Base Zone	Residential-Kittery Point Village (R-KPV)	Total Land Area	60,460 (1.39 Acre)
	Lot	45	Overlay Zone	Water Body/Wetland Protection Area - 250' (OZ-SL-250')			
	Physical Address	100 Pepperell Road Kittery Me 03905					

PROPERTY OWNER'S INFORMATION	Name	Jonathan King+James W. Stott		Mailing Address	Jonathan King + James W. Stott 155 Pine Hill Road Cape Neddick, ME 03902
	Phone	207 351-2713			
	Fax				
	Email	JKing@StonewallKitchen.com			

APPLICANT'S AGENT INFORMATION	Name	Simon Jacobsen	Name of Business	Jacobsen Architecture LLC
	Phone	202.337.5200	Mailing Address	2529 P Street NW Washington DC 20007
	Fax	202.337.3609		
	Email	simonjacobsen@jacobsenarchitecture.com		

PROJECT DESCRIPTION	<i>See reverse side regarding information to be provided.</i>	
	Existing Land Use:	
	Four Bedroom Single Family Dwelling consisting of the 2 br Bray House (Nation Register of Historic Places 1979) built in 1710's and additions including the 2 br Hoyt House to the west, moved to the site in the early 1900's, a two car garage to the east and infill on both the east and west side connecting to the Bray dating from around 1916 and later.	
	Proposed Land Use and Development:	
The Proposed Project reduces the Single Family Dwelling to two bedrooms and consists of the following elements. Restoration of the John Bray house, including the removal of the 20th century additions. Connected to the east of the Bray house will be new construction consisting of a 3,229 sf one bedroom Main Wing with an attached 2 car garage to and, connected to the west, a 795 sf one bedroom Guest Wing. Facing the shore to the south will be a 3,031 sf stone deck and pool with a 225 sf unconditioned Summer House. There will be a new septic system installed to serve the property.		

PROJECT DESCRIPTION	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)
	The property is in the OZ-SL-250' overlay zone. There is no existing or proposed development in the 100' setback from the Piscataqua river so page 3 of the application does not apply. There are existing non-conforming structures in the front and side yard setbacks. We propose to take down the garage that encroaches 22' into the front yard setback, the Hoyt House encroaching 13' into the front and 1' into the side yard, and the west infill encroaching 13' into the front yard. We propose to replace the Hoyt House on the west side with the Guest Wing which encroaches only 11' into the front and 6" into the side yard setbacks. We propose reducing the area that encroaches into the front and side yard setbacks by 629 sf.

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

Applicant's Signature: Date:	<u>Hugh Newell Jacobsen</u> 03.19.2015	Owner's Signature: Date:	<u>Jacobsen Architecture is Owner's Agent</u> 03.19.2015
--	---	------------------------------------	---

MINIMUM PLAN SUBMITTAL REQUIREMENTS

- 15 Copies of this Application and the Project Plan and Vicinity Map**

Shoreland Overlay Zone Project Plan format and content:

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

B) Plan Scale

- Under 10 acres: no greater than 1" = 30'
 10 + acres: 1" = 50'

C) Title Block

- Applicant's name and address
 Name of preparer of plan with professional information
 Parcel's Kittery tax map identification (map – lot) in bottom right corner

Vicinity Map or aerial photo showing geographic features 5,000 feet around the site.

NOTE TO APPLICANT: PRIOR TO A TOWN PLANNING BOARD SITE WALK, TEMPORARY MARKERS MUST BE ADEQUATELY PLACED THAT ENABLE THE BOARD TO READILY LOCATE AND EVALUATE THE DEVELOPMENT'S DESIGN.

Project Plan must include the following existing and proposed information:

<p>Existing:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Land Use Zone and boundary <input checked="" type="checkbox"/> Topographic map (optional) <input checked="" type="checkbox"/> Wetlands and flood plains <input checked="" type="checkbox"/> Water bodies and water courses <input checked="" type="checkbox"/> Parcel area <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures 	<p>Proposed: (Plan must show the lightened existing topography under the proposed project plan for comparison.)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Recreation areas and open space <input checked="" type="checkbox"/> Setback lines and building envelopes <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures <input checked="" type="checkbox"/> Shoreland Project Expansion Analysis (see attached) <p>Distance to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Nearest driveways and intersections <input type="checkbox"/> Nearest fire hydrant <input checked="" type="checkbox"/> Nearest significant water body; ocean, wetland, stream.
--	---

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

TOWN OF KITTEERY MAINE – SHORELAND PROJECT PLAN REVIEW (continued)

EXPANSION ANALYSIS OF CONSTRUCTION ONLY WITHIN THE SETBACK (100 FT/75 FT) IN THE SHORELAND OVERLAY ZONE

	AREA - SQUARE FEET	VOLUME - CUBIC FEET	CONSTRUCTION TYPE * (DR or MR)	VALUE \$
PROPOSED ADDITION				
CHANGE – TOTAL	_____ SF	_____ CF	_____	NA
CHANGE – PERCENT	_____ %	_____ %	NA	NA
CONSTRUCTION VALUE	NA	NA		\$ _____
EXISTING –				
PRIOR TO SHORELAND LAW – 1987	_____ SF	_____ CF	NA	NA
ADDITION(S) –AFTER INITIAL SHORELAND LAW ADOPTION				
CHANGE - TOTAL	_____ SF	_____ CF	NA	NA
CHANGE – PERCENT	_____ %	_____ CF	NA	NA
VALUE OF CONSTRUCTION	NA	NA	NA	\$ _____
VALUE OF INCREASE – PERCENT	NA	NA	NA	_____ %
TOTAL – EXISTING PLUS PROPOSED				
CHANGE – AMOUNT	_____ SF	_____ CF	NA	NA
CHANGE – PERCENT	_____ % **	_____ CF**	NA	NA
** (Note: May not exceed 30%)				
VALUE OF CONSTRUCTION - \$	NA	NA	NA	\$ _____
VALUE OF INCREASE – PERCENT	NA	NA	BA	_____ %

* KEY - TYPE OF ADDTION

-DEMOLITION AND RE-BUILD - DR

-MAINTENCE OR REPAIR - MR

END

Issued March 18, 2013

RECEIVED
MAR 19 2015

BY:



KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

NORTHWEST ELEVATION

PLANNING
BOARD MTG
04.09.2015

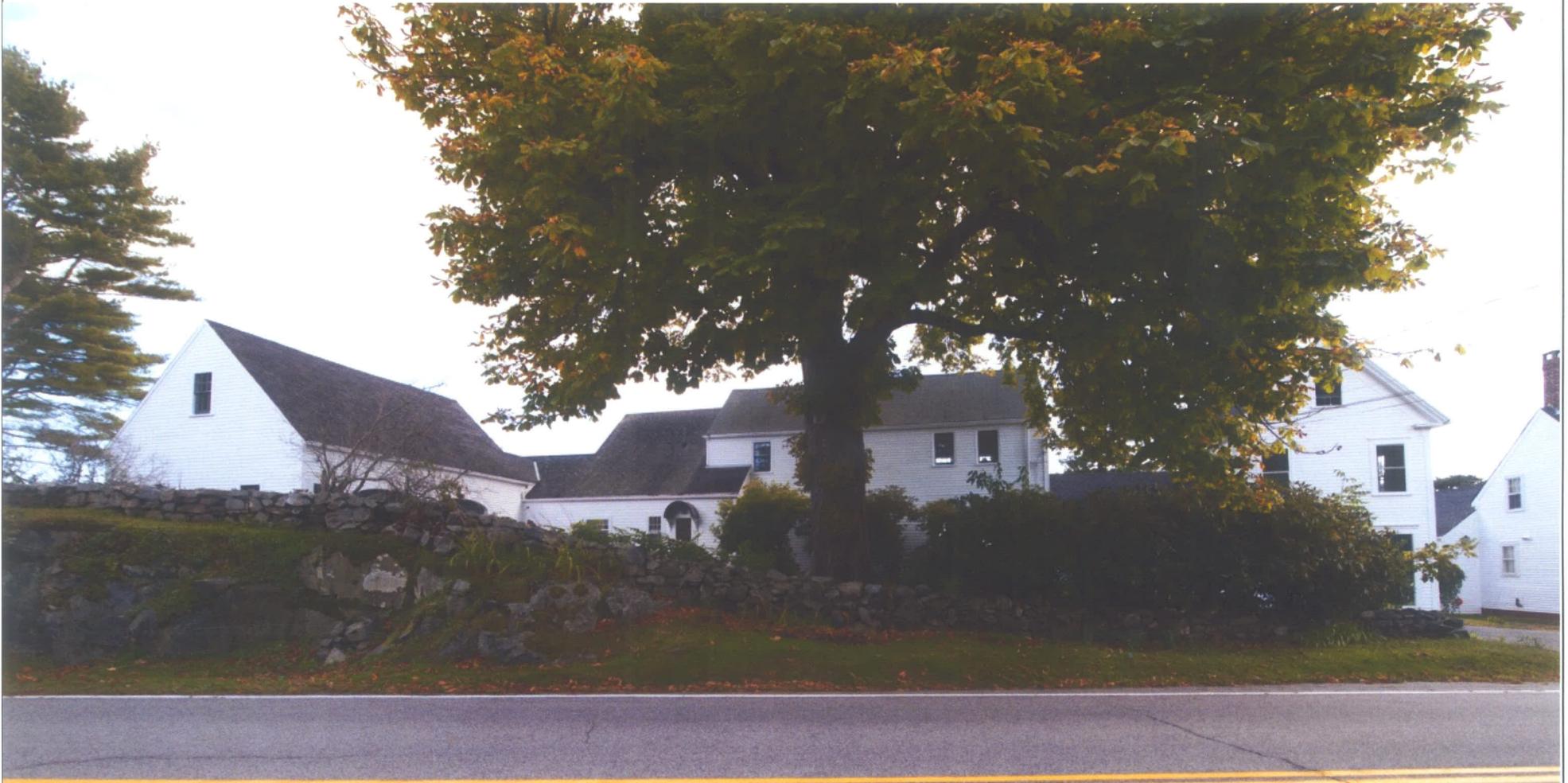
Jacobsen Architecture LLC

2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 www.jacobsenarchitecture.com

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SHEET

P.1



KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

NORTH ELEVATION

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KITTERY POINT RESIDENCE
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PHOTO

NORTHWEST HOYT HOUSE

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KITTERY POINT RESIDENCE
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PHOTO

WEST INFILL

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KITTERY POINT RESIDENCE
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PHOTO

NORTH BRAY HOUSE

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KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

EAST INFILL

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KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

WEST GARAGE

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BOARD MTG
04.09.2015

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KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

EAST ELEVATION

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BOARD MTG
04.09.2015

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P.8



KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

SOUTHEAST ELEVATION

PLANNING
BOARD MTG
04.09.2015

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P.9



KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

SOUTH ELEVATION

PLANNING
BOARD MTG
04.09.2015

Jacobsen Architecture LLC 2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 www.jacobsenarchitecture.com
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SHEET
P.10



KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

PHOTO

SOUTHEAST HOYT HOUSE

PLANNING
BOARD MTG
04.09.2015

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SHEET
P.11



KITTERY POINT RESIDENCE
100 PEPPERELL ROAD, KITTERY, MAINE

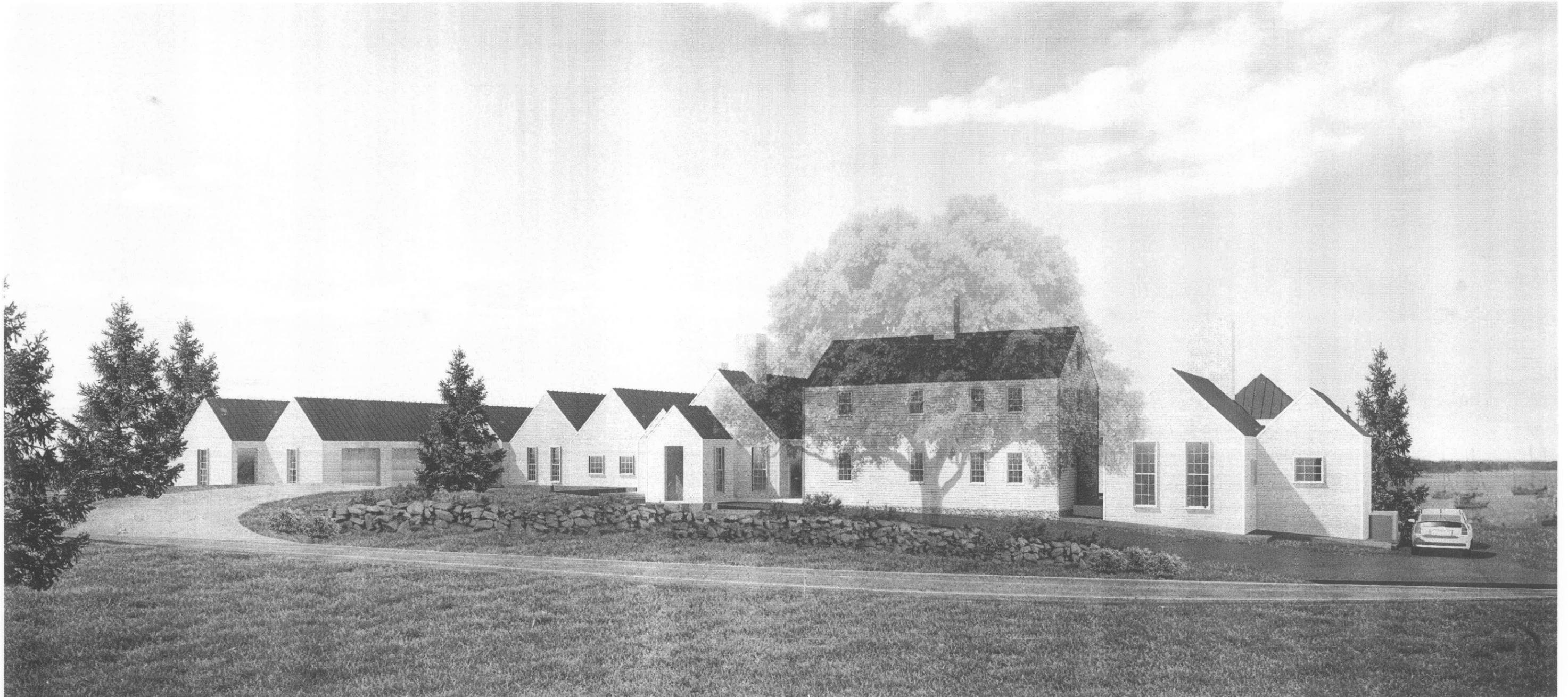
PHOTO

WATER VIEW

PLANNING
BOARD MTG
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ZONING DATA

BASE ZONE: RESIDENTIAL-KITTERY POINT VILLAGE (R-KPV) REQUIREMENTS

MIN LAND AREA PER DWELLING UNIT: 40,000 SF

MIN LOT SIZE: 40,000 SF

MIN STREET FRONTAGE: 150'

MIN FRONT YARD: 40'

MIN REAR AND SIDE YARDS: 15'

MAX BUILDING COVERAGE: 20%

MAX BUILDING HEIGHT: 35'

OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250') REQUIREMENTS

MIN SHORE FRONTAGE: 150'

MIN SHORE FRONTAGE PER DWELLING UNIT: 100'

MAX NON-VEGETATED COVERAGE: 20%

STRUCTURE SETBACK: 100' FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND

ACCESSORY < 500 SF SETBACK: 75' FROM NORMAL HIGH H2O UPLAND EDGE OF A COASTAL WETLAND

SITE DATA

LOT SIZE: 60,460 SF (1.39 ACRE)

SHORE FRONTAGE: 390'

NO EXISTING OR PROPOSED DEVELOPMENT IN 100' SETBACK

NON-VEGETATED COVERAGE: 19.8% (11,993 SF)

EXISTING STRUCTURES TO BE REMOVED: 2,417 SF

PROPOSED STRUCTURES: 6,088 SF

EXISTING STRUCTURES IN FRONT/SIDE SETBACK: 1,059 SF

PROPOSED STRUCTURES IN FRONT/SIDE SETBACK: 430 SF

REDUCTION OF STRUCTURES IN FRONT/SIDE SETBACK: 629 SF

MAXIMUM BUILDING HEIGHT (SUMMER HOUSE): 20'-10"

SITE PHOTOS

P.1 NORTHWEST ELEVATION

P.2 NORTH ELEVATION

P.3 NORTHWEST HOYT HOUSE

P.4 WEST INFILL

P.5 NORTH BRAY HOUSE

P.6 EAST INFILL

P.7 WEST GARAGE

P.8 EAST ELEVATION

P.9 SOUTHEAST ELEVATION

P.10 SOUTH ELEVATION

P.11 SOUTHEAST HOYT HOUSE

P.12 WATER VIEW

DRAWING LIST

EXISTING CONDITIONS PLAN

A 0.1 SHORELINE DEVELOPMENT PLAN

A 0.11 EXISTING SITE PHOTO KEY

A 0.2 PROPOSED SITE PLAN

A 3.0 JOHN BRAY HOUSE ELEVATIONS

A 3.1 NORTH + SOUTH ELEVATIONS

A 3.2 EAST + WEST ELEVATIONS

OWNERS

JONATHAN KING + JAMES W. STOTT

155 PINE HILL ROAD

CAPE NEDDICK ME 03092

Y.C.R.D. BOOK 16859 PAGE 12

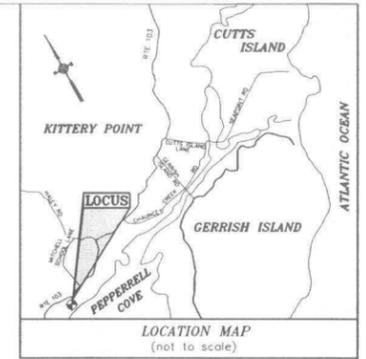
DATED JULY 12, 2014

RECEIVED
MAR 19 2015

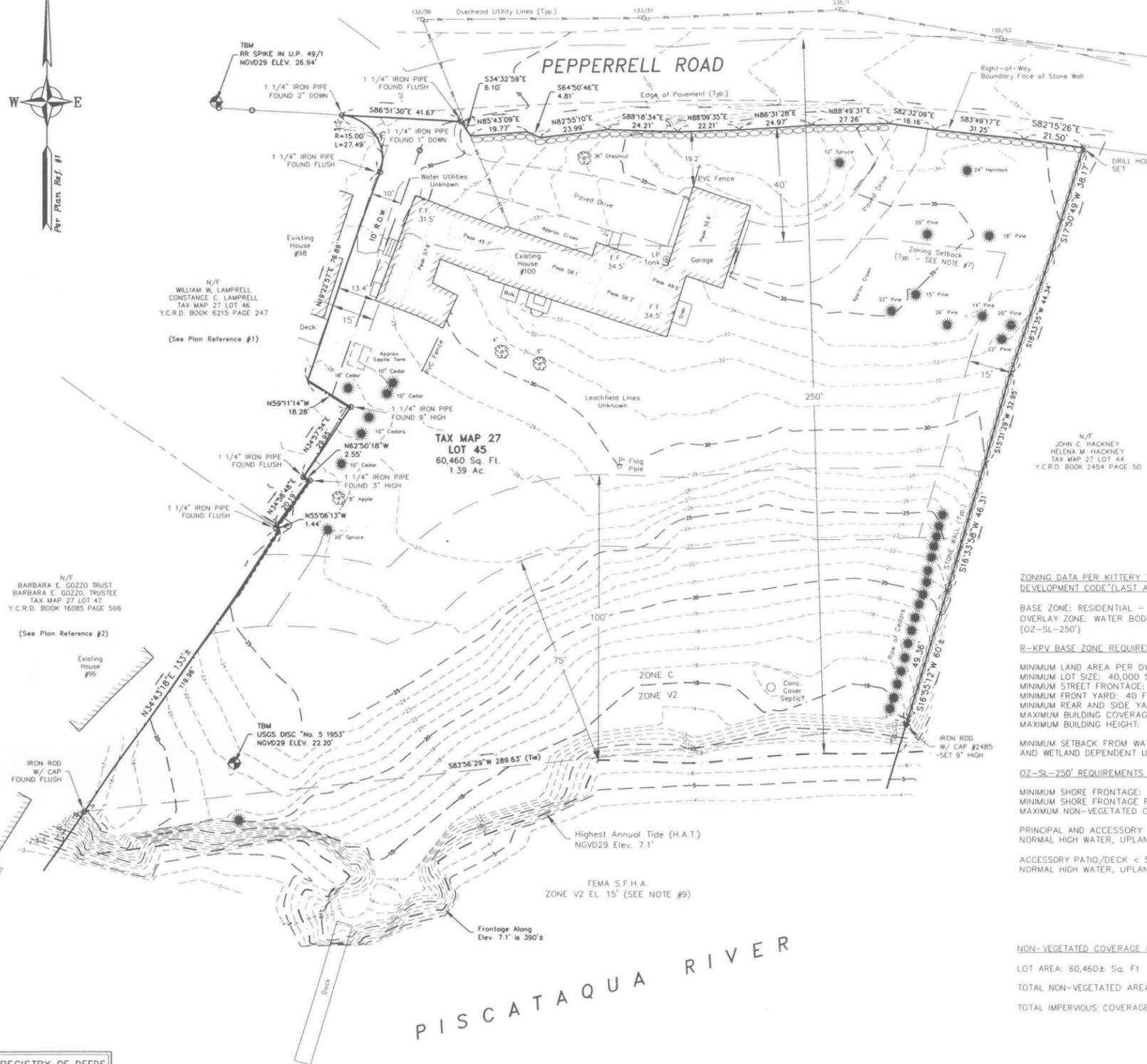


PLAN REFERENCES:

1. "PLAN SHOWING PORTION OF PROPERTY OF MILDRED C. WASSON + KATHARINE H. AYER, KITTELY POINT, YORK COUNTY, ME., TO BE CONVEYED TO ALBERT W. LAMPRELL + PHYLLIS C. LAMPRELL," PREPARED BY MOULTON ENGINEERING CO. INC., DATED NOVEMBER 28, 1961 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 32 PAGE 10.
2. "STANDARD BOUNDARY SURVEY PLAN PREPARED FOR CLAUDIA DUNCAN, SITE LOCATION: 96 PEPPERRELL ROAD, KITTELY POINT, MAINE" PREPARED BY CIVIL CONSULTANTS, DATED 11/20/200 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 261 PAGE 32.



OBLIQUE AERIAL



N/F
WILLIAM W. LAMPRELL
CONSTANCE C. LAMPRELL
TAX MAP 27 LOT 46
Y.C.R.D. BOOK 6215 PAGE 247

(See Plan Reference #1)

N/F
BARBARA E. GOZZO TRUST
BARBARA E. GOZZO, TRUSTEE
TAX MAP 27 LOT 47
Y.C.R.D. BOOK 16085 PAGE 596

(See Plan Reference #2)

N/F
JOHN C. HACKNEY
HELENA M. HACKNEY
TAX MAP 27 LOT 44
Y.C.R.D. BOOK 2454 PAGE 50

ZONING DATA PER KITTELY TOWN CODE "TITLE 16 LAND USE AND DEVELOPMENT CODE"(LAST AMENDMENT 1/27/14) (SEE NOTE #7).
BASE ZONE: RESIDENTIAL - KITTELY POINT VILLAGE (R-KPV)
OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250')

R-KPV BASE ZONE 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 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: 0 FT.
OZ-SL-250' REQUIREMENTS (SEE 16.3.2.17):
MINIMUM SHORE FRONTAGE: 150 FT.
MINIMUM SHORE FRONTAGE PER DWELLING UNIT: 100 FT.
MAXIMUM NON-VEGETATED 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

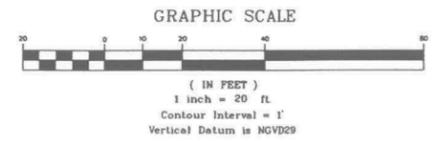
NOTES:

- OWNERS OF RECORD:
TAX MAP 27 LOT 45
JONATHAN KING
JAMES W. STOTT
Y.C.R.D. BOOK 16859 PAGE 12
DATED JULY 10, 2014
- TOTAL EXISTING PARCEL AREA:
TAX MAP 27 LOTS 45
60,460 Sq. Ft. (1.39 Ac.)
- BASIS OF BEARING 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.
- 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.
- ZONING INFORMATION AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTELY PRIOR TO DESIGN OR CONSTRUCTION.
- VERTICAL DATUM IS NGVD29 AND BASED ON GPS OBSERVATION.
- REFERENCE IS MADE TO FEMA FIRM PANEL 230171 0005 D, REVISED JULY 3, 1986.

NON-VEGETATED COVERAGE CALCULATION:	EXISTING	PROPOSED
LOT AREA: 60,460± Sq. Ft. (Area above Elev. 7.1')		
TOTAL NON-VEGETATED AREA:	6,720± Sq. Ft.	N/A
TOTAL IMPERVIOUS COVERAGE (6,720/60,460):	11.1% (20% Allowed)	N/A

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

Register



EXISTING CONDITIONS PLAN
FOR PROPERTY AT
100 Pepperrell Road
Kitterly Point, York County, Maine
OWNED BY
Jonathan King & James W. Stott
155 Pine Hill Road, Cape Neddick, ME 03902

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

SCALE: 1" = 20'	PROJECT NO: 14722	DATE: 10/2/14	SHEET: 1 OF 1	DRAWN BY: A.M.P.	CHECKED BY: P.L.A.
DRAWING No: 14722 Site					
FIELD BOOK No: "Kitterly Point #11"					
REV.	DATE	STATUS	BY	CHKD	APPD.

Tax Map 27 Lot 45

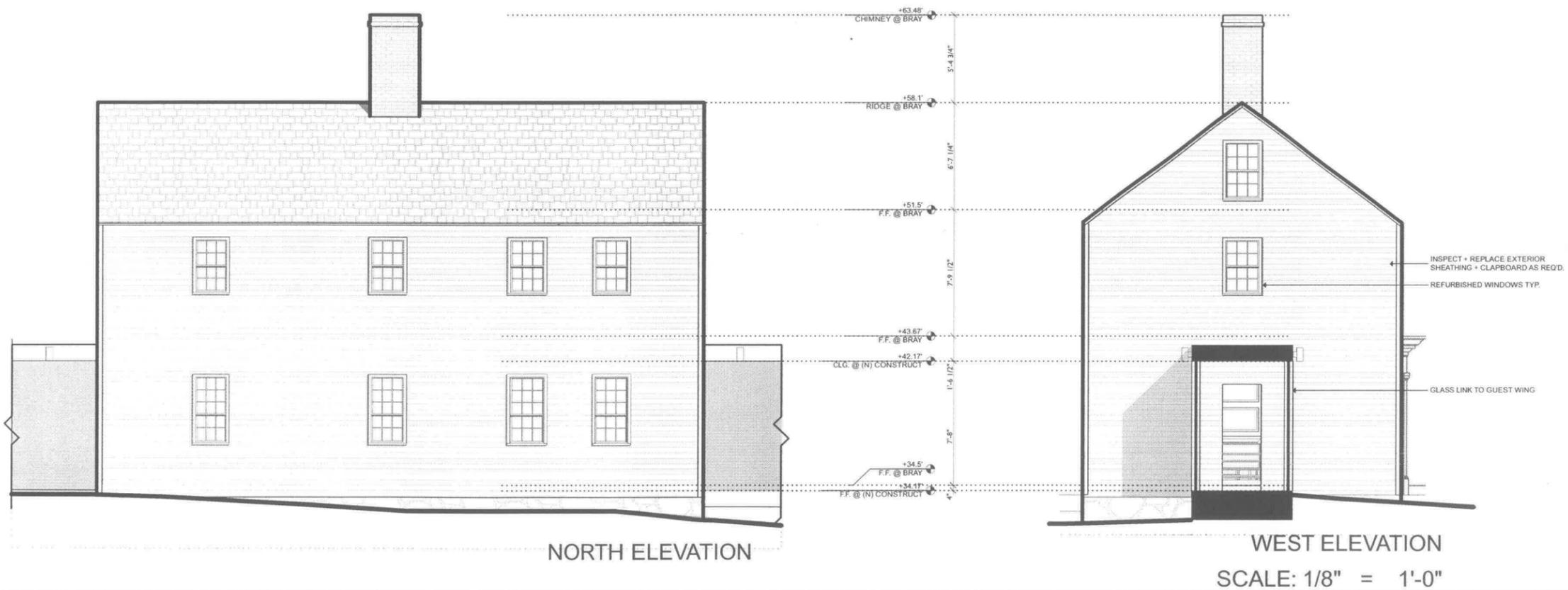


NON-VEGETATED AREAS	TOTAL AREA	AREA IN 40' FRONT YARD
(E) NON-VEGETATED AREA	6,720 sq ft (11.1%)	
(E) NON-VEGETATED AREA TO BE REMOVED	5,998 sq ft	118 sq ft
NON-VEGETATED AREA TO REMAIN (BRAY HOUSE)	722 sq ft	194 sq ft
(N) MAIN DWELLING*	3,229 sq ft	
(N) GUEST WING*	795 sq ft	
(N) SUMMER HOUSE*	225 sq ft	
(N) POOL/DECK*	3,031 sq ft	
(N) GARAGE*	1,117 sq ft	
(N) DRIVEWAY*	2,874 sq ft	
PROPOSED STRUCTURES	6,088 sq ft	
DEMOLISHED STRUCTURES	-3,139 sq ft (94.0%)	
CHANGE IN FOOTPRINT OF STRUCTURES	2,949 sq ft (-67.0%)	
PROPOSED NON-VEGETATED AREA	11,993 sq ft (19.8%)	

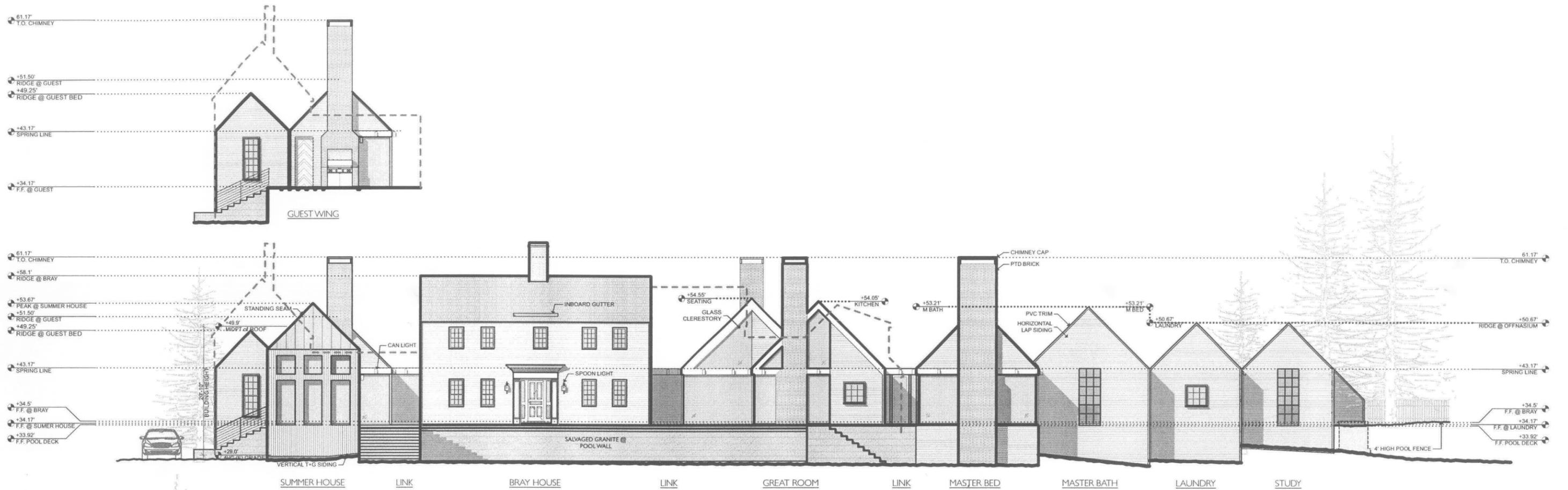
NEW NON-VEGETATED AREAS ARE HATCHED*

NOTES
 1. NO PROPOSED DEVELOPMENT IN 100' SETBACK
 2. PLAN REFERENCES EXISTING CONDITIONS PLAN DATED 10.02.2014 BY EASTERLY SURVEYING FOR METES + BOUNDS
 TOPOGRAPHIC INFORMATION
 EXISTING NON-VEGETATIVE AREA

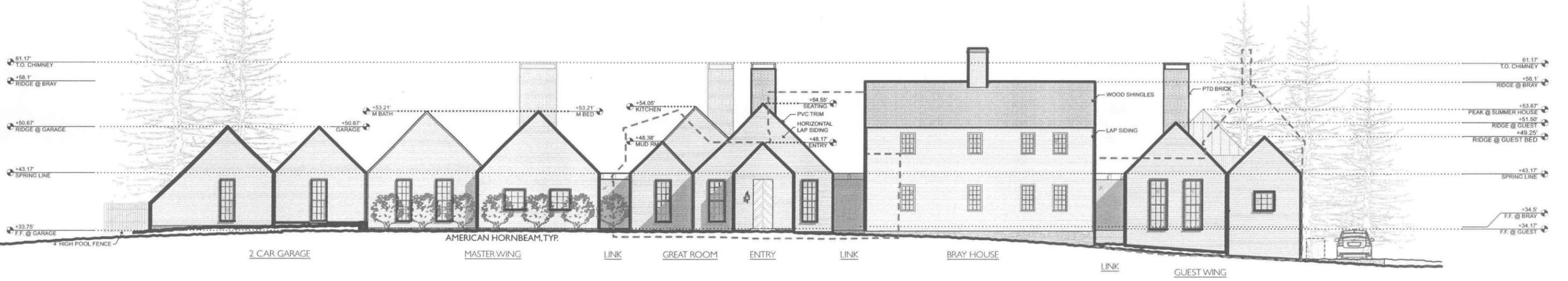
SCALE: 1" = 30'



SCALE: 1/8" = 1'-0"

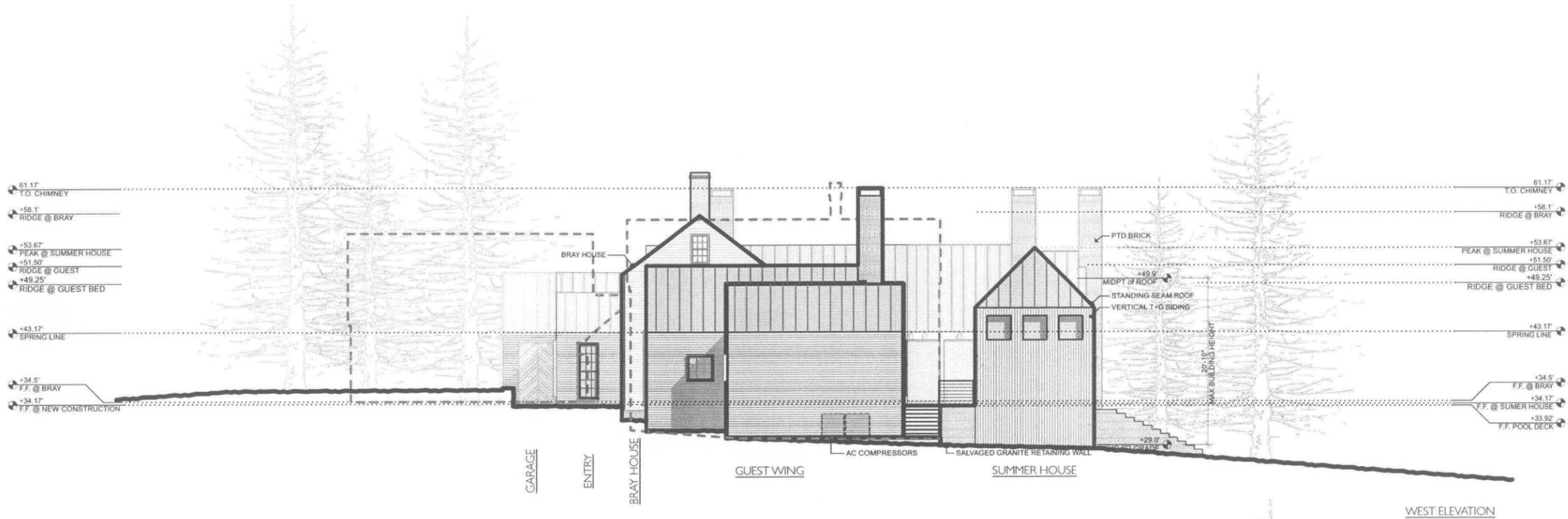


SOUTH ELEVATION

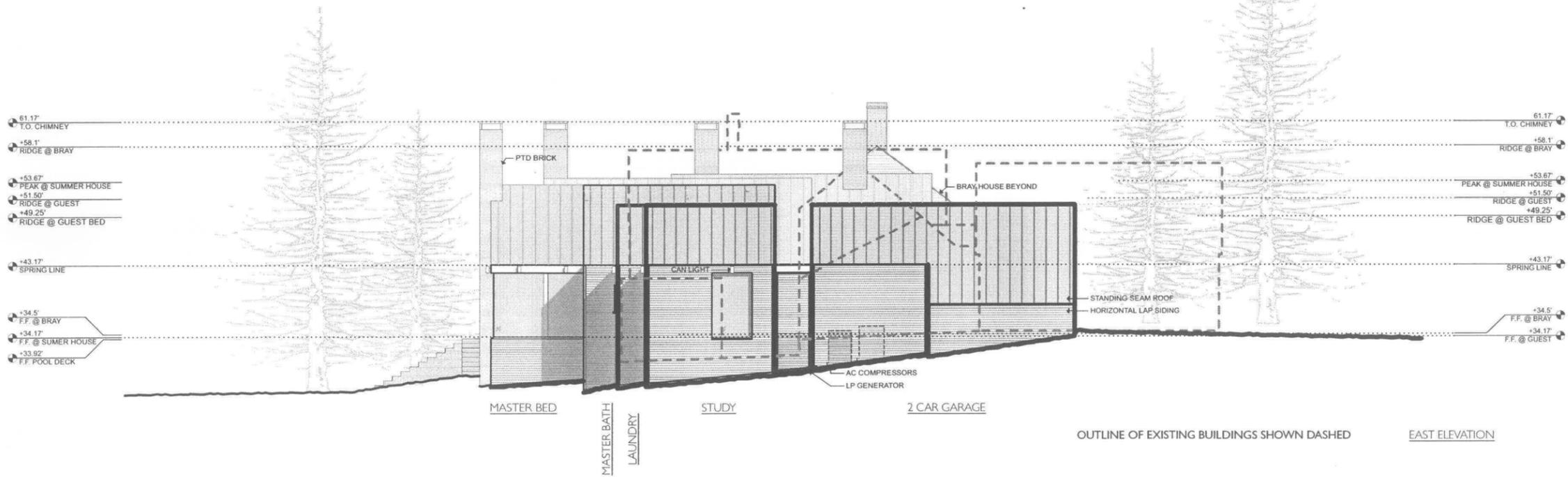


OUTLINE OF EXISTING BUILDINGS SHOWN DASHED NORTH ELEVATION

SCALE: 1/16" = 1'-0"



WEST ELEVATION



EAST ELEVATION

SCALE: 1/16" = 1'-0"